



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Phoebe Dossett, Esq. - Nacmias Law Firm, PLLC 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 035686836R et al. (1 Summons) DEPT OF BUILDINGS, -against- FOREST HILLS MHA HOUSING DEVEL Hearing Date: 07/10/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035686836R	Dismissed	10/29/2024	62-27 108 STREET Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B1E4	28-302 .5	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

Petitioner appeared by DOB representative, Taylor Barje Esq. Respondent, FOREST HILLS MHA HOUSING DEVEL., appeared by its attorney, Phoebe Dossett Esq., to answer a charge of failing to take safety measures to secure public safety. The first hearing date was January 14, 2024.

Ms. Barje relied on the summons as well as the evidence package which included several pictures in support of the allegations (see Pet. Exhs A & B).

Ms. Dossett moved to dismiss the summons on the grounds of improper/defective service of the summons. Ms. Dossett

stated that the contact information to the superintendent of the building is posted by the entrance door; that the inspector does not state that he/she tried to contact the superintendent as indicated on the posted contact information; and that she is not sure what the inspector means by "knocked the door and i spoke wit someone of the tenant of the super anyone authorized to receive the summons". Ms. Dossett stated that the superintendent was present at the time in question but received no calls/contact from the inspector before posting such summons. In support of her motion Ms. Dossett presented Appeal No. 2100421(see Resp. Exh. A).

Ms. Barje stated that service of the instant summons is not defective, but is proper.

I credit the testimony and evidence presented by Ms. Dossett. I grant Ms. Dossett's motion to dismiss the summons. I find that a failure to attempt to contact the superintendent of the building as posted by the front-entrance of the building does not establish reasonable attempts to effectuate personal service on Respondent at the premises before utilizing the alternative "affix and mail" method. Therefore the service of the summon is defective/improper. Accordingly, the summons is DISMISSED.



07/22/2025

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Akinwale Akinrefon, Hearing Officer

Date