



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Michael Nacmias, Esq. - Nacmias Law Firm
592 Pacific Street 1st Floor
Brooklyn, NY 11217

Summons# : 048260752N et al. (1 summonses)

THE NEW YORK CITY DEPARTMENT OF SANITATION,

-against-

LI'S GARDEN

Hearing Date : 12/6/2024

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 0.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
048260752N	Dismissed	02/06/2024	42-87 MAIN STREET, Queens

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	ASAO	16-120 (C)	Dismissed	0.00

Total Penalty for Summons: 0.00

Findings of Facts & Conclusions of Law

The hearing was conducted via telephone conference call on December 6, 2024.

Respondent LI'S GARDEN was represented by CHIA HAN LIN, an authorized representative.

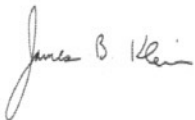
No appearance on behalf of petitioner DSNY

The summons charges: 16-120(c)

The respondent states that the cited refuse did not come from the respondent, which is a commercial tenant. The cited refuse came from the residential tenants who mixed it in with the respondent's refuse. Respondent submitted information showing that the building is mixed use.

I credit the summons details and I find that the petitioner has established a valid charge against the respondent. I also credit respondent's testimony and evidence presented and find that the respondent has established a valid defense in that the cited refuse did not come from the respondent.

The summons is dismissed.



12/06/2024

12/06/2024

James Klein, Hearing Officer

Date

