



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

BROTHER OF CHEN LIQUORS INC/ Michael Nacmias, Esq 592 Pacific Street 1st fl Brooklyn, NY 11217	Summons No: 048470025M et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- BROTHER OF CHEN LIQUORS INC Hearing Date: 03/02/2026 Hearing Location: Remote Type of Hearing: By One-Click
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Total Penalty Amount: \$50.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
048470025M	Sustained	06/10/2024	1503 WHITE PLAINS ROAD Bronx

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	ASPQ	16-120 (A)	Sustained	\$50.00

Findings of Fact & Conclusions of Law

Respondent, Brother of Chen Liquors Inc. by Michael Nacmias, Esq., Counsel to respondent, appears by online submission (Respondent's A).

The summons alleges that on June 10, 2024 at 5:48 p.m. the issuing officer observed trash and/or organic waste placed out for private carter collection in bags instead of containers in front of 1503 White Plains Road, Bronx, New York.

Respondent states the summons should be dismissed because: Motion to Dismiss. Violation is vague and fails to establish that the respondent placed waste in violation of the rules

The summons alleges a violation of New York City Administrative Code 16-120(A) which sets forth, in pertinent part, that the owner, agent, Lessee, occupant or other person who manages or controls a building or dwelling shall provide and maintain separate receptacles for the deposit of incinerator residue and ashes; refuse and liquid waste. The receptacles shall be made of metal or other material of a grade and type acceptable to the department.

I find that the summons states sufficient facts to establish a violation of the cited section of the Administrative code and I credit that the issuing officer's observations.

Respondent has not supplied any information concerning how the organic waste/trash was placed out for the private carter on the date and time of this alleged violation. Respondent has not rebutted the issuing officer's allegations.

Accordingly, this summons is sustained.



03/02/2026

03/02/2026

Barbara Odwak, Judicial Hearing Officer

Date