



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

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

Summons# : 035666956N et al. (2 summonses)

DEPT OF BUILDINGS,

-against-

SENECA AVE REALTY HOLDING LLC

Hearing Date : 3/11/2025

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 712.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035666955L	Sustained	06/14/2023	67-17 Myrtle Avenue , Queens

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B2C4	27- 3018(B)	Sustained	400.00

Total Penalty for Summons: 400.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035666956N	Sustained	06/14/2023	67-17 Myrtle Avenue , Queens

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B202	AC 28-301.1	Sustained	312.00

Total Penalty for Summons: 312.00

Findings of Facts & Conclusions of Law

Respondent, Seneca Ave Realty Holding LLC appeared by Caroline Kane Esq., as attorney, and Deanna Lamberti Esq., appeared for the petitioner, DOB.

The respondent is charged with a class 1 violation of BC section 3301.4 and section 27-1018 of the NYC Administrative Code for failure to maintain adequate housekeeping under summons no. 035666956N (56N); and a class 1 violation of section 27-3018(b) of the Code for electrical work without a permit under summons no. 035666955L (55L).

Ms. Lamberti moves to amend the charge under 56N to a class 2 violation of section 28-301.1 with infraction code B202 failure to maintain building in code compliant manner; and to amend the charge under 55L to class 2 violation of section 27-3018(b) with infraction code B2C4 on the grounds that DOB records show that the violations were swiftly corrected.

Ms. Kane raised no objection. The motion was granted.

Ms. Kane denies but did not rebut the violations as amended.

Ms. Lamberti reaffirmed the violations as amended, confirmed that the DOB records show that the violations were corrected before their first scheduled hearing date of 8/22/2023 and recommends a mitigated penalty for each of the violations.

As the petitioner has proved its case on each of the charges as amended, and the respondent has not established a sufficient legal defense to any of the violations, I credit the facts alleged in each of the charges. Therefore, the violations are sustained. As the violations were timely corrected before their first scheduled hearing date of 02/22/2023 an approved reduced penalty is hereby imposed for each of the violations.



03/18/2025

03/18/2025

Cornelius Ojinnaka, Hearing Officer

Date