



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 No: 039523359M et al. (1 Summons) DEPT OF BUILDINGS, -against- BRUKLYN BUILDERS INC Hearing Date: 03/21/2025 Hearing Location: Remote Type of Hearing: By Telephone
--	--

Total Penalty Amount: \$5,000.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039523359M	Sustained	11/14/2023	346 MYRTLE AVENUE Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B115	BC 3301.2 & 27-1009(a)	Sustained	\$5,000.00

Findings of Fact & Conclusions of Law

Respondent BRUKLYN BUILDERS INC LLC appeared by Carolyn Kane Esq. Petitioner NYC DOB appeared by Daniel Brickman Esq. Inspector Cleveland Sampson appeared as a witness.

At the time, date and place of occurrence, petitioner charged that respondent violated NYC Building Code Section 3301.2 & 27-1009(a)(Class 1), failure to institute/maintain safety equipment measures or temporary construction – no guardrails: at active demolition site, observed in progress with Yodocks in place, no guardrails system around perimeters to protect the workers from any fall hazards which can result in serious body injuries. Also observed some areas are ore than 6ft deep which requires a solid guardrail system.

Petitioner produced the inspection photographs. Inspector Sampson reiterated that the Yodocks, which were not locked together or filled with water, could fall into the pit. There was no protection around the whole area. Ms. Kane asked to have the charge amended to a miscellaneous section, as the site was closed to the public. Petitioner declined to amend.

I credit the observations of the inspector, and find that respondent failed to institute proper safety measures at the demolition site in violation of Code Section 3301.2 & 27-1009. Therefore, I sustain the charge and impose the standard Class 1 penalty designated for this charge.

	
03/25/2025	03/25/2025
Laura Fieber, Hearing Officer	Date