



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# : 035447103L et al. (1 summonses)

DEPT OF BUILDINGS,

-against-

GALICIA CONTRACTING & RES

Hearing Date : 5/23/2025

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
035447103L	Sustained	09/13/2019	270 PARK AVENUE SOUTH, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B115	BC 3301.2 AC27-1009A	Sustained	5,000.00

Total Penalty for Summons: 5,000.00

Findings of Facts & Conclusions of Law

Caroline Kane, Attorney for Respondent, GALICIA CONTRACTING & RES and Dallas Mahan, Attorney for Petitioner, Department of Buildings. The parties appeared for a hearing by telephone on May 23, 2025. Issuing Officer Sokolowski Badge 2985 also appeared to testify.

Respondent is charged with a Class 1 violation of Section 3301.2 of the Building Code for failure to institute/maintain safety measures. The summons states that there was no guardrail system in place at Exposures 1, 2 and 4.

Petitioner presents photos of the violating condition. Respondent's counsel argues that this violation is duplicative of a previous summons that was issued for failure to protect the adjacent property. The Issuing Officer states that the guardrails should be in place to protect people and items from falling from the building and not only to protect the adjacent property. He also notes that the debris netting and the rope that is in place is not capable of maintaining any significant load.

I credit the summons and find it sufficient to establish the charge. Therefore, this violation is sustained and the standard penalty is imposed.



05/30/2025

05/30/2025

Amita Rodriguez, Hearing Officer

Date