



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 039121229M et al. (1 Summons) DEPT OF BUILDINGS, -against- JEAN-LOUIS, GLADYS Hearing Date: 09/25/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039121229M	Dismissed	08/08/2024	481 MAPLE STREET Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B204	28-302.1	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

The summons alleges that on 8/8/24, the Respondent, Gladys Jean-Louis was in violation of NYCAC section 28-302.1, Class 2, in that at the time of inspection IO observed existing curb cut had been extended to 15' and maintained without DOB approval at 481 Maple Street, Brooklyn, NY.

Frank Tamberino, Esq. appeared for Respondent. Maria Dollas, Esq. appeared for Petitioner DOB.

Petitioner relied on the IO's sworn to statement. Mr. Tamberino challenged service. IO resorted to affix and mail service after "...Respondent female did not have ID." Mr. Tamberino argued service was not reasonable, relying on appeal #2101148. Petitioner had nothing further.

I find IO failed to make a reasonable attempt to effectuate personal service on Respondent before utilizing the alternative "affix and mail" method. The Board has held that identification is not necessary. It was not necessary for the IO to confirm the identity of the occupant where she held herself out to be the Respondent at Respondent's home (See Appeal #2201629). (Also see Appeal #2401402- identification is not required to effect personal service, no indication on the affirmation of service that the individual refused to accept the summons. Also, the affirmation of service is silent as to whether the IO inquired whether anyone authorized to accept service was present at the cited premises).

Accordingly, the summons is dismissed.

	
10/07/2025	10/07/2025
Lara Bianchi, Hearing Officer	Date