



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

SUPERSEDING DECISION

Caroline Kane, Esq. - Nacmias Law Firm, PLLC 592 Pacific Street, 1st Floor Brooklyn, NY 11217	Summons No: 039533980J et al. (1 Summons) DEPT OF BUILDINGS, -against- Brooklyn Builder Inc Hearing Date: 06/24/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$625.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039533980J	Sustained	10/30/2024	151 CARLTON AVENUE Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B212	BC 3303.4 27-1018	Sustained	\$625.00

Findings of Fact & Conclusions of Law

Malka Amar, Esq. appeared as counsel for the New York City Department of Buildings. She made a motion to amend to a class 2 charge, Infraction Code B212, Code 28-105.12.2. Based upon DOB records she recommends the mitigated class 2 penalty.

Caroline Kane, Esq. appeared as counsel for the respondent. Ms. Kane requested mitigation based upon timely correction on DOB records.

Respondent is charged with having work that does not conform the approved plans by having an improperly planked supported

scaffolding, under Code 28-105.12.2, as a class 1 charge.

I grant Ms. Amar’s motion to amend to a class 2 charge, Infraction Code B212, Code 28-105.12.2.

I find that this is a class 2 charge. A class 2 charge is a major violations are those specified as such by the New York City Construction Codes or those where the violating condition affects life, health, safety, property, or the public interest but does not require immediate corrective action, or, with respect to outdoor advertising, those where the violation and penalty are appropriate as an economic disincentive to the continuation or the repetition of the violating condition.

I sustain this summons as a class 2 charge, and I impose the statutory approved class 2 mitigated penalty based upon correction in the DOB records.

	
08/14/2025	08/14/2025
Keith J. Ludwiczak, Hearing Officer	Date