



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: 039132316Y et al. (1 Summons) DEPT OF BUILDINGS, -against- LEE & JOE 44, LLC Hearing Date: 01/16/2026 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
039132316Y	Sustained	12/08/2024	30-46 44 STREET Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B202	AC 28-301.1	Sustained	\$625.00

Findings of Fact & Conclusions of Law

At the telephonic hearing petitioner appeared by D. Brickman, Esq. The respondent appeared by F. Tamberino, Esq., from Nacmias Law Firm. The summons was previously adjourned for the testimony of the IO, the parties agreed to proceed without the testimony of the inspector.

The summons charges Class 1, violation of 28-301.1, for failure to maintain building. Petitioner moved to amend to a Class 2, violation as the facts do not rise to an immediately hazardous designation. Petitioner's amendment is granted. Although the summons was corrected the DOB record shows compliance after the first hearing date.

The summons is upheld. A Class 2 standard penalty is imposed.

	
01/20/2026	01/20/2026
Elizabeth Garcia, Judicial Hearing Officer	Date