



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Phoebe Dossett, Esq. - Nacmias Law Firm, PLLC 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 039135033H et al. (1 Summons) DEPT OF BUILDINGS, -against- 1951 ROCKAWAY PARKWAY LLC Hearing Date: 04/23/2025 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
039135033H	Dismissed	01/09/2025	1951 ROCKAWAY PARKWAY Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B384	ZR-Misc.	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

Petitioner, Department of Buildings, appeared by authorized representative, Jennifer Clouden, Esq.; Respondent, appeared by authorized representative, Phoebe Dossett, Esq.

The summons sets forth a violation of ZR-misc., a class 3 violating condition

Ms. Clouden stated that she would rely on the allegations as set forth in the summons and noted that the cited section of law, ZR 23-451, was set forth in the violation details. She also argued that the RCA is the controlling date, which is 3/16/23, with a compliance date of 5/15/23.

Ms. Dossett stated that the specific section of law was not properly set forth; that the summons should be dismissed, as the section of law referenced in the violation details, was not in effect when the summons was issued on 1/9/25, having effectively been eliminated on 12/5/24 and produced supporting documents.

I find that the summons sets forth a prima facie case and I find that the evidence supports a class 3 designation. I credit Ms. Dossett's argument and I find that she has rebutted the allegations as set forth in the summons.

Accordingly, the summons is dismissed.

Aubrey Lees

05/05/2025

05/05/2025

Aubrey Lees, Hearing Officer

Date