



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Frank Tamberino, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 039538061L et al. (1 Summons) DEPT OF BUILDINGS, -against- GBJ 12 REALTY LLC Hearing Date: 11/25/2025 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
039538061L	Dismissed	03/17/2025	150-18 12 ROAD Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B2F4	BC 3307.1.1 (2008 code), BC 3307.4.6 (2014 code), & BC 3301.9 (2022 code)	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

Petitioner appeared by DOB representative, Anuj Vaidya. Respondent, GBJ 12 REALTY LLC., appeared by attorney, Frank Tamberino Esq., to answer a charge of posting illegal advertisement signs. The first hearing date was May 27, 2025.

Mr. Vaidya relied on the allegations in the summons as well as the evidence package which included pictures (see Pet. Exh. A).

Mr. Tamberino made a preliminary motion to dismiss the summons on the grounds that the improper Respondent was cited. Mr. Tamberino stated that the cited premises is an active jobsite with on-going construction; that the job-site has a general contractor/permit-holder; and that as such the proper Respondent is the general contractor/permit-holder and not the Respondent who is the owner of the premises.

Mr. Vaidya stated that in the absence of active work Respondent the owner is responsible and can be cited as Respondent.

I credit Mr. Tamberino's testimony. While I credit Petitioner's evidence, I find that Respondent has rebutted the charge. I find that the cited premises is an active construction/job site and that such job site has a general contractor/permit-holder. I therefore find that the proper party is the general contractor/permit holder and not cited Respondent who is the owner of the premises. I grant Mr. Tamberino's motion to dismiss the summons. Accordingly, the summons is DISMISSED.



12/05/2025

12/05/2025

Akinwale Akinrefon, Judicial Hearing Officer

Date