



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: 039150347X et al. (1 Summons) DEPT OF BUILDINGS, -against- AVI HALABANI Hearing Date: 04/13/2026 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
039150347X	Dismissed	06/07/2025	2056 EAST 23 STREET Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B201	28-105.1	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

A hearing was conducted by telephone on April 13, 2026. Frank Tamberino, Esq. appeared for the respondent. Carl Kanev appeared for the petitioner. The summons alleged a violation of NYC Admin. Code sec. 28-105.1 in that there was a partition installed without a permit that subdivided a one-car garage into a two-car garage.

The petitioner rested on the summons. The respondent submitted an appraisal report and a deed to show that the partition in the garage predated the respondent's purchase of the home. The appraisal report, submitted in April 1999, documents the existence of a partition in the garage at the premises. The deed shows the respondent purchased the premises in August 1999. The petitioner offered no evidence in rebuttal and took no position. I credit the respondent's evidence and do not credit

the summons allegations. This summons is, therefore, dismissed.



04/13/2026

04/13/2026

Chin Ho Cheng, Judicial Hearing Officer

Date