



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

FRANK TAMBERINO, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons# : 039542531Z et al. (2 summonses) DEPT OF BUILDINGS, -against- BRUKLYN BUILDERS INC Hearing Date : 11/3/2025 Hearing Location : Remote Type of Hearing : By Telephone
---	--

Total Penalty Amount :	10,000.00	Community Service(Hr):	Not Applicable
-------------------------------	------------------	-------------------------------	-----------------------

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039542531Z	Sustained	07/17/2025	60 NORTH FIRST STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B209	BC 3301.2	Sustained	5,000.00

Total Penalty for Summons: 5,000.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039542533M	Sustained	07/17/2025	60 NORTH FIRST STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B2P3	BC 3309.1	Sustained	5,000.00

Total Penalty for Summons: 5,000.00

Findings of Facts & Conclusions of Law

039542533M

Summons 039542533M alleges a Class 2 charge of § 3309.14 of the Building Code (BC), found in Title 28 of the Administrative Code of the City of New York (Code), for failure to provide window protection.

Petitioner, the Department of Buildings (DOB), appeared by Henry Pita, who relied on the IO's statements and submitted photographs taken by the IO on the date of offense.

Respondent, BRUKLYN BUILDERS INC., appeared by FRANK TAMBERINO, Esq., who denied the allegations in the summons without rebuttal.

I credit the IO's statements on the summons.

Accordingly, the violation is sustained.

039542531Z

Summons 039542531Z alleges a Class 2 charge of § 3301.2 of the Building Code (BC), found in Title 28 of the Administrative Code of the City of New York (Code), for failure to safeguard all persons and property affected by construction operations.

Petitioner, the Department of Buildings (DOB), appeared by Henry Pita., who relied on the IO's statements and submitted photographs taken by the IO on the date of offense.

Respondent, BRUKLYN BUILDERS INC., appeared by FRANK TAMBERINO, Esq., who did not dispute the IO's statements, but testified that the cited violation condition had been corrected and that correction had been approved by DOB.

I credit the IO's statements on the summons. I also credit Respondent's attorney's testimony; however, it does not establish any defense or basis for imposition of a reduced penalty.

Accordingly, the violation is sustained.

KL
Lawner

11/03/2025

11/03/2025

Kevin Lawner, Judicial Hearing Officer

Date