



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: 039542441P et al. (1 Summons) DEPT OF BUILDINGS, -against- KALE CONSTRUCTION INC Hearing Date: 05/12/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$5,000.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039542441P	Sustained	07/16/2025	150-24 12 ROAD Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B1P7	Misc. BC—Chapter 33	Sustained	\$5,000.00

Findings of Fact & Conclusions of Law

This hearing was conducted remotely by telephone. Attorney Frank Tamberino appeared for Respondent and requested that notification be sent to attorney Michael Nacmias. Attorney Anuj Vaidya appeared for Petitioner Department of Buildings (DOB). Respondent was charged with a class 1 miscellaneous violation of Chapter 33 of the Building Code.

Petitioner provided as evidence pictures the issuing officer had taken when conducting the inspection that led to this summons, and pointed to pictures at page 3 showing no guardrails, pages 4-6 with a person at a high elevation and without safety measures, and to page 6 that person using a ladder; with all of them showing a lack of support or guardrails where the risk of falling was clear. Petitioner stated these supported the summons.

After reviewing Respondent's evidence, Respondent noted that the conditions had been corrected, the certificate of correction had been accepted and beyond that they denied the violation with no rebuttal.

Respondent did not refute Petitioner's case or establish a defense.

Thus, the summons is sustained, and the statutory penalty is imposed.

	
05/13/2026	05/13/2026
Daniel Vazquez-Diaz, Judicial Hearing Officer	Date