



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: 037035888M et al. (1 Summons) DEPT OF BUILDINGS, -against- CEG MYRTLE AVENUE LLC Hearing Date: 03/06/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$625.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
037035888M	Sustained	07/01/2025	461 MYRTLE AVE Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B265	AC 28-303.7	Sustained	\$625.00

Findings of Fact & Conclusions of Law

Petitioner, NYC Dept. of Buildings appeared by attorney, Maria Dollas, and Respondent, CEG Myrtle Avenue, LLC, appeared by attorney, Frank Tamberino, at a remote hearing held on 3/6/2026.

Respondent is charged with a class "1" violation of AC 28-303.7 for failing to file the required annual boiler inspection report.

AC 28-303.7 provides that:

The owner of each boiler that is subject to inspection pursuant to section 28-303.2 shall file a signed annual report with the commissioner in accordance with the rules of the department within 14 days after the required annual inspection of the boiler has been performed. Extensions of time to file such report may be granted in accordance with the rules of the department. The report shall include, but shall not be limited to:

1. The location of the boiler.

2. The name and address of the inspector, the qualification of the inspector to perform the inspection, the date of inspection and if the inspector is a qualified boiler inspector in the employ of a duly authorized insurance company, the policy number covering the boiler.

3. A list of all defects found in the inspection for each device inspected.

Mr. Tamberino denied the charge with no rebuttal.

I credit Petitioner's sworn statement and find it establishes a violation of the cited section of law. I further find that Petitioner proved the condition affects life, health, safety, property, or the public interest, but does not require immediate corrective action, and that the specification as a class 2 is appropriate.

Accordingly, I find Respondent in violation and impose the mandatory penalty.

J. Gawthrop

03/18/2026

03/18/2026

Janet Gawthrop, Judicial Hearing Officer

Date