



**OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS**  
*Hearings Division*

**DECISION**

|                                                                                                       |                                                                                                                                                                                                                                                                                         |
|-------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Michael Nacmias, Esq. - Nacmias Law Firm</b><br>592 Pacific Street 1st Floor<br>Brooklyn, NY 11217 | <b>Summons No: 014137012K et al. (1 Summons)</b><br><br><b>NEW YORK CITY FIRE DEPARTMENT,</b><br><br><b>-against-</b><br><br><b>CLASSON DELI GOURMET CORP</b><br><br><b>Hearing Date: 12/03/2024</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|-------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |
|----------------------------------------------|
| <b>Total Penalty Amount: \$900.00</b>        |
| <b>Community Service(Hr): Not Applicable</b> |

| SUMMONS #  | SUMMARY DISPOSITION | DATE OF OCCURRENCE | PLACE OF OCCURRENCE         |
|------------|---------------------|--------------------|-----------------------------|
| 014137012K | Sustained           | 07/25/2024         | 502 Prospect Place Brooklyn |

| LINE ITEM | OATH CODE | CODE SECTION/RULE | RESULT    | PENALTY  |
|-----------|-----------|-------------------|-----------|----------|
| 1         | BF05      | VC5 .             | Sustained | \$900.00 |

**Findings of Fact & Conclusions of Law**

Petitioner NYC Fire Department appeared by Russell Walker and respondent Classon Deli Gourmet Corp appeared by Matthew Whitening.

The summons alleged a repeat records violation (VC 5), failure to submit proof of fire suppression system inspection, and noted the underlying prior violation # 14100014P.

Petitioner relied upon the summons, and after conferencing the matter with respondent, noted that the condition was corrected prior to the first hearing and recommended a mitigated penalty for a repeat violation. Respondent did not rebut the charge or

challenge the underlying violation.

I credit petitioner's evidence and find it supports a repeat violation of the cited section of law, with mitigation. The summons is sustained and a penalty of \$900.00.

*Seth J. Cummins*

12/03/2024

12/03/2024

Seth Cummins, Hearing Officer

Date