



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Andre Autz, Esq. - Nacmias Law
592 Pacific Street
Brooklyn, NY 11217

Summons# : 035506425L et al. (1 summonses)

DEPT OF BUILDINGS,

-against-

LANGER, HAYIM LAJTAI

Hearing Date : 1/7/2025

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 5,000.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035506425L	Sustained	03/20/2021	68-32 147th St , Queens

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B191	MISC. CHAP.4 OF TITLE 28	Sustained	5,000.00

Total Penalty for Summons: 5,000.00

Findings of Facts & Conclusions of Law

The sworn-to-summons alleges a class 1 violation of Administrative Code (Code) § 28-401.4 for illegally engaging in any business or corporation without a required license or authorization.

Attorney, Andre Autz, for Respondent, B.J. Construction of NY, was present. Cassie Rene appeared on behalf of the Petitioner, NYC Department of Buildings (DOB). Issuing officer, Inspector Azad, was present.

Petitioner's representative relied on the sworn-to-summons.

Inspector Azad confirmed he is the issuing officer who issued the violation, the photographs were taken at the time and place of occurrence and provided testimony regarding his observations. Inspector Azad testified he does not recall if he observed work being performed during his inspection, however, the general contractor's permit had expired on January 31, 2021.

Respondent's representative did not deny the allegations, but Petitioner failed to present evidence or allegations work was being performed. Petitioner's representative argued, even if work was not observed during the inspection the general contractor is still required to have an active permit.

I credit the sworn-to-summons. I find that the summons as alleged is legally sufficient to establish the violation charged. I find that the Respondent did not present a valid legal defense. I find unlicensed activity since Respondent maintained an active site while having an expired permit. Once a permit is issued, work is deemed active until it is signed off or revoked see NYC v. Greene Street Owners Corp., Appeal No. 1101206 (April 26, 2012). I find the Respondent failed to provide credible evidence to rebut the allegations. Accordingly, the summons is sustained, and a \$5,000.00 violation penalty is imposed.



01/09/2025

01/09/2025

Paul Mendez, Hearing Officer

Date

