



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Phoebe Dossett, Esq. - Nacmias Law Firm, PLLC 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 039113827M et al. (1 Summons) DEPT OF BUILDINGS, -against- AC MARKETING CORP Hearing Date: 11/21/2024 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039113827M	Dismissed	05/08/2024	915 EAST 80 STREET Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B101	28-105.1	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

The hearing was held via Court Call on November 21, 2024. Respondent appeared by Phoebe Dossett, attorney. Petitioner, Department of Buildings, appeared by Malka Amar. Respondent is charged with a violation of 28-105.1. Summons states that the inspector observed cellar level garage door removed and replaced with brick wall, entry door and windows. At cellar level had installed water and waste lines to bathroom shower and sink. No work permit. Petitioner relies on summons. Respondent states that this was a preexisting condition and submits 3 sworn affidavits. One affidavit was from Shane Salmon, who states that he is a neighbor. He swears that he visited the property at the time of purchase and the cellar level had brick walls, an entry door and windows and a bathroom. There have been no changes to the property. Another affidavit is from Darko Drinic. Mr. Drinic swears that he lived on the first floor of the property for 15 years. That there was a brick wall, entry doors

and windows at the cellar level when the current owner purchased the property. A third affidavit was from Ralcan Alhejaili, a friend. who visited the property in 2019. He observed at the cellar level brick walls, entry doors, windows and a bathroom. Respondent submitted a deed dated 1/10/19, to show when the respondent purchased the property. I credit all the evidence submitted by the respondent. I find what the inspector observed existed at the time of purchase. I find that the respondent is not in violation of the statute and the summons is dismissed.



12/10/2024

12/10/2024

Martin Jaffe, Hearing Officer

Date