



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# : 039118475K et al. (1 summonses)

DEPT OF BUILDINGS,

-against-

YITZCHOK BLUM

Hearing Date : 1/24/2025

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 2,500.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039118475K	Sustained	07/05/2024	1320 53 STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B101	28-105.1	Sustained	2,500.00

Total Penalty for Summons: 2,500.00

Findings of Facts & Conclusions of Law

Attorney Ms. Dossett appeared for Respondent. Ms. Burbridge appeared for Petitioner along with Inspector Blount, badge number 3074.

Respondent is charged with a violation of 28-105.1 for work without a permit.

The inspector testified that he responded to the location due to a complaint about work being done on the roof. The inspector took photographs of the building in question [Exhibit 1] and observed work being done from the street level but could not access the building or the roof. No permits were on file for the observed work according to BIZ and DOB Now. The photographs depict that there was a wooden structure that was not yet complete, and that work was being done at all four exposures. The Respondent's name was listed as the owner.

Respondent moved to dismiss this summons due to wrong named Respondent. Respondent submitted affidavits, the deed, and photographs [Exhibit A-C]. The building in question is a condominium, meaning each apartment is owned by someone else. The unit responsible for the work being done on the roof was not Respondent's unit as respondent only owns unit 3R.

Petitioner stated that according to the HPD information, Respondent is the managing agent and head officer. Therefore, he is the proper party to be named as he is not just a condo owner. Petitioner submitted the HPD records [Exhibit 2].

I do not credit Respondent's arguments. I credit the inspector's testimony along with the submitted exhibits. I find that Respondent was the proper party to be named since he is also the managing agent and head officer. I find that the noted work was being performed without a permit.

Accordingly, this summons is sustained.

Christine Delince

02/14/2025

02/14/2025

Christine Delince, Hearing Officer

Date

