



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

MATTHEW WHITENING 592 PACIFIC STREET Brooklyn, NY 11217	Summons# : 014146751Z et al. (1 summonses) NEW YORK CITY FIRE DEPARTMENT, -against- 141 32 Hearing Date : 12/17/2024 Hearing Location : Remote Type of Hearing : By Telephone
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Total Penalty Amount :	1,900.00	Community Service(Hr):	Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
014146751Z	Sustained	09/16/2024	141 32nd Street, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BF01	VC01 .	Sustained	300.00
2	BF15	VC15 .	Sustained	900.00
3	BF23	VC23 .	Sustained	250.00
4	BF25	VC25 .	Sustained	450.00

Findings of Facts & Conclusions of Law

The hearing was conducted via telephone conference call on December 17, 2024.

Respondent 141 32ND STREET LLC was represented by Matthew Whitening.

Ari Dennis Kayserian appeared on behalf of petitioner FDNY.

The summons charges:

Line Item 1 VC01

Petitioner stated that they rely on the summons and are waiting for evidence of correction.

Respondent testified that correction has been completed and submitted documents as evidence of correction.

Petitioner reviewed respondent's documents, accepted that correction had been accomplished before the first hearing date, and recommended a mitigated penalty.

I credit the summons details and I find that the petitioner has established a valid charge against the respondent. I credit respondent's testimony and evidence presented and find that the respondent has shown timely correction.

Line Item 1 is sustained and the mitigated penalty is imposed.

Line Item 2 VC15

Petitioner stated that they rely on the summons and are waiting for evidence of correction.

Respondent testified that correction has been completed and submitted documents as evidence of correction.

Petitioner reviewed respondent's documents but stated that correction had not been accomplished before the first hearing date, and recommended the standard penalty.

I credit the summons details and I find that the petitioner has established a valid charge against the respondent. I credit respondent's testimony and evidence presented and find that the respondent has not shown timely correction.

Line Item 2 is sustained and the standard penalty is imposed.

Line Item 3 VC23

Petitioner stated that they rely on the summons and are waiting for evidence of correction.

Respondent testified that correction has been completed and submitted documents as evidence of correction.

Petitioner reviewed respondent's documents, accepted that correction had been accomplished before the first hearing date, and recommended a mitigated penalty.

I credit the summons details and I find that the petitioner has established a valid charge against the respondent. I credit respondent's testimony and evidence presented and find that the respondent has shown timely correction.

Line Item 3 is sustained and the mitigated penalty is imposed.

Line Item 4 VC25

Petitioner stated that they rely on the summons and are waiting for evidence of correction.

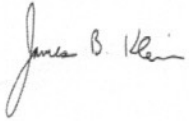
Respondent testified that correction has been completed and submitted documents as evidence of correction.

Petitioner reviewed respondent's documents, accepted that correction had been accomplished before the first hearing date, and recommended a mitigated penalty.

I credit the summons details and I find that the petitioner has established a valid charge against the respondent. I credit

respondent's testimony and evidence presented and find that the respondent has shown timely correction.

Line Item 4 is sustained and the mitigated penalty is imposed.



12/17/2024

12/17/2024

James Klein, Hearing Officer

Date

