



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 039110491Y et al. (1 Summons) DEPT OF BUILDINGS, -against- SARIG, JACLYN Hearing Date: 09/25/2025 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
039110491Y	Dismissed	04/02/2024	1740 EAST 28 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

Summons #039110491Y alleges that on 4/2/24 the Respondent, Jaclyn Sarig, was in violation of NYCAC section 28-105.1, Class 1, for work without a permit at 1740 East 28th Street, Brooklyn, NY. RCA was issued 11/22/23 by IO #2723. Rear of building created 1 story structure fully enclosed with door, window and roof, structure which in both sides exceeds building size.

Frank Tamberino, Esq. appeared for Respondent. Henry Pita appeared for Petitioner DOB. Petitioner rested on the summons

and provided photographs taken by the IO on the date of occurrence (See Pet. Ex.). No RCA was provided.

Mr. Tamberino provided documentary evidence that the cited condition preexisted Respondents ownership of the property (See Res. Ex.- Deed dated 12/21/2005, 3 Affidavits). The deed shows that Respondent purchased the property in an arms-length transaction and the three sworn-to/notarized affidavits from neighbors/friends familiar with the property prior to Respondent's ownership state that all cited conditions pre-existed Respondents purchase.

I credit Respondent's documentary evidence, specifically the affidavits provided, and find that they are sufficiently detailed and show that all cited unpermitted work existed prior to Respondent's ownership. Respondent has rebutted the charge. Accordingly, the summons is dismissed.



10/07/2025

10/07/2025

Lara Bianchi, Hearing Officer

Date