



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Chia-Han Lin - Nacmias Law Firm, PLLC 592 Pacific Street New York, NY 11217	Summons No: 014089791P et al. (1 Summons) NEW YORK CITY FIRE DEPARTMENT, -against- BOSTON POST PLAZA, LLC Hearing Date: 11/14/2024 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$2,450.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
014089791P	Sustained	10/26/2023	3371 Fenton Avenue Bronx

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BF12	VC12 .	Sustained	\$950.00
2	BF20	VC20 .	Sustained	\$1,500.00

Findings of Fact & Conclusions of Law

Respondent BOSTON POST PLAZA, LLC appeared by authorized representative Chia Han Lin via telephone hearing on 11/14/2024. The petitioners appeared via Abayomi Ajaiyeoba.

The summons alleges a violation of VC12, "FAILED TO RESTORE REQUIRED WATER BASED FIRE PROTECTION SYSTEM." and VC20, "FAILED TO CONDUCT REQUIRED (INITIAL/PERIODIC) INSPECTION OR TEST OF WATER BASED

FIRE PROTECTION SYSTEM AT PREMISIS.", with a compliance date of 11/30/2023 and an initial hearing date of 12/14/2023. The summons lists a prior 014061143M.

The Petitioners stated that they have no record of compliance and are resting on the summons. The Petitioners also stated that the Prior is only for the VC 20 charge, so they are seeking a repeat penalty for the VC20 and a standard penalty for the VC12. The Representative did not contest the prior. Respondent's Representative generally denied the violations but did not present any evidence to refute the facts or in support of a legal defense to the charges. I give credit to the statements made on the summons and find that the petitioners have established a prima facia case to the violation. The Respondent is in violation of the alleged charge, recommendation for a repeat penalty for the VC 20 and a standard penalty for the VC12 is accepted, and the summons



11/15/2024

11/15/2024

Muminur Rahman, Hearing Officer

Date