



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Frank Tamberino, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 0803492232 et al. (1 Summons) DEPARTMENT OF HEALTH & MENTAL HYGIENE, -against- ODIN REALTY LLC Hearing Date: 06/20/2025 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
0803492232	Dismissed	05/16/2025	32-57 STEINWAY STREET Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AH3N	NYCHC 151.02(A)	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

Respondent is charged with a violation of NYCHC 151.02(a).

Frank Tamberino, Esq. represented respondent, Odin Realty LLC, at the telephone hearing.

Petitioner did not appear at the telephone hearing.

Frank Tamberino said he spoke to an Officer of Odin Realty LLC about this summons. Frank Tamberino said the cited premises has 3 floors and a commercial tenant. He said respondent's pest control company, Pride Pest Control, Inc.,

inspects for signs of rats monthly including burrows. He said the pest control company will treat and close any burrows. Frank Tamberino said the pest control company treats the outside of the building that includes around the entire perimeter including the rear.

Frank Tamberino submitted into evidence a letter from Pride Pest Control, Inc. dated 6/9/2025. The letter states that Pride Pest Control has been treating this location on a monthly basis since July 2023. The letter also states that Pride Pest Control has bait stations at location and at every visit they check and refill bait stations as needed. In addition, the letter states they treat for pests and rodents on the inside and outside of the building.

Frank Tamberino also submitted into evidence invoices from Pride Pest Control Inc. dated the following: 1/15/25, 2/15/25, 3/15/25, 4/19/25, 4/29/25, 5/17/25, 5/19/25, and 5/29/25.

Frank Tamberino also submitted into evidence 3 photographs that he said were taken by respondent to show the cited rat burrow was eliminated by respondent's pest control company subsequent to this summons being issued. He said the photos were taken prior to 6/7/2025.

Frank Tamberino said respondent has shown evidence of correction and best efforts.

I credit the summons. I also credit the evidence submitted by respondent. I find respondent established a defense to HC § 151.02(a) by showing that prior to the date of the summons, respondent was taking adequate measures to try to prevent the harborage and free movements of rats. Therefore, respondent is not in violation. The summons is dismissed.

Julie Jaffe

06/20/2025

06/20/2025

Julie Jaffe, Hearing Officer

Date