



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 No: 039109935H et al. (1 Summons) DEPT OF BUILDINGS, -against- GERARDO MORELL Hearing Date: 12/09/2024 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$5,000.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039109935H	Sustained	03/26/2024	148 EAST 31 STREET Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B112	28-207.2.2	Sustained	\$5,000.00

Findings of Fact & Conclusions of Law

A telephonic hearing was held on December 09, 2024.

Respondent was charged with a class 1 violation of Administrative Code section 28-207.2.2 in that Respondent unlawfully continued to work while on a notice of full stop work order.

Petitioner was represented by Deanna Lamberti, Esq., and Issuing Officer Dailey (IO). IO reaffirmed the summons and provided pictures that were taken at the time of the initial inspection when he issued the stop work order and at the time of the reinspection. IO issued the stop work order and returned to perform inspection to rescind the stop work order when he

observed the violation condition.

Respondent was represented by Phoebe Dossett, Esq. who denied the violation without presenting a rebuttal.

Here, I credit the summons and find that the same are sufficient to establish the charged violation. I find that credible contrary evidence or a valid legal defense was not presented. Accordingly, the summons is SUSTAINED.



12/20/2024

12/20/2024

Simone Archer, Hearing Officer

Date