



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division
Decision

Michael Nacmias, Esq. - Nacmias Law Firm
592 Pacific Street 1st Floor
Brooklyn, NY 11217

Summons# : 035675767Z et al. (1 summonses)

DEPT OF BUILDINGS,

-against-

222 BRICKS LLC

Hearing Date : 12/10/2024

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 6,250.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035675767Z	Sustained	02/09/2024	690 JEFFERSON AVENUE, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B1G1	28-207 .4.4 28-207.4.5	Sustained	6,250.00

Total Penalty for Summons: 6,250.00

Findings of Facts & Conclusions of Law

The hearing was conducted via telephone conference call on December 12, 2024.

Respondent 222 BRICKS LLC was represented by Phoebe Dossett.

Rafeena Khairullah appeared on behalf of petitioner DOB.

Inspector G. Portelli, #3042, appeared and testified on behalf of the petitioner.

The summons charges: 28-207 .4.4 28-207.4.5 (Agg I – recurring condition)

Petitioner stated that they rely on the summons and submitted a package of evidence including photos taken by the inspector. However, there was no photo of the actual vacate order that was posted. The inspector testified that he was the one who posted the vacated order a week after the inspection took place on 3-31-2023. The entire apartment on the 3rd Floor had to be vacated and he spoke to some tenants in the apartment and told them they had to vacate at that time.

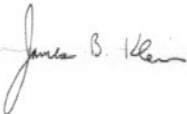
Inspector Portelli testified that he went to the location and didn't see the vacate sticker, checked if the vacate was still active (it was – 2023-3-31 vacate order wasn't lifted until 4/8/2024) so he reissued the certificate and sticker for the vacate order and posted it again.

Respondent reviewed the affidavit of service and did not challenge service. Respondent did not dispute the facts of the summons.

I credit the summons details and the inspector's testimony and I find that the petitioner has established a valid charge against the respondent. I also find the respondent has not established a valid defense.

That this is a recurring condition is established by the existence of the prior violation 035675710H for the removal of the vacate order and sticker issued on October 25, 2023.

The summons is sustained and Aggravated I penalty of \$6250 is imposed.

 12/12/2024	12/12/2024
James Klein, Hearing Officer	Date

