



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: 012173435H et al. (1 Summons) NEW YORK CITY FIRE DEPARTMENT, -against- 3-5 WEST 18TH LLC Hearing Date: 12/24/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$375.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
012173435H	Sustained	10/25/2025	3 WEST 18TH STREET Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BF35	VC12 .	Sustained	\$375.00

Findings of Fact & Conclusions of Law

The summons alleges that the respondent violated Fire Department rules (VC 12) by failing to provide and/or maintain required fire protection system and/or prevent unnecessary/unwarranted alarm(s) at 3 West 18th Street Manhattan on October 24, 2025 and October 25, 2025. Frank Tamberino, Esq., Nacmias Law Firm, appeared for the respondent 3-5 West 18th LLC. Khadija Hassan, Fire Department representative, appeared for the petitioner FDNY.

The petitioner relied on the issuing officer's sworn statement in the summons.

The respondent provided a letter from Warren Davis, President, D & W Central Station Fire Alarm Co, Inc., respondent's fire

alarm service company, dated December 16, 2025 (Resp. Exh). Mr. Davis describes the nature of the alarms and corrective action taken on October 25th and 26th 2025. The scheduled hearing date appearing on the summons is December 24, 2025. After review of the respondent's evidence, the petitioner recommended the standard mitigated penalty.

I credit the issuing officer's sworn statement in the summons. I find the respondent had unwarranted alarms as described. The respondent did not deny the charge. I credit the respondent's documentary evidence showing that corrective action was taken before the scheduled hearing date appearing on this summons. Accordingly, I find the petitioner proved its charge by a preponderance of the evidence. I find the respondent is in violation. I impose the standard mitigated penalty.



12/24/2025

12/24/2025

Anthony Feldmesser, Judicial Hearing Officer

Date