



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: 037026038L et al. (1 Summons) DEPT OF BUILDINGS, -against- 611 REALTY LLC Hearing Date: 08/07/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$1,250.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
037026038L	Sustained	01/16/2024	611 EAST 11 STREET Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B227	AC 28-302.5	Sustained	\$1,250.00

Findings of Fact & Conclusions of Law

The summons was issued on January 16, 2024, with a return date of April 11, 2024.

Attorney Taylor Barje appeared for Petitioner, Department of Buildings. Attorney Frank Tamberino appeared for Respondent, 611 REALTY LLC, for a hearing on August 7, 2025

Respondent is charged with NYC Administrative Code Section 28-302.5. The allegation is designated as a Class 2 major condition. This is an alleged aggravated II charge.

Summons alleges that failure to file acceptable amended cycle 6 and 7A report...

Petitioner stated that they would be dropping the aggravated II charge since they have no evidence to support the charge.

Respondent stated that they have no further arguments.

New York City Administrative Code Section 28-302.5 provides, in pertinent part, that Upon the notification to the department of an unsafe condition, the owner, the owner's agent or the person in charge shall immediately commence such repairs, reinforcements or other measures as may be required to secure public safety and to make the building's exterior walls or appurtenances thereof conform to the provisions of this code...The commissioner may grant further extensions of time to complete the repairs required to remove an unsafe condition upon receipt and review of an application for a further extension submitted by the registered design professional together with such further documentation as may be prescribed by rule.

I credit the allegations of in the summons. I find that the Respondent did not have a valid defense to the charge. I find that this is a class 2 major condition because the violating condition poses a threat that severely affects life, health, safety, property, the public interest, or a significant number of persons but does not warrant immediate corrective action.

Accordingly, the summons is sustained and the standard penalty of \$1250 is imposed.

Iyayi Uwa

08/07/2025

08/07/2025

Iyayi Uwa, Hearing Officer

Date