



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: 035518178L et al. (1 Summons) DEPT OF BUILDINGS, -against- TAVAREZ FRITZ Hearing Date: 04/21/2025 Hearing Location: Remote Type of Hearing: By Telephone
---	---

Total Penalty Amount: \$1,250.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035518178L	Sustained	03/10/2020	383 KOSCIUSZKO STREET Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B263	AC 28-204.4	Sustained	\$1,250.00

Findings of Fact & Conclusions of Law

78L

Phoebe Dossett, Esq. appeared for Respondent Fritz Tavarez at a hearing. Henrietta Asiedu Baidoo, Esq. appeared for the Petitioner. The summons alleges a Class 2 violation of Code 28-204.4 for failure to comply with the Commissioner's Order contained in summons #35407809R and to file a certificate of correction. The details of the violating conditions are specified in the summons.

Petitioner's counsel stated that Inspector D. Mazumder was available for the hearing. Inspector D. Mazumder (Badge#2889)

testified that he wrote the violation; that he knocked on the door but no one answered; that he cannot recall the specifics of the service in question as it was more than 5 years ago and stated that he typically posts the summons after receiving no responses to knocking on the door.

Respondent's counsel stated that she was challenging service; that the summons was issued to an individual yet the Inspector wrote that no managing agent was present; that the issuing officer was attempting service on a corporation rather than an individual and that service was defective.

I credit the Petitioner's case. I find that service was proper with Inspector Mazumder making a reasonable attempt at personal service. I find that the evidence supports a prima facie case for the violation as alleged. Accordingly, I find that the summons is sustained and the standard penalty is imposed for this violation.



04/23/2025

04/23/2025

Malik Pearson, Hearing Officer

Date