



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: 035483448P et al. (1 Summons) DEPT OF BUILDINGS, -against- 304 ST. NICHOLAS LLC Hearing Date: 08/11/2025 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
035483448P	Sustained	07/01/2024	304 ST NICHOLAS AVENUE Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B203	AC 28-118.3.2	Sustained	\$1,250.00

Findings of Fact & Conclusions of Law

Summons 035483448P alleges a Class 2 violation of § 28-118.3.2 of the Administrative Code of the City of New York (Code) for occupancy in a manner contrary to that allowed by the Certificate of Occupancy (C of O) or Department of Buildings (DOB) records.

Petitioner, the Department of Buildings (DOB), appeared by Malka Amar, who relied on the IO's statements, and submitted photographs taken by the IO on the date of offense.

Respondent, 304 ST. NICHOLAS LLC, appeared by FRANK TAMBERINO, Esq., who denied the allegations in the summons

without rebuttal.

I credit the IO's statements on the summons.

Accordingly, the violation is sustained.

K. Lawner

08/12/2025

08/12/2025

Kevin Lawner, Hearing Officer

Date