



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# : 039123953M et al. (5 summonses) DEPT OF BUILDINGS, -against- 1325 INWOOD AVENUE LLC Hearing Date : 12/19/2025 Hearing Location : Remote Type of Hearing : By Telephone
--	--

Total Penalty Amount :	75,000.00	Community Service(Hr):	Not Applicable
-------------------------------	------------------	-------------------------------	-----------------------

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039123953M	Sustained	09/04/2024	1325 INWOOD AVENUE, Bronx

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B1E8	28-210.1	Sustained	15,000.00
2	B172	28-202.1	Dismissed	0.00

Total Penalty for Summons: 15,000.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039123954Y	Sustained	09/04/2024	1325 INWOOD AVENUE, Bronx

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B1E8	28-210.1	Sustained	15,000.00
2	B172	28-202.1	Dismissed	0.00

Total Penalty for Summons: 15,000.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039123955X	Sustained	09/04/2024	1325 INWOOD AVENUE, Bronx

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B1E8	28-210.1	Sustained	15,000.00
2	B172	28-202.1	Dismissed	0.00

Total Penalty for Summons: 15,000.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039123956H	Sustained	09/04/2024	1325 INWOOD AVENUE, Bronx

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B1E8	28-210.1	Sustained	15,000.00
2	B172	28-202.1	Dismissed	0.00

Total Penalty for Summons: 15,000.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039123957J	Sustained	09/04/2024	1325 INWOOD AVENUE, Bronx

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B1E8	28-210.1	Sustained	15,000.00
2	B172	28-202.1	Dismissed	0.00

Total Penalty for Summons: 15,000.00

Findings of Facts & Conclusions of Law

At the telephonic hearing petitioner appeared by D. Brickman, Esq.

The respondent appeared by P. Dossett, Esq., from Nacmias Law Firm.

The summonses were previously adjourned for the testimony of the IO, who was not available. The parties agreed to proceed without the inspector's testimony. Petitioner presented an "I" card dated February 19, 1935, which lists the property as a four-family house. He also presented the HPD registration dated 12.12.25, listing the property as consisting of 4 "A" units (P. Evidence). He rested on the information contained in the summonses and the petitioner's evidence.

Ms. Dossett moved for the daily penalties to be waived. She argued the summonses were issued on 9.4.24, and the respondent submitted proof that the rooms were vacated by 9.5.24, the following day. In support of her dismissal motion, she presented copies of the forms submitted to DOB AEU, attesting to correction as of 9.5.24. She acknowledged correction was not certified by DOB until 7.14.25, she attributed this delay to the fact the respondent was representing himself initially and had problems submitting the AEU documents. She presented the correction documents for each summons (R. Evidence).

0391-239-53M charges a Class 1, violation of 28-210.1, for illegal occupancy with 3 or more additional dwelling units. The inspector noted residence converted from a 4 family to a 17 family. SROs were created with code lock and a variety of personal items; **at cellar room labeled room # 5**. This summons also charges a Class 1 violation of 28-202.1, for a penalties for Class 1, violation of 28.210.1.

0391-239-54Y charges a Class 1, violation of 28-210.1, for illegal occupancy with 3 or more additional dwelling units. The inspector noted residence converted from a 4 family to a 17 family. SROs were created with code lock and a variety of personal items; **at cellar room room labeled # 6**. This summons also charges a Class 1 violation of 28-202.1, for a penalties for Class 1, violation of 28.210.1.

0391-239-55X charges a Class 1, violation of 28-210.1, for illegal occupancy with 3 or more additional dwelling units. The inspector noted residence converted from a 4 family to a 17 family. SROs were created with code lock and a variety of personal items; **at cellar room labeled # 7**. This summons also charges a Class 1 violation of 28-202.1, for a penalties for Class 1, violation of 28.210.1.

0391-239-56H charges a Class 1, violation of 28-210.1, for illegal occupancy with 3 or more additional dwelling units. The inspector note residence converted from a 4 family to a 17 family. SROs were created with code lock and a variety of personal items; **at cellar room labeled #8**. This summons also charges a Class 1 violation of 28-202.1, for a penalties for Class 1, violation of 28.210.1.

0391-239-57J charges a Class 1, violation of 28-210.1, for illegal occupancy with 3 or more additional dwelling units. The inspector note residence converted from a 4 family to a 17 family. SROs were created with code lock and a variety of personal items; **at first floor front room**. This summons also charges a Class 1 violation of 28-202.1, for a penalties for Class 1, violation of 28.210.1.

After reviewing the respondent's submissions and the DOB record, petitioner did not object to the waving of the daily penalties. Based on the record daily penalties are waived.

As to the violating conditions cited under 28-210.1 Ms. Dossett noted, the respondent denied those charges, but did not have a rebuttal. I find petitioner established its case. The violating conditions cited under NYC AC 28-210.1, are therefore sustained.

E. Garcia

12/19/2025

12/19/2025

Elizabeth Garcia, Judicial Hearing Officer

Date

IF YOU ARE FOUND IN VIOLATION, AND ARE NOT ELIGIBLE OR DO NOT CHOOSE COMMUNITY SERVICE, YOU MUST PAY THE PENALTY WITHIN 30 DAYS OF THE DECISION DATE OR 35 DAYS IF MAILED.

- To pay by mail, send a check or money order to the Dept. of Finance Commissioner, P.O. Box 2307, Peck Slip Station, New York, NY 10272. The check or money order should be made out to "Finance Commissioner, City of New York." Write the summons number on the check or money order.
- To pay in person, bring a check, money order or credit card and this decision to any OATH Hearings Division location between 8:30 a.m. to 4:30 p.m.
- To pay online using a credit or debit card, go to www.nyc.gov/citypay/oath

If you do not pay the penalty, the City may: (1) file papers with the Civil Court ("docket a judgment"), (2) charge you a late fee, and (3) continue attempts to collect the debt.

CAN I DO COMMUNITY SERVICE?

If your summons is for the type of offense that gives you a Community Service option you can choose to complete Community Service instead of paying a penalty. Your decision will give you that option. You have to complete your Community Service by the deadline in the decision or else you will end up owing the penalty. You can even do your Community Service on the day you receive your decision.

COMPLETION OF COMMUNITY SERVICE

The Help Center will arrange for you to complete your Community Service. The Help Center is run by the Ombudsperson/*Pro Se* Clerk at OATH and is located at each Hearing Division in all five boroughs. To schedule your Community Service, call, email or visit a Help Center location.

How to Contact the Help Center to Schedule Community Service:

Manhattan: (212) 436-0845 CSmanhattan@oath.nyc.gov
Brooklyn: (718) 923-6216 CSbrooklyn@oath.nyc.gov
Queens: (718) 393-6044 CSqueens@oath.nyc.gov
Bronx: (718) 503-5565 CSbronx@oath.nyc.gov
Staten Island: (718) 876-2314 CSstatenisland@oath.nyc.gov

If you complete your Community Service by the deadline in the decision, you will receive a Certificate of Completion and will not have to pay a penalty. If you need an extension to complete your Community Service, please contact the Help Center.

If you do not complete your Community Service by the deadline, you will have to pay the penalty.

NON-DISCLOSURE FOR SUMMONSES ELIGIBLE FOR COMMUNITY SERVICE

If you either completed the Community Service or paid the penalty, OATH will remove your identifying information from public records related to your case.

If you do not complete the Community Service or pay the penalty, your identifying information may remain on public records related to your case.

IF YOU DISAGREE WITH THE DECISION, YOU MAY APPEAL IT

To submit your appeal, you **MUST** use OATH's online or mail-in appeal forms available on OATH's website at www.nyc.gov/oath/appeal. Instructions for filing an appeal may be found on the form and OATH's website.

Your appeal **MUST** be received by the OATH Hearings Division **within 30 days** of the decision date, or 35 days if the decision was mailed to you.

To appeal you **may need** to pay the full penalty stated in this decision.

- If you cannot pay because of financial hardship, you may ask to not pre-pay by submitting with your appeal a Financial Hardship Application, available on OATH's website.
- If you are eligible and choose to perform Community Service instead of paying the penalty, you do not have to pay the penalty or complete the Community Service to appeal.

APPEAL BY ENFORCEMENT AGENCY

If you wish to answer an appeal filed by an enforcement agency, you **MUST** use OATH's Response To Appeal form. Instructions for filing an answer may be found on the form and OATH's website.

Your answer must be received **within 30 days** of the date of the enforcement agency's appeal, or 35 days if it was mailed to you.

If the enforcement agency wins the appeal, you may have to pay a penalty or, if eligible, complete Community Service even if your case was originally dismissed after the hearing.

For more information,
visit OATH's website www.nyc.gov/oath
or call 1-844-OATH-NYC

112018