



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

SUPERSEDING DECISION

Phoebe Dossett, Esq. - Nacmias Law Firm, PLLC 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 039123945M et al. (1 Summons) DEPT OF BUILDINGS, -against- 1325 INWOOD AVENUE LLC Hearing Date: 12/12/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$15,000.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039123945M	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

Findings of Fact & Conclusions of Law

This is a superseding decision and order that supersedes the decision and order issued by me on December 12, 202. The sole purpose of this superseding decision and order is to correct the one day, daily penalty which was imposed and waiving of same.

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

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

The summons was previously adjourned for the testimony of the IO, who was not available. The parties agreed to proceed without the inspector's testimony.

The summons 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 first floor middle room**. The summons also charges a Class 1 violation of 28-202.1, for daily penalties associated with Class 1, violation of 28.210.1.

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 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 AEU submitted correction documents (R. Evidence).

After reviewing the respondent's submissions and the DOB record, petitioner did not object to the waving of the daily penalties. Based on the evidence presented, the record before me, and the recommendation of petitioner, 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 condition cited under NYC AC 28-210.1, is sustained.

E. Garcia

12/23/2025

12/23/2025

Elizabeth Garcia, Judicial Hearing Officer

Date