



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# : 039123944K et al. (5 summonses) 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 :	80,000.00	Community Service(Hr):	Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039123944K	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	Sustained	1,000.00

Total Penalty for Summons: 16,000.00

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	Sustained	1,000.00

Total Penalty for Summons: 16,000.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039123950R	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	Sustained	1,000.00

Total Penalty for Summons: 16,000.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039123951Z	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	Sustained	1,000.00

Total Penalty for Summons: 16,000.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039123952K	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	Sustained	1,000.00

Total Penalty for Summons: 16,000.00

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).

0391-239-44K 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 level, room labeled #2**. The summons also charges a Class 1 violation of 28-202.1, for daily penalties for Class 1, violation of 28.210.1.

0391-239-45M 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 front middle room**. The summons also charges a Class 1 violation of 28-202.1, for penalties for Class 1, violation of 28.210.1.

0391-239-50R 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 the cellar room labeled #1**. The summons also charges a Class 1 violation of 28-202.1, for daily penalties for Class 1, violation of 28.210.1.

0391-239-51Z 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 rear room**. The summons also charges a Class 1 violation of 28-202.1, for daily penalties for Class 1, violation of 28.210.1.

0391-239-52K- 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 # 6**, The summons also charges a Class 1 violation of 28-202.1, for daily 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 imposed for one day only, the day the violating conditions were observed, the additional 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 sustained.

E. Garcia

12/12/2025

12/12/2025

Elizabeth Garcia, Judicial Hearing Officer

Date