



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: 039537187M et al. (1 Summons) DEPT OF BUILDINGS, -against- 11 MT MORRIS HOLDINGS LLC Hearing Date: 12/02/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$3,125.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039537187M	Sustained	02/21/2025	11 MOUNT MORRIS PARK WEST Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B2P8	BC 105.8.2 BC 106.8.2	Sustained	\$3,125.00

Findings of Fact & Conclusions of Law

MARIA DOLLAS, ESQ., appeared for the Department of Buildings (DOB), the petitioner here. PHOEBE DOSSETT, ESQ., appeared for the respondent. The summons alleges that upon inspection of respondent's property, the issuing inspector observed a temporary construction, specially a sidewalk shed at exposures 1 and 2 of the property, but the permit for the construction had expired back on 30 November, 2020. Accordingly, the inspector issued this summons as a class 2 violation of section 105.8.2 and 106.8.2 of the Building Code. The summons also seeks penalty as a Recurring Condition - Aggravated I, allegedly based on the respondent's history of similar violations.

At the hearing, petitioner rested on the allegations contained within the four corners of the summons. I find that petitioner

makes a prima facie showing of the violation.

Respondent's counsel denied liability for the summons, but conceded that she possessed no additional information that can rebut petitioner's prima facie shwoing. Moreover, she conceded the respondent's prior history of similar violations so as to support the petitioner's request for penalty as a Recurring Condition - Aggravated I penalty.

In light of the foregoing, I find that respondent has failed to establish a valid defense. I find respondent in violation and I impose the applicable penalty for a Recurring Condition - Aggravated I violation.

The summons is sustained.



12/05/2025

12/05/2025

Velly Polycarpe, Judicial Hearing Officer

Date