



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 039520239Y et al. (1 Summons) DEPT OF BUILDINGS, -against- MOONEY HOUSE LLC Hearing Date: 11/21/2025 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
039520239Y	Sustained	08/07/2023	18 BOWERY Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B206	AC 27MISCAC28MISCBCMI	Sustained	\$1,250.00

Findings of Fact & Conclusions of Law

Frank Tamberino, Attorney for Respondent, MOONEY HOUSE LLC and Henry Pita, Attorney for Petitioner, Department of Buildings. The parties appeared for a hearing by telephone on November 21, 2025. Inspector T. Adegboyega Badge 3149 of the Department of Buildings, also appeared to testify.

Respondent is charged with a Class 1 violation of Section 3307.6.4.8 of the Building Code for having inoperable light bulbs under the installed sidewalk shed.

In the Affidavit of Service the Inspector states that he searched the perimeter and did not see anyone connected to the building

or named Respondent. At the hearing, the Inspector states that it was early in the morning, and he knocked on the door and waited 15 minutes before posting the summons to the front entrance door.

Respondent's Attorney challenges service. He states that the Inspector failed to make a reasonable attempt at personal service as there were two doors that he could have knocked on. In addition, he argues that this is not an Immediately Hazardous violation. Petitioner agrees and moves to amend the violation to a Class 2 violation under the same section of law.

I credit the testimony of the Issuing Officer and find that he made a reasonable attempt at personal service. Petitioner's motion to amend is granted. The summons is sustained and the standard penalty on a Class 2 violation is imposed.



12/03/2025

12/03/2025

Amita Rodriguez, Judicial Hearing Officer

Date