



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: 037034759L et al. (1 Summons) DEPT OF BUILDINGS, -against- CLINTON-179 TOWERS LLC Hearing Date: 12/05/2025 Hearing Location: Remote Type of Hearing: By Telephone
---	--

Total Penalty Amount: \$2,500.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
037034759L	Sustained	04/08/2025	750 EAST 179 ST Bronx

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B230	28-302 .4	Sustained	\$2,500.00

Findings of Fact & Conclusions of Law

Petitioner, NYC Dept. of Buildings ("DOB"), waived appearance at a remote hearing held on 12/5/2025. Nora Brown, authorized representative, appeared on behalf of the Respondent, Clinton-179 Towers LLC.

The summons charges a Class "2" violation of AC 28-302.4 for failure to submit an acceptable required Cycle 9C Report of Critical Examination documenting condition of exterior wall and appurtenances.

AC 28-302.4 provides that:

The registered design professional shall submit a written report to the commissioner within 60 days of completing the critical examination, but not more than five years following submission of the preceding report of critical examination, certifying the results of such critical examination as either safe, unsafe or safe with a repair and maintenance program. The report shall clearly document the condition of the exterior walls and appurtenances thereof and shall include a record of all significant deterioration, unsafe conditions and movement observed as well as a statement concerning the watertightness of the exterior surfaces. Such report must be professionally certified by such registered design professional.

Ms. Brown denied the violation with no rebuttal.

I credit Petitioner's sworn statement and find that Petitioner established a violation of AC 28-302.4. I further find that the violating condition affects life, health, safety, property, or the public interest but does not require immediate corrective action, and that the specification as a class 2 is appropriate. I also find that Respondent did not establish a defense.

I therefore find Respondent in violation and impose the mandatory standard penalty.



12/16/2025

12/16/2025

Janet Gawthrop, Judicial Hearing Officer

Date