



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Frank Tamberino, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 039110562M et al. (1 Summons) DEPT OF BUILDINGS, -against- 430 REALTY ASSOC % ARM CAPITAL RESOURCES CORP Hearing Date: 04/28/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$312.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039110562M	Sustained	04/02/2024	430 EAST 8th STREET Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B251	28-304.1	Sustained	\$312.0

Findings of Fact & Conclusions of Law

Frank Tamberino, Esq. appeared on behalf of 430 Realty Assoc Arm Capital Resources.

Daniel Brickman and I/O Rober Del Castillo, Badge No. 2547 appeared on behalf of Petitioner, Dept. of Buildings.

Petitioner charges AC 28-304.1. Class 2. Petitioner alleges failure to maintain elevator/conveying system. Petitioner allege replace or worn gibs, clean tail rope for proper inspection, missing certificate, defective car phone, worn cab mirror, seal hois machine leaks, oil residue on brake drum and rear cable guard missing.

Mr. Tamberino states respondent denies the allegation with no rebuttal.

Mr. Brickman states his system shows respondent corrected the violation on 6/10/24. A Certificate of Correction was accepted by the Dept. on 6/13/24. Correction was made before the first hearing date therefore mitigation will be applied.

I do not credit respondent's denial. I credit respondent's evidence of correction but find it fails to establish a valid defense. credit petitioner's evidence and find respondent in violation.

Accordingly, this summons is sustained and a standard mitigated penalty of \$312.00 is imposed.

	
04/30/2026	04/30/2026
Deborah Mbabazi, Judicial Hearing Officer	Date