



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

MATTHEW WHITENING 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 014105531X et al. (1 Summons) NEW YORK CITY FIRE DEPARTMENT, -against- 1119 FOSTER LLC Hearing Date: 12/17/2024 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$1,650.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
014105531X	Sustained	02/22/2024	1119 Foster Avenue Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BF05	VC5 .	Sustained	\$350.00
2	BF08	VC8 .	Sustained	\$350.00
3	BF09	VC9 .	Sustained	\$475.00
4	BF12	VC12 .	Sustained	\$475.00

Findings of Fact & Conclusions of Law

The hearing was conducted via telephone conference call on December 17, 2024.

Respondent 1119 Foster LLC was represented by Matthew Whitening.

Ari Dennis Kayserian appeared on behalf of petitioner FDNY.

The summons charges:

Line Item 1 VC5

Petitioner stated that they rely on the summons and are waiting for evidence of correction.

Respondent testified that correction has been completed and submitted documents as evidence of correction.

Petitioner reviewed respondent's documents, accepted that correction had been accomplished before the first hearing date, and recommended a mitigated penalty.

I credit the summons details and I find that the petitioner has established a valid charge against the respondent. I credit respondent's testimony and evidence presented and find that the respondent has shown timely correction.

Line Item 1 is sustained and the mitigated penalty is imposed.

Line Item 2 VC8

Petitioner stated that they rely on the summons and are waiting for evidence of correction.

Respondent testified that correction has been completed and submitted documents as evidence of correction.

Petitioner reviewed respondent's documents, accepted that correction had been accomplished before the first hearing date, and recommended a mitigated penalty.

I credit the summons details and I find that the petitioner has established a valid charge against the respondent. I credit respondent's testimony and evidence presented and find that the respondent has shown timely correction.

Line Item 2 is sustained and the mitigated penalty is imposed.

Line Item 3 VC9

Petitioner stated that they rely on the summons and are waiting for evidence of correction.

Respondent testified that correction has been completed and submitted documents as evidence of correction.

Petitioner reviewed respondent's documents, accepted that correction had been accomplished before the first hearing date, and recommended a mitigated penalty.

I credit the summons details and I find that the petitioner has established a valid charge against the respondent. I credit respondent's testimony and evidence presented and find that the respondent has shown timely correction.

Line Item 3 is sustained and the mitigated penalty is imposed.

Line Item 4 VC12

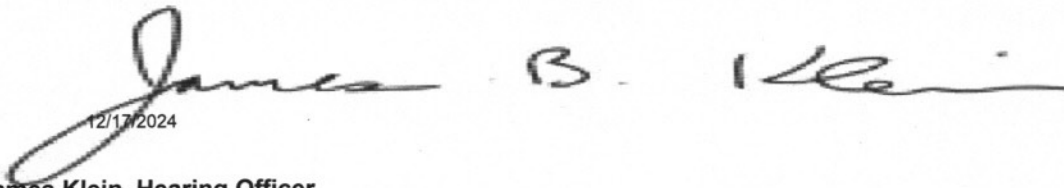
Petitioner stated that they rely on the summons and are waiting for evidence of correction.

Respondent testified that correction has been completed and submitted documents as evidence of correction.

Petitioner reviewed respondent's documents, accepted that correction had been accomplished before the first hearing date, and recommended a mitigated penalty.

I credit the summons details and I find that the petitioner has established a valid charge against the respondent. I credit respondent's testimony and evidence presented and find that the respondent has shown timely correction.

Line Item 4 is sustained and the mitigated penalty is imposed.

	
12/17/2024	12/17/2024
James Klein, Hearing Officer	Date