



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: 039123998X et al. (1 Summons) DEPT OF BUILDINGS, -against- LIFELAND REALTY LLC Hearing Date: 05/12/2025 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
039123998X	Sustained	09/05/2024	4417 18 AVENUE Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B102	28-301.1	Sustained	\$1,250.00

Findings of Fact & Conclusions of Law

The respondent was represented by Phoebe Dossett, Esq. The petitioner was represented by Kimberly Manas. The summons alleges that the respondent failed to maintain the building in a code compliant manner by obstructing the fire escapes with personal items of the tenants and window air conditioners. The respondent does not deny this but argues that the violation should have been charged as a Class II violation rather than a Class I. The respondent argues that the petitioner's photos show that the obstructions are easily moved and do not fully obstruct the means of egress. She further argues that the window air conditioners which block the window access to the fire escape are removable and could be pushed out of the way in an emergency.

The petitioner argues that the obstructions would be immediately hazardous to anyone attempting to access the fire escape from one of the windows with the installed air conditioners. It is noted that air conditioners are heavy objects and the tenants in the various apartments could be either children, elderly, or physically limited. The petitioner argues that this requires immediate correction.

I agree with the petitioner's analysis of the seriousness of the condition and the requirement for immediate correction. Therefore, the Class I designation is the correct classification for the cited condition. The summons is sustained, and the appropriate penalty assessed.

	
05/12/2025	05/12/2025
Patricia Cardoso, Hearing Officer	Date