



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: 039136874R et al. (1 Summons) DEPT OF BUILDINGS, -against- CARELAND REALTY, LLC Hearing Date: 11/03/2025 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
039136874R	Sustained	01/29/2025	3165 CONEY ISLAND AVENUE Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B101	28-105.1	Sustained	\$1,250.00

Findings of Fact & Conclusions of Law

Frank Tamberino, Esq. appeared for Respondent. Kimberly Manas, Esq. appeared for Petitioner DOB.

Respondent was cited for violating AC 28-105.1 for work without a permit. The IO observed full structural demolition/renovation of commercial space. Floor and stability support post have been removed. 1st and cellar level.

Ms. Manas submitted photos (Exhibit 1).

Mr. Tamberino submitted the permit and correction documents (Exhibit A, B). He challenged the Class Designation and

argued that a permit was issued to legalize the condition.

Ms. Manas stood on the Class 1 and argued that the demolition involved a structural element affecting structural stability. She noted the photos reflecting demolition of the floor. She argued that permit issued afterwards is not a basis to amend class. She recommended the mitigated penalty.

I find that Petitioner established the Class 1 Designation. Respondent did not establish a defense. The summons is sustained. The mitigated penalty is imposed.

Viven Chiu

11/06/2025

11/06/2025

Viven Chiu, Judicial Hearing Officer

Date