



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: 037033668L et al. (1 Summons) DEPT OF BUILDINGS, -against- 2833 BRIGGS AVENUE LLC Hearing Date: 09/12/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
037033668L	Dismissed	02/25/2025	2833 BRIGGS AVENUE Bronx

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B206	AC 27MISCAC28MISCBCMI	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

Frank Tamberino, Esq. appeared for Respondent. Petitioner DOB did not appear within 30 minutes. DOB was emailed at 11:07am. The hearing began at 11:40am.

Respondent was cited for violating 1 RCNY 103-09(e) for failure to file a retaining wall condition assessment report.

Mr. Tamberino submitted a PE retaining wall report (Exhibit A) and argued that Respondent is exempt from the filing requirement because the retaining wall is not over 10 ft. and does not face the public right of way. The report states that the walls are in stable condition. Mr. Tamberino stated that the PE is a DOB approved engineer.