



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Caroline Kane, Esq. - Nacmias Law Firm, PLLC 592 Pacific Street, 1st Floor Brooklyn, NY 11217	Summons No: 039527276P et al. (1 Summons) DEPT OF BUILDINGS, -against- 144 Freeman St LLC Hearing Date: 06/30/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$625.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039527276P	Sustained		3530 WEBSTER AVENUE Bronx

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B206	AC 27MISCAC28MISCBCMI	Sustained	\$625.00

Findings of Fact & Conclusions of Law

On 4/8/24, Respondent JC Brothers Development was issued a summons alleging a class 2 violation of BC section 3307.2.6 for having the temporary pedestrian walkway going into job site with no mirrors placed on corners where pedestrian views are obstructed. The first scheduled hearing date was 6/2/24 at which time the hearing was adjourned on the motion of the Petitioner for the testimony of the IO. On 12/4/24, the hearing was adjourned again on the motion of Respondent to submit further evidence and for the IO's testimony.

On 6/27/25, the hearing was conducted by telephone. Respondent appeared by its attorney Caroline Kane, Esq. Petitioner DOB appeared by its attorney Daniel Brickman, Esq.

Mr. Brickman moved to amend the infraction code to 206 for miscellaneous violations, and otherwise rested on the summons. I granted the motion on the record with no objections.

Ms. Kane said that Respondent corrected the violation on 5/17/24. Mr. Brickman confirmed same and recommended the mitigated penalty.

I credit the allegations contained in the summons and find that Petitioner established a prima facie case for a class 2 violation of the cited section of law. I find that Respondent failed to rebut the charge in that subsequent correction is not a valid defense to the charge. Accordingly, I sustain the summons but impose the mandatory mitigated penalty based on Respondent's timely correction.

De Skaff

07/16/2025

07/16/2025

Didi Skaff, Hearing Officer

Date