



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: 039527279K 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: \$312.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039527279K	Sustained	04/08/2024	3530 WEBSTER AVENUE Bronx

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B2B8	BC 903.6	Sustained	\$312.00

Findings of Fact & Conclusions of Law

On 4/8/24, Respondent JC Brothers Development was issued a summons alleging a class 1 violation of BC section 333.8 failure to provide a standpipe or an air pressureized alarm system for standpipe system during construction or demolition operations. The IO noted that the standpipe was not painted red, was missing pressure gauge valves and no hydrostatic test had been performed for the initial 75 feet of work done. 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 charge to a class 2 violation of BC section 903.6, 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 5/15/24. 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 amended 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, as amended, but impose the mandatory mitigated penalty based on Respondent's timely correction.

Didi Skaff

07/03/2025

07/03/2025

Didi Skaff, Hearing Officer

Date