



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

Decision

Andre Autz, Esq. - Nacmias Law
592 Pacific Street
Brooklyn, NY 11217

Summons# : 032097385M et al. (3 summonses)

DEPT OF BUILDINGS,

-against-

CONG PR EITZ CHAIM

Hearing Date : 12/12/2024

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 1,875.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
032097385M	Sustained	07/18/2018	2592 OCEAN AVENUE, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B254	AC 28-301.1	Sustained	625.00

Total Penalty for Summons: 625.00



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1	B254	AC 28-301.1	Sustained	625.00

Total Penalty for Summons: 625.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
032097386Y	Sustained	07/18/2018	2592 OCEAN AVENUE, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B254	AC 28-301.1	Sustained	625.00

Total Penalty for Summons: 625.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
032097387X	Sustained	07/18/2018	2592 OCEAN AVENUE, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B254	AC 28-301.1	Sustained	625.00

Total Penalty for Summons: 625.00

Findings of Facts & Conclusions of Law

Andre Autz, Esq. appeared for Respondent. Maria Dollas, Esq. appeared for Petitioner DOB. Inspector Berger appeared to testify.

Respondent was issued 3 summonses for failure to maintain boilers: 032097385M, 032097386Y, and 032097387X. The summonses were issued on 7/18/2018.

For each summons, Mr. Autz submitted boiler details, owner's statement that the boilers were replaced 7/18/2018, and correction photos (Exhibit A, B, C). He noted that Respondent was seeking mitigation.

Inspector Berger testified that the boiler details submitted by Respondent do not reflect that the boilers were replaced on 7/18/2018. Instead, the inspector was on site to replace the numbering for the boilers when he observed the violating conditions and wrote the summonses. Ms. Dollas stated that Respondent has not submitted a certificate of correction yet. She stated that Respondent's photos of corrections are not dated and do not show that all the violating conditions were corrected. She recommended the standard penalty for all 3 summonses.

Respondent did not dispute the charge. The summonses are sustained. Respondent's evidence does not reflect timely correction. Without additional evidence, I am not persuaded by the owner's statement submitted by Respondent. The standard penalty is imposed.

Viven Chiu

12/13/2024

12/13/2024

Viven Chiu, Hearing Officer

Date

