



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Phoebe Dossett, Esq. - Nacmias Law Firm, PLLC 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 039536253R et al. (1 Summons) DEPT OF BUILDINGS, -against- TJAR GROUP CORP Hearing Date: 11/10/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$2,500.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039536253R	Sustained	01/24/2025	17 DODWORTH STREET Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B2P7	Misc. BC–Chapter 33	Sustained	\$2,500.00

Findings of Fact & Conclusions of Law

The summons alleges that the respondent violated Misc, BC Chapter 33, by failing to comply with DOT stipulations, a Class 2 violation, at 17 Dodworth Street Brooklyn on January 24, 2025. Phoebe Dossett, Esq., Nacmias Law Firm, PLLC, appeared for the respondent Tjar Group Corp.. Henry Pita Esq., appeared for the petitioner DOB. Inspector E. Cantos, #2995, the issuing officer, appeared for the petitioner DOB.

The issuing officer stated in the sworn summons, miscellaneous violations. BC 3307.2.1 respondent to a complaint observed: Active job site repair water-sewer operations in progress using/closing entire roadway contrary to DOT specific stipulation #023 permit #B01-2025008-A52 states: Maintain 11 feet of roadway for traffic, creating a safety hazardous condition for

pedestrians and traffic vehicular. The petitioner provided 3 photos of the condition described and a copy of the permit mentioned in the summons (Pet. Exh).

The respondent moved to dismiss the summons on the ground that it was issued to the wrong party. The respondent argued that the summons should have been issued to the DOT permit holder, not the respondent. The DOT permit was issued to 24 Seven Plumbing Inc. for that entity to do work in the street unrelated to the respondent's work. The respondent was a general contractor for a new building construction on the block.

The issuing officer testified that the work being done on the street was related to the respondent's job site. It was right in front of the building as shown in his photos. The issuing officer added that the respondent was responsible for safety conditions, including the maintenance of the street for traffic as required.

BC 3307.2.1 provides that the requirements of the Department of Transportation shall apply with regard to the closing of streets, including bicycle lanes and sidewalks, or to the obstruction of any part thereof.

I credit the issuing officer's sworn statement in the summons. I credit the issuing officer's sworn testimony. I credit the petitioner's photographic evidence. I find the respondent failed to comply with the terms of its subcontractor's DOT permit as described. I find the respondent, as general contractor, is a proper party to this action. The respondent failed to provide testimony or other evidence to support a finding that the work in the street was unrelated to respondent's work. The address listed on the DOT permit was the same as the address at which the respondent worked. Accordingly, I find the petitioner proved its Class 2 charge by a preponderance of the evidence. I find the respondent is in violation. I impose the standard penalty.



11/14/2025

11/14/2025

Anthony Feldmesser, Judicial Hearing Officer

Date