



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: 039134023J et al. (1 Summons) DEPT OF BUILDINGS, -against- JAYA CONTRACTING INC Hearing Date: 02/23/2026 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
039134023J	Sustained	12/30/2024	86 ELIZABETH STREET Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B2A7	28-116.1	Sustained	\$2,500.00

Findings of Fact & Conclusions of Law

The summons alleges the respondent violated NYC Administrative Code 28-116.1, by failing to provide access to its construction site, a Class 2 violation, at 86 Elizabeth Street Manhattan on December 30, 2024. Phoebe Dossett, Esq., Nacmias Law Firm, PLLC, appeared for the respondent Jaya Contracting, Inc.. Henry Pita, Esq., appeared for the petitioner DOB.

The petitioner relied on the issuing officer's sworn statement in the summons. The issuing officer stated that at time of inspection a worker approached and stated, wait one minute and disappeared. Called GC Jaya Contracting at 718-461-3676 and he stated he has not been able to reach his subcontractor. Waited over 10 minutes, no worker returned to provide

access. Contractor has denied access to perform safety compliance inspection. The petitioner provided 12 photos of the condition described and a copy of respondent's permit (Pet. Exh).

The respondent's representative said that the building was not occupied during construction. The respondent denied the charge without a rebuttal.

I credit the issuing officer's sworn statement in the summons. I credit the petitioner's documentary and photographic evidence. I find the respondent denied access to the location as described. The respondent provided no testimony or other evidence to refute this claim. 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.

	
02/23/2026	02/23/2026
Anthony Feldmesser, Judicial Hearing Officer	Date