



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# : 039120315Y et al. (3 summonses) DEPT OF BUILDINGS, -against- EAST SIDE INN, Hearing Date : 6/12/2025 Hearing Location : Remote Type of Hearing : By Telephone
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Total Penalty Amount :	8,000.00	Community Service(Hr):	Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	PLACE OF OCCURRENCE
039120315Y	Sustained	201 EAST 24 STREET, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B1D5	EC 240.3	Sustained	4,800.00

Total Penalty for Summons: 4,800.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039120316X	Sustained	07/30/2024	201 EAST 24 STREET, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B1D1	EC-Misc	Sustained	1,600.00

Total Penalty for Summons: 1,600.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039120317H	Sustained	07/30/2024	201 EAST 24 STREET, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B1D2	EC 110.2(A)	Sustained	1,600.00

Total Penalty for Summons: 1,600.00

Findings of Facts & Conclusions of Law

Phoebe Dossett, Esq. appeared at the hearing by phone for Respondent. Cassie Rene, Esq. appeared by phone for Petitioner. These cases were previously adjourned for IO Copeland who is no longer with the Department.

As to 39120315Y: Respondent was charged with violation of EC 240.3 for failure to provide adequate overcurrent protection. Ms. Dossett challenged the class. She noted that the summons relates to an elevator and there was no cease use ordered therefore the condition could not have been immediately hazardous. Ms. Rene argued that there doesn't need to be a cease use ordered for a condition to be immediately hazardous. She stated that the raceways could overload and cause a failure which is an immediately hazardous condition. She noted that there was no compliance on record and recommended the minimum penalty.

I credit the summons as written. I find that the allegations in the summons support a Class 1 violation as the improper line crossing of line and load conductors is immediately hazardous. Respondent has not disputed the charge or submitted anything to challenge the Class 1 designation.

Accordingly, I find Respondent in violation and impose the minimum Class 1 penalty of \$4800.00.

As to 39120316X: Respondent was charged with a Misc. violation of EC for flex cords used as permanent wiring in violation of EC 400.8. Ms. Dossett challenged the Class. She stated that the flex cords were not used as permanent wiring. She stated that the 10th floor flex cord was used for lighting/décor. She said that the client stated that there were no flex cords in the elevator room. She stated that she could not speak to flex cords in the boiler room. Ms. Rene argued that the conditions are immediately hazardous due to the shock hazard from improper grounding. She noted that flex cords do not offer protection from damage.

I credit the summons as written. I do not credit Ms. Dossett's uncorroborated statements. Even if I were to credit Ms. Dossett's statements, they fail to address the conditions in the boiler room. I find that the allegations in the summons support a Class 1 violation as the conditions are immediately hazardous.

Accordingly, I find Respondent in violation and impose the minimum Class 1 penalty of \$1600.00.

As to 39120317H: Respondent was charged with violation of EC 110.2 for improper termination of 2 conductors. Ms. Dossett denied the violation, offering no rebuttal.

I credit the summons as written. I do not credit Respondent's general denial.

Accordingly, I find Respondent in violation and impose the minimum penalty of \$1600.00.

 06/24/2025	06/24/2025
Daniella Caputo, Hearing Officer	Date