



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Michael Nacmias, Esq. - Nacmias Law Firm
592 Pacific Street 1st Floor
Brooklyn, NY 11217

Summons# : 012152921K et al. (1 summonses)

NEW YORK CITY FIRE DEPARTMENT,

-against-

ABOSEM YESHIVAH AND MESIFTA ARUGATH H

Hearing Date : 11/12/2024

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 375.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
012152921K	Sustained	07/09/2024	287 HEYWARD STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BF35	VC12 .	Sustained	375.00

Total Penalty for Summons: 375.00

Findings of Facts & Conclusions of Law

I sustain the summons and impose the \$375.00 statutory mitigated penalty.

Mathew Whitening, Esq. appeared at the teleconference hearing as counsel for respondent ABOSEM YESHIVAH AND MESIFTA ARUGATH (Respondent) and waived his rights to translation services and the presence of the issuing officer. Petitioner Fire Department of New York City (FDNY) did not appear.

Respondent was cited for a violation of Fire Department Violation Category (VC) 12 found in Section 109-02 of Title 3 of the Rules of the City of New York (RCNY), for failure to prevent unnecessary or unwarranted alarms.

Petitioner relied on the summons to establish its case. Respondent did not dispute the violation and submitted evidence that the violation was corrected before the first scheduled hearing date. I credit the summons and find that Petitioner has established a violation of VC 12 by a preponderance of the evidence and that mitigation is appropriate. Accordingly, I sustain the summons and impose the \$375.00 statutory mitigated penalty.

 11/14/2024	11/14/2024
Thomas Finn, Hearing Officer	Date

