



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

FRANK TAMBERINO, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 037030283R et al. (1 Summons) DEPT OF BUILDINGS, -against- 90-75 SUTPHIN REALTY LLC. Hearing Date: 07/22/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$1,250.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
037030283R	Sustained	10/01/2024	90-75 Supthin Blvd Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B279	AC 1RCNY-MISC, RS-MISC	Sustained	\$1,250.00

Findings of Fact & Conclusions of Law

Petitioner appeared by DOB representative, Kimberly Manas Esq. Respondent, 90-75 SUTPHIN REALTY LLC, appeared by its attorney, Frank Tamberino Esq., to answer a charge of failing to submit the required initial observation for the parking structure by the deadline of August 1, 2024. The first hearing date was February 11, 2025.

Ms. Manas made a motion to amend the charge to a class 2 charge under the same section of the law. Mr. Tamberino did not object to Ms. Manas' motion to amend the charge. Ms. Manas' motion to amend the charge is granted. Ms. Manas thereafter relied on the allegations in the summons as amended, which I hereby credit.

Mr. Tamberino did not challenge the merits of the summons and presented nothing to demonstrate that the violating condition has been corrected. Ms Manas stated that DOB is yet to receive evidence from Respondent that the violation has been corrected. I find that Respondent failed to submit the required initial observation for the parking structure by the deadline of August 1, 2024 as alleged in the summons as amended, and is yet to correct the conditions. Accordingly, the summons as amended is SUSTAINED and the standard class 2 penalty is imposed.

5



07/22/2025

07/22/2025

Akinwale Akinrefon, Hearing Officer

Date