



Office of Administrative Trials and Hearings

Hearings Division

Decision

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

Summons# : 039548308N et al. (1 summonses)

DEPT OF BUILDINGS,

-against-

FRONT WAVE CONSTRUCTION

Hearing Date : 2/26/2026

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 1,250.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039548308N	Sustained	12/21/2025	59 HENRY STREET, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B212	BC 3303.4 27-1018	Sustained	1,250.00

Total Penalty for Summons: 1,250.00

Findings of Facts & Conclusions of Law

Petitioner New York City Department of Buildings (DOB) was represented by DOB attorney DANIEL BRICKMAN, ESQ.

Respondent FRONT WAVE CONSTRUCTION was represented by attorney FRANK TAMBERINO, ESQ. of the Nacmias Law Firm.

The Respondent is charged with a Class 2 violation of § 3303.4.2 of the New York City Building Code (BC) found in Title 28 of the Administrative Code of the City of New York (Code), for failing to maintain adequate housekeeping.

I find the Issuing Officer's sworn-to summons narrative to be credible and persuasive.

Respondent denied the violation, arguing that the cited Code section was not an appropriate section of law to charge a violation, as 3303.4.2 dealt with having a refuse container with cover.

BC § 3303.4.2 Containers. Sufficient containers, including but not limited to waste dumpsters, debris boxes, and skip boxes, shall be available for the storage of all debris or waste.

Petitioner moved to amend to BC 3303.4 & 27-1018, for respondent's failure to maintain adequate housekeeping per section requirements. GRANTED.

Respondent denied the violation without further rebuttal.

Petitioner recommended the standard Class 2 penalty.

The credible evidence, here the sworn-to summons narrative of the Issuing Officer, is sufficient to establish, and I find, that respondent was in violation on the date of the offense. The violation is SUSTAINED, and I impose the Class 2 penalty of \$1,250.



03/05/2026

03/05/2026

Mark Goichman, Judicial Hearing Officer

Date