



**OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS**  
Hearings Division

**DECISION**

|                                                                                                       |                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Michael Nacmias, Esq. - Nacmias Law Firm</b><br>592 Pacific Street 1st Floor<br>Brooklyn, NY 11217 | <b>Summons No: 049273809Y et al. (1 Summons)</b><br><br><b>THE NEW YORK CITY DEPARTMENT OF<br/>SANITATION,</b><br><br><b>-against-</b><br><br><b>EXPRESS LUMBER &amp; PLUMBING SUPPLY<br/>INC</b><br><br><b>Hearing Date: 11/18/2025</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|-------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |
|----------------------------------------------|
| <b>Total Penalty Amount: \$750.00</b>        |
| <b>Community Service(Hr): Not Applicable</b> |

| <b>SUMMONS #</b> | <b>SUMMARY DISPOSITION</b> | <b>DATE OF OCCURRENCE</b> | <b>PLACE OF OCCURRENCE</b> |
|------------------|----------------------------|---------------------------|----------------------------|
| 049273809Y       | Sustained                  | 07/15/2025                | 1301 60 STREET Brooklyn    |

| <b>LINE<br/>ITEM</b> | <b>OATH<br/>CODE</b> | <b>CODE<br/>SECTION/RULE</b> | <b>RESULT</b> | <b>PENALTY</b> |
|----------------------|----------------------|------------------------------|---------------|----------------|
| 1                    | AD09                 | AC 19-121(A)                 | Sustained     | \$750.00       |

**Findings of Fact & Conclusions of Law**

Michael Sargo, Esq. appeared as the authorized representative of the Respondent. Petitioner did not appear.

Respondent is charged with a violation of AC 19-121(A) for failing to comply with the cited code requirements, as described in the summons.

Mr. Sargo stated that there was no permit because there was no construction on the street at the place of occurrence. Mr. Sargo submitted a Google Maps image.

The Google images submitted by the Respondent are labelled July 2022; however, the summons was issued in July 2025. I do not credit Respondent's evidence. I credit the summons and find that Respondent did not establish a valid defense or credibly rebut the violation. The \$750 penalty is imposed.

Sustained.

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|-------------------------------------------------------------------------------------|------------|
|  |            |
| 12/01/2025                                                                          | 12/01/2025 |
| Myeisha Rouff, Judicial Hearing Officer                                             | Date       |