



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

NORA BROWN - NACMIAS LAW FIRM PPLC 592 PACIFIC STREET BROOKLYN,NY 11217	Summons No: 049388097P et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- LY INC EXPRESS LUMBER & PLUMBING SUPP Hearing Date: 01/29/2026 Hearing Location: Remote Type of Hearing: By Telephone
--	--

Total Penalty Amount:\$0.00

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
049388097P	Dismissed	10/31/2025	6021 13TH AVENUE Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AS5I	16-118 (2)(A)	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

Petitioner, the DSNY, was not represented at the hearing. Respondent appeared by Nora Brown, an authorized representative, via telephone.

On October 31, 2025, Respondent was charged with a violation of NYC Admin. Code 16-118(2)(a) for a failure to clean 18 inches into the street.

Ms. Brown stated that the Respondent is seeking dismissal of the violation as duplicative of Summons 049388094J, which Respondent admitted to at a hearing on 01/29/26. She also noted that the Respondent has a corner building; that one side of

the building is 1301 60TH Street; that Respondent was issued Summons 049388093H for that side of the building; that Respondent pleaded guilty for that Summons. The undersigned held that hearing and did uphold that Summons.

Additionally, Ms. Brown stated that the Respondent also received a Summons (noted above) ending in 94J for the other side of the building at address - 6011 13th Avenue; that Respondent admitted to that one at a hearing. The undersigned held that hearing and upheld that Summons also.

Ms. Brown further argued that Respondent received the instant Summons for 6021 13th Avenue; that that address is part of a range address for the 13th Avenue side of the building; that the Range address is 6011 13th Avenue to 6021 13th Avenue; that the buliding has one block and one lot number; that the block is 5712 and the lot is 57; that Respondent admitted to the violation ending in 94J (Written for the 13th Avenue side of the building); and that the instant Summons is duplicative of Summons ending in 94J, and therefore is duplicative and should be dismissed.

I find that the Respondent raised a valid defense. At the hearing the Undersigned took judiical notice of NYC Building records and NYC tax records indicting that the cited building is a range address on 13th Avenue and that the cited building has one block number and one lot number. I find that the instant Summons is duplicative of Summons 049388094J, which was sustained after a hearing held on 01/29/26. Accordingly, the Summons is dismissed.



02/02/2026

02/02/2026

Joseph Diperna, Judicial Hearing Officer

Date