



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 048253580K et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- JAGUANDE J CARLOS Hearing Date: 01/27/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
048253580K	Dismissed	02/27/2024	98 GELSTON AVENUE Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	ASAC	16-120 (C)	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

Respondent, JAGUANDE J CARLOS, appeared in person in response to the above issued summons for a violation of New York City Administrative Code 16-120(C). Respondent was represented by attorney, Michael Sargo, Esq.

Mr. Sargo moved to dismiss the summons arguing that it should not have been issued to the Respondent. Mr. Sargo testified that the property is a condo building and Respondent is the owner of one unit. Mr. Sargo testified that Respondent is only responsible for his unit, not the common areas. Mr. Sargo testified that the summons should have been issued to the Board of Managers for the building. In support of his testimony, Mr. Sargo submitted the deeds for the units showing individual ownership and Appeal No. 230035.

I credit Respondent's testimony and evidence and find that Respondent has established a valid defense.

Accordingly, this summons is dismissed.

 01/28/2025	01/28/2025
Trishawn Raffington, Hearing Officer	Date