



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

ILMA BABU - NACMIAS LAW FIRM PLLC 592PACIFIC STREET Brooklyn, NY 11217	Summons# : 000855172H et al. (1 summonses) DEPT OF ENVIRONMENTAL PROTECTION, -against- REPAIRS QUALITY REPLACEMENT WINDOWS Hearing Date : 3/23/2026 Hearing Location : Remote Type of Hearing : By Telephone
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Total Penalty Amount : 350.00	Community Service(Hr): Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000855172H	Sustained	03/01/2024	ON MONTAGUE STBETWEEN CLINTON S.

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA51	24 -163	Sustained	350.00

Total Penalty for Summons: 350.00

Findings of Facts & Conclusions of Law

Ilma Babu the authorized representative of the Respondent REPAIRS QUALITY REPLACEMENT WINDOWS appeared at today's hearing.

The Petitioner, the Department of Environmental Protection, waived its appearance.

The Respondent is charged with idling over three minutes.

Ms. Babu denied the allegation but offered no evidence in dispute.

Accordingly, I credit the Petitioner, find the Respondent in violation, and impose the statutory penalty.

Accordingly, this summons is dismissed.



03/24/2026

03/24/2026

Steven Epstein, Judicial Hearing Officer

Date



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Anthony Sargo, Esq. 592 Pacific Street Brooklyn, NY 11217	Summons No: 01292-25F1 et al. (1 Summons) DEPARTMENT OF HEALTH & MENTAL HYGIENE, -against- 5 STAR PIZZA - PASTAS & BURGERS CORP Hearing Date: 03/10/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$1,300.00**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
01292-25F1	Sustained	06/17/2025	295 EAST GUN HILL ROAD Bronx

LINE ITEM	OATH CODE	VIOL CODE	CODE SECTION/RULE	CONDITION (SEVERITY)	RESULT	PENALTY
1	NA	02B	NYCHC 81.09(a)	4	Sustained	\$400.00
2	NA	04A	NYCHC 81.15(a)	5	Sustained	\$400.00
3	NA	04L	NYCHC 81.23(a)	2	Sustained	\$200.00
4	NA	08A	NYCHC 81.23(b)(3)	3	Sustained	\$200.00
5a	NA	10B	NYCHC 81.20(b)	2	Sustained	\$100.00
5b	NA	10B	NYCHC 81.20(b)	2	Sustained / Bundled with Line 5a	\$0.00

Findings of Fact & Conclusions of Law

The hearing was conducted by telephone on Court Call on March 10, 2026. Petitioner did not appear. Michael Sargo, Esq. appeared as counsel for Respondent.

Following an inspection on June 17, 2025, the summons charged violations of the following sections of the New York City Health Code (HC):

Item	Condition Level	HC Section	Description
1	4	HC § 81.09(a)	"Time/Temperature Control for Safety hot food not held at or above 140 °F (60 °C), except during necessary preparation, in that 2 slices of chicken pizza, 1 slice of pineapple and ham pizza, 3 slices of chicken and veggie pizzas, and 1 slice of pasta pizza registered at a range of 74-86 °F in separate metal containers in display case in front food prep service area. Foods had been in said location for 2 hours, as per food worker statement. Pizzas were cooked 2 hours prior to testing and placed directly in display case where it was held for service, as per food worker statement. Time as Public Health Control was not in used for said foods at the time of inspection. Corrective action: Food was rendered inedible and discarded by food worker."

Respondent denied the charge without rebuttal.

I credit the summons. Respondent did not rebut the allegations in the summons. The item is sustained.

2	5	HC § 81.15(a)	"Food Protection Certificate not held by manager or supervisor of food operations in that Manuel who was supervising food operations at the time of inspection does not hold a Food Protection Certificate. No other supervisor of food operations that was present holds a Food Protection Certificate. Certificate for Food Protection Certificate holder Rene Lopez Perez (24-03007CL) was provided however the individual was not present at the beginning of the inspection. FPC Holder arrived 45 minutes at the time of inspection."
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Respondent denied the charge without rebuttal.

I credit the summons. Respondent did not rebut the allegations in the summons. The item is sustained.

3	2	HC § 81.23(a)	"Evidence of mouse activity present in that 14 fresh mice excreta observed on bottom compartment of prep table underneath plastic container in ware washing area in kitchen."
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Respondent denied the charge without rebuttal.

I credit the summons. Respondent did not rebut the allegations in the summons. The item is sustained.

4	3	HC § 81.23(b)(3)	"Door that opens into the establishment from the outside was observed not properly constructed or installed to prevent entry of rodents in that 1 entrance door(s) leading to the outside sidewalk in customer seating area was observed inadequate when pests or signs of pests are present in the establishment. Said door was observed wide open for the entire inspection."
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Respondent denied the charge without rebuttal.

I credit the summons. Respondent did not rebut the allegations in the summons. The item is sustained.

5a	2	HC § 81.20(b)	"Liquid waste not carried to sewer or sewage disposal system"
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so as to prevent contamination of the premises and its contents in that waste line under hand wash sink was observed leaking onto floor at a slow rate in employee restroom when water was turned on.”

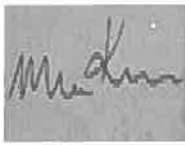
Respondent denied the charge without rebuttal.

I credit the summons. Respondent did not rebut the allegations in the summons. The item is sustained.

5b HC § 81.20(b) “Condensation or waste water pipes not properly discharged in that condensate water was observed draining from refrigerated display unit and into plastic container in front food preparation area.”

Respondent denied the charge without rebuttal.

I credit the summons. Respondent did not rebut the allegations in the summons. The item is sustained.



March 24, 2026

3/24/2026

Melissa Koven, Judicial Hearing Officer

Date