



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Caroline Kane, Esq. - Nacmias Law Firm, PLLC 592 Pacific Street, 1st Floor Brooklyn, NY 11217	Summons No: 0219475310 et al. (1 Summons) DEPT OF TRANSPORTATION, -against- ROYALTY CONSTRUCTION GROUP INC Hearing Date: 07/16/2025 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
0219475310	Dismissed	02/18/2025	12-36 31 DRIVE Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AD09	AC 19-121(A)	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

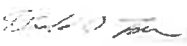
The hearing was conducted by telephone on Court Call on July 16, 2025. Petitioner was represented by Inspector Brijnanand Persaud. Respondent was represented by Caroline Kane, Esq.

The summons charged a violation of 19-121(a) of the Administrative Code, placing a rubbish bin on the roadway without a DOT permit. Petitioner offered into evidence photographs taken by its issuing officer.

Respondent asserted two defenses. First, respondent asserted the summons was issued to the container company rather than the DOB permit holder when the container was used for construction debris on a DOB-permitted job. Second,

respondent asserted that the entity responsible had in fact obtained a DOB permit. Respondent offered into evidence a permit record (Exhibit A). Respondent moved to rebut the summons because respondent was wrongly named and the allegation in the summons of an unpermitted container was rebutted by DOT permit records. Petitioner did not dispute respondent's assertions and made no recommendation in response to the motion to dismiss.

I credit respondent's evidence. The summons is dismissed.

	07/21/2025
Donald Lash, Hearing Officer	Date