



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

**DECISION**

|                                                                                                            |                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Caroline Kane, Esq. - Nacmias Law Firm, PLLC</b><br>592 Pacific Street, 1st Floor<br>Brooklyn, NY 11217 | <b>Summons No: 0703827860 et al. (1 Summons)</b><br><br><b>DEPT OF TRANSPORTATION,</b><br><br><b>-against-</b><br><br><b>BAYSIDE BUILDERS INC</b><br><br><b>Hearing Date: 07/21/2025</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |
|----------------------------------------------|
| <b>Total Penalty Amount: \$1,500.00</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>                   |
|------------------|----------------------------|---------------------------|----------------------------------------------|
| 0703827860       | Sustained                  | 02/23/2025                | 322 GREENE AVENUE BTWN<br>CLASSON A Brooklyn |

| <b>LINE<br/>ITEM</b> | <b>OATH<br/>CODE</b> | <b>CODE<br/>SECTION/RULE</b> | <b>RESULT</b> | <b>PENALTY</b> |
|----------------------|----------------------|------------------------------|---------------|----------------|
| 1                    | AD01                 | A.C. 19-102(i)               | Sustained     | \$1,500.00     |

**Findings of Fact & Conclusions of Law**

Inspector Keith White appeared for Petitioner, Department of Transportation. Attorney Caroline Kane appeared for Respondent, BAYSIDE BUILDERS INC, appeared for a hearing on July 21, 2025.

Respondent is charged with New York City Administrative Code 19-102(i).

Summons alleges that...use/opening of street without DOT permit...

Petitioner submitted photos, see Petitioner Exhibit 1, to establish condition observed and argued that there was plywood

excavation placed on sidewalk.

Respondent denied the charge and offered no rebuttal.

New York City Administrative Code 19-102(i) provides that unlawful use or opening of street. Except as otherwise provided by law, no person shall remove, open or otherwise disturb the pavement of, or excavate in, a public street, or use any part of a public street so as to obstruct travel therein (i) without a permit from the commissioner,

I credit the allegations in the summons. I find that the Respondent did not have a valid defense to the charge.

Accordingly, the summons is sustained. Standard penalty of \$1500 is imposed.

*Iyayi Uwa*

07/21/2025

07/21/2025

Iyayi Uwa, Hearing Officer

Date