



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: 011571880N et al. (1 Summons) NEW YORK CITY FIRE DEPARTMENT, -against- PUCILLO REATY CORP Hearing Date: 07/08/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$2,100.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
011571880N	Sustained	09/19/2017	4821 2 AVENUE Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BF01	VC01 .	Sustained	\$600.00
2	BF06	VC06 .	Sustained	\$600.00
3	BF25	VC25 .	Sustained	\$900.00

Findings of Fact & Conclusions of Law

CHARGES

Summons #011571880N charges Respondent with the following violation(s) of the FDNY Fire Code 3 RCNY §109-02 based on an inspection that took place on September 19, 2017, at 10:30am, at 4821 2nd Avenue, Brooklyn, NY:

VC1—"Portable fire extinguishers and fire hoses..."

VC6—"Signs, Posting, Notices and Instructions...."

VC25—"Electrical hazards...."

Frank Tamberino appeared at a remote hearing that took place on July 8, 2025, as an authorized representative of Respondent. Ari Dennis Kayserian appeared on behalf of Petitioner.

RELEVANT LAW

3 RCNY §109-02 states in pertinent part:

"Violation Category 1: Portable Fire Extinguishers and Fire Hoses Failure to provide and/or maintain required portable fire extinguishers, fire hoses or other portable fire extinguishing devices, in violation of FC 303.5...

"Violation Category 6: Signs, Postings, Notices and Instructions—Failure to provide and/or maintain required signs, postings, notices, and/or instructions...."

"Violation Category 25: Failure to provide and/or maintain required electrical devices and/or equipment (except as otherwise provided in Violation Category 27 for electrical lighting hazards), and/or allow electrical hazards to exist, in any facility or premises...."

TESTIMONY

As to all violations, Mr. Kayserian rested on the summons.

As to all violations, Mr. Tamberino denied the violation without rebuttal and submitted a proof of correction into evidence (Respondent's A 1-2).

As to all violations, Mr. Kayserian noted that correction was made after the first hearing date and recommended the standard penalties.

DECISION

The summons is sustained.

I credit the detailed, undisputed sworn allegations of the issuing officer as set forth in the summons and find that Respondent's Representative has presented no evidence or testimony to rebut or to establish a valid defense.

Therefore, I find that at the time of inspection Respondent was in violation of FDNY Fire Code 3 RCNY §109-02, Violation Category 1, Violation Category 6, and Violation Category 25, the minimum penalties for which on a first offense are \$600, \$600, and \$900 respectively. Although mitigation is available, no proof of timely correction was submitted.

Accordingly, the summons is sustained.



07/23/2025

07/23/2025

Sharah Thomas, Hearing Officer

Date