



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: 014179694M et al. (1 Summons) NEW YORK CITY FIRE DEPARTMENT, -against- DISTRIKT HOTEL Hearing Date: 08/27/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$2,500.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
014179694M	Sustained	04/01/2025	342 West 40th Street Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BF17	VC17 .	Sustained	\$1,500.00
2	BF19	VC19 .	Sustained	\$1,000.00

Findings of Fact & Conclusions of Law

Petitioner, NYC Fire Department, appeared by authorized representative, Ahmad Al-Kaysey;. Respondent, appeared by authorized representative, Frank Tamberino, Esq.

The summons sets forth a violation of 3 RCNY 109-02, and cited violating categories ("VC"), # 17 and VC # 19, as repeat violations.

Mr. Al-Kaysey stated that he would rely on the allegations as set forth in the summons and recommended that mitigated penalties be imposed for VC # 17 and VC # 19, as repeat violations, as the records indicated timely correction.

Mr. Tamberino argued for a mitigated penalties due to timely correction and did not dispute that the violations are repeat violations.

I find that the summons sets forth a prima facie case and that he violationa are repeat. I find that the evidence established that the violations were corrected in a timely manner and that mitigated penalties be imposed.

Accordingly, the summons is sustained and that the mandatory mitigated penalties be imposed for VC # 17 and VC # 19, as repeat violations.

Aubrey Lees

09/15/2025

09/15/2025

Aubrey Lees, Hearing Officer

Date