



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

**DECISION**

|                                                                                                       |                                                                                                                                                                                                                                                                              |
|-------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Michael Nacmias, Esq. - Nacmias Law Firm</b><br>592 Pacific Street 1st Floor<br>Brooklyn, NY 11217 | <b>Summons No: 012156155Z et al. (1 Summons)</b><br><br><b>NEW YORK CITY FIRE DEPARTMENT,</b><br><br><b>-against-</b><br><br><b>HARBOR NY CORP</b><br><br><b>Hearing Date: 11/25/2024</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|-------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Total Penalty Amount: **\$935.00**

Community Service(Hr): **Not Applicable**

| SUMMONS #  | SUMMARY DISPOSITION | DATE OF OCCURRENCE | PLACE OF OCCURRENCE          |
|------------|---------------------|--------------------|------------------------------|
| 012156155Z | Sustained           | 06/27/2024         | 64-54 Dry Harbor Road Queens |

| LINE ITEM | OATH CODE | CODE SECTION/RULE | RESULT    | PENALTY  |
|-----------|-----------|-------------------|-----------|----------|
| 1         | BF35      | VC12              | Sustained | \$935.00 |

**Findings of Fact & Conclusions of Law**

MATTHEW WHITENING, authorized representative, appeared at the remote hearing for respondent. Eric Monk appeared for petitioner.

Mr. Monk stated that respondent had provided petitioner with timely correction and, as such, he recommended mitigation as a repeat.

I credit the issuing inspector's sworn, undisputed factual allegations and the credited facts support the violation. Accordingly, the summons is sustained and a mitigated penalty as a repeat is applied.

*Christina Barba*

11/29/2024

11/29/2024

Christina Barba, Hearing Officer

Date