



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: 014205153X et al. (1 Summons) NEW YORK CITY FIRE DEPARTMENT, -against- SABOR DE ESPANA LLC Hearing Date: 10/29/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$350.00**

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

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
014205153X	Sustained	09/11/2025	245 WEST 38TH ST Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BF05	VC5	Sustained	\$350.00

Findings of Fact & Conclusions of Law

Frank Tamberino appeared for Respondent by phone. The FDNY waived their right to appear.

The summons charges a recordkeeping violation.

The summons alleges that the quarterly cleaning tag was expired for the hood and duct. The remedy was to contact an approved commercial kitchen cleaning company to clean the hood and duct, and the cleaners were required to put their name and certificate of fitness number on the tag.

Mr. Tamberino submitted the following documents the tag for the hood that shows that it was cleaned in October 2025 and has the name and certificate of fitness for the cleaner (R1) and the cleaning invoice (R2).

I find the summons is credible and establishes a prima facie case that the quarterly cleaning tag was expired for the hood. I find the documents submitted (R1 and R2) are credible to show that the hood was cleaned before the first hearing date.

Summons sustained. I am imposing the mitigated penalty.

	
10/30/2025	10/30/2025
Elizabeth Barrett, Judicial Hearing Officer	Date