



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Caroline Kane, Esq. - Nacmias Law Firm, PLLC 592 Pacific Street, 1st Floor Brooklyn, NY 11217	Summons No: 0703572513 et al. (1 Summons) DEPT OF TRANSPORTATION, -against- GREEN REALTORS LLC Hearing Date: 03/13/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$750.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0703572513	Sustained	04/23/2024	365 SHEPHARD AVENUE BETWEEN GLENMORE AND LIBERTY AVE Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	ADG3	34RCNY 2-02(C)(4)	Sustained	\$750.00

Findings of Fact & Conclusions of Law

Caroline Kane, attorney for Respondent GREEN REALTORS, LLC, appeared at the telephone hearing on February 13, 2025. Brij Persaud appeared on behalf of Petitioner, DOT.

The Respondent is charged with code section 34 RCNY 2-02(c)(4) for failure to have the necessary ID markings on DOT required signs. Petitioner argued that the permit number was not placed on the signage according to the lettering standards under the statute and that it was not waterproof. Respondent testified that the signage was observed late at night and that it was difficult to maintain.

I credit the summons details, Petitioner's evidence, and I find that Petitioner has established a valid charge against Respondent. Petitioner established its prima facie case through the IO's affirmed statement in the summons. See 48 RCNY § 6-12(b). Once Petitioner established its case, the burden shifted to Respondent to refute the charge or establish an affirmative defense. See 48 RCNY § 6-12(a). I find that Respondent has not refuted the violation nor established an affirmative defense. Thus, I impose the standard penalty for the 34 RCNY 2-02(c)(4) charge.

	
03/18/2025	03/18/2025
Nanika Shaw, Hearing Officer	Date