



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: 012167577M et al. (1 Summons) NEW YORK CITY FIRE DEPARTMENT, -against- THE BOARD OF MANAGERS OF THE 3064 CONEY ISLAND CONDO Hearing Date: 10/29/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$375.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
012167577M	Sustained	06/18/2025	3064 Coney Island Avenue Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BF35	VC12 .	Sustained	\$375.00

Findings of Fact & Conclusions of Law

CHARGES

Summons #012167577M charges Respondent with the following violation(s) of the FDNY Fire Code 3 RCNY §109-02 based on an incident that took place on June 18, 2025, at 01:19pm, at 3062 Coney Island Avenue, Brooklyn, NY:

VC12—"Fire Protection Systems...."

Attorney Frank Tamberino appeared at a remote hearing that took place on October 28, 2025, as an authorized representative

of Respondent. Ines Gil appeared at the hearing on behalf of Petitioner.

RELEVANT LAW

3 RCNY §109-02 states in pertinent part:

"Violation Category 12: Fire Protection Systems Failure to provide and/or maintain fire protection systems, including sprinkler systems and other fire extinguishing systems...or to prevent unnecessary alarms and unwarranted alarms...."

TESTIMONY

Ms. Gil rested on the summons.

Mr. Tamberino denied the violation without rebuttal and submitted photographs of correction (Respondent's A).

Ms. Gil recommended mitigation.

DECISION

The summons is sustained.

I credit the detailed sworn allegations of the issuing officer as set forth in the summons and find that Respondent has offered no evidence or testimony to rebut them or to establish a defense

I find that at the time of inspection Respondent was in violation of FDNY Fire Code 3 RCNY §109-02, Violation Category 12, the minimum penalty for which on a first offense is \$750. I further find that timely correction was made and am imposing the mitigated penalty of \$375.

Accordingly, the summons is sustained.



10/29/2025

10/29/2025

Sarah Thomas, Judicial Hearing Officer

Date