



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Phoebe Dossett, Esq. - Nacmias Law Firm, PLLC 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 035681894M et al. (1 Summons) DEPT OF BUILDINGS, -against- AAA GENERAL CONSTRUCTION Hearing Date: 01/15/2026 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
035681894M	Sustained	05/30/2024	136-15 38 AVENUE Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B106	AC 27MISCAC28MISCBCMI	Sustained	\$2,500.00

Findings of Fact & Conclusions of Law

This remote hearing was conducted on January 15, 2026. Respondent (AAA General Construction) appeared by attorney, Pheobe Dossett. Henry Pita appeared for Petitioner (DOB).

Respondent was charged with a class-1 violation of BC 3304.8 & BC 3304.14.2. Failure to drain construction site of standing water. "At time of inspection at a job site for a proposed 9-story building at the 1st floor level. Observed approximately 4.5" of ground water at the cellar level completely overwhelmed the entire space at the cellar level. Subsurface water may or can cause...structural damage to the new building foundation and walls through erosion for foundation. Failure to adequately drain subsurface water and maintain." This summons was issued on

5/30/2024 and scheduled for a hearing on 8/13/2024. See: Hearing Officer Exhibit #1 (Summons copy).

Mr. Pita relied on the issuing officer's sworn statement, and he submitted Petitioner's evidence package (5 pages) including a copy of the summons and the issuing officer's photographs. See: Pet. Ex. #1. Mr. Pita specifically referenced photographs #2 and #4.

Ms. Dossett requested a review of the Affidavit of Service. The Affidavit of Service reveals that the issuing officer served the summons by delivering a true copy to Qixiang D. Wong (Managing Agent). Ms. Dossett did not assert a service challenge.

Ms. Dossett then stated, "DNR."

Based on the record before me, I credit the issuing officer's affirmation of the factual allegations. Respondent's representative denied the violation. However, she failed to present any credible rebuttal evidence, nor did she present any legally valid defenses. Accordingly, I sustain this summons.



01/19/2026

01/19/2026

Joan B Beck-Wall, Judicial Hearing Officer

Date