



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: 039523670P et al. (1 Summons) DEPT OF BUILDINGS, -against- JIN SUN CONSTRUCTION INC Hearing Date: 05/20/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$5,000.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039523670P	Sustained	11/28/2023	58-28 146 STREET Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B112	28-207.2.2	Sustained	\$5,000.00

Findings of Fact & Conclusions of Law

The hearing was held via Court Call on May 20, 2025. Respondent appeared by Phoebe Dossett, attorney. Petitioner, Department of buildings, appeared by Malka Amar. Respondent is charged with a violation of 28-207.2.2. Summons states that the issuing officer observed workers performing excavating and core dilling under partial work stop order only allowing safety and housekeeping. Issuing Officer Lore testified that he observed workers performing excavating and core drilling while under partial work stop order only allowing safety and housekeeping and submitted evidence. Respondent argues that a subcontractor was doing the work and therefore the general contractor was not responsible. Petitioner argues that the general contractor who was served was responsible for the violation. I find that the general contractor was responsible. I credit the testimony of the issuing officer and the evidence submitted. I find that the respondent is in violation of the statute and the

summons is sustained.



05/22/2025

05/22/2025

Martin Jaffe, Hearing Officer

Date