



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: 039523321R et al. (1 Summons) DEPT OF BUILDINGS, -against- JIN SUN CONSTRUCTION INC Hearing Date: 05/08/2025 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
039523321R	Sustained	11/13/2023	146-29 32 AVENUE Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B106	BC 3314.4	Sustained	\$2,500.00

Findings of Fact & Conclusions of Law

Respondent appeared by Phoebe Dossett, attorney, hereinafter "respondent." Petitioner appeared by Deanna Burbridge of DOB. Respondent is charged with improper installation of scaffold causing imminent danger.

Petitioner submitted photos depicting the missing planks, separation, unstraight planks, and other specified insufficiencies.

Respondent challenges the class and argues that the photos show they are in the process of installing the scaffolding; page 2-5 show a worker in the process of putting down the boards; p 7-8 worker is putting the boards in place; p 10 the worker is putting the ladder in place; they were being installed and they were in the process of putting the guardrail.

Petitioner argues that p 10 shows that the ladder is already in place; he has to climb down unsafely to reach the ladder, which is an immediate hazard; p 14 shows that the scaffold is on the concrete block on the stairs which is dangerous condition; p 13 shows the safety netting with the workers looking down and there is a concrete block on the stairs.

I am persuaded by petitioner's arguments and I credit the IO's observations and I am sustaining this violation as a class 1 with a penalty of \$2500..

<i>Janet Winter</i>	
05/08/2025	05/08/2025
Janet Winter, Hearing Officer	Date