



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: 039116572N et al. (1 Summons) DEPT OF BUILDINGS, -against- LI, XIANG JUN Hearing Date: 06/30/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$1,250.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039116572N	Sustained	06/12/2024	722 CALHOUN AVENUE Bronx

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B101	28-105.1	Sustained	\$1,250.00

Findings of Fact & Conclusions of Law

On 6/12/24, Respondent Xiang Jun Li was issued a summons alleging a class 1 violation of AC section 28-105.1 for work without a permit. The IO noted the following: " At cellar level installed water and waste lines for 3 piece bathroom (toilet, sink, shower stall) and washer machine. Installed gas line for dryer". The first scheduled hearing date was 8/16/24.

On 6/27/25, the hearing was conducted by telephone. Respondent appeared by its attorney Caroline Kane, Esq. Petitioner DOB appeared by its attorney Daniel Brickman, Esq.

Mr. Brickman rested on the summons.

Ms. Kane denied the charge and argued that the violation does not rise to the level of a class 1 immediately hazardous violation. She said Respondent corrected the violation and obtained the permit on 8/7/24. Mr. Brickman stood by the class 1 designation and noted the gas installation without a permit which he argued poses a severe threat to life and safety.

I credit the allegations contained in the summons and find that Petitioner established a prima facie case for a violation of the cited section of law. I find that the violation is properly designated as a class 1 immediately hazardous violation as installing a gas line without a permit poses a severe threat to life and safety so as to require immediate correction. I do not credit Respondent's denial and find that Respondent failed to rebut the charge in that subsequent correction is not a valid defense to the charge. Accordingly, I sustain the summons but impose the mandatory mitigated penalty based on Respondent's credible claim of timely correction.

Didi Skaff

07/03/2025

07/03/2025

Didi Skaff, Hearing Officer	Date
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