



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Michael Sargo, Esq. - Nacmias Law Firm
592 Pacific Street 1st Floor
Brooklyn, NY 11217

Summons# : 039121206J et al. (2 summonses)

DEPT OF BUILDINGS,

-against-

LGMJ REALTY LLC

Hearing Date : 5/16/2025

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 1,650.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039121206J	Sustained	08/08/2024	88-13 LIBERTY AVENUE, Queens

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B201	28-105.1	Sustained	1,250.00

Total Penalty for Summons: 1,250.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039121224N	Sustained	08/08/2024	88-13 LIBERTY AVENUE, Queens

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B2C4	27-3018(b)	Sustained	400.00

Total Penalty for Summons: 400.00

Findings of Facts & Conclusions of Law

SUMMONS #: 039121206J

Respondent is charged with a Class 2 violation of 28-105.1.

Rafeena Khairullah, Esq. represented petitioner at this telephone hearing. DOB Issuing Inspector Sahansra, Badge 3607, appeared at the hearing.

Michael Sargo, Esq. represented respondent, LGMJ Realty LLC, at this telephone hearing.

Michael Sargo said respondent is not making a service dispute and is going forward on the merits.

Rafeena Khairullah submitted a 1 page pdf overview for this summons. Rafeena Khairullah also submitted an 11 page pdf.

Inspector Sahansra credibly testified regarding the photos submitted into evidence. Inspector Sahansra credibly testified that there was no permit filed by respondent, and Inspector Sahansra issued this summons.

Michael Sargo said that after reviewing petitioner's evidence and hearing the testimony of Issuing Inspector Sahansra, respondent's position is deny with no rebuttal.

I credit the summons, evidence submitted by petitioner, and the testimony of DOB Issuing Inspector Sahansra. I find no mechanical permit was filed by respondent for this scope of work as required under the cited section of law. Respondent did not rebut or establish a valid defense. Therefore, respondent is in violation, and the summons is sustained for this Class 2 violation of 28-105.1. The penalty is the standard penalty of \$1,250.

SUMMONS #: 039121224N

Respondent is charged with a Class 2 violation of 27-3018(b).

Rafeena Khairullah, Esq. represented petitioner at this telephone hearing. DOB Issuing Inspector Sahansra, Badge 3607, appeared at the hearing.

Michael Sargo, Esq. represented respondent, LGMJ Realty LLC, at this telephone hearing.

Rafeena Khairullah said petitioner incorporates by reference the overview from summons 039121206J.

Rafeena Khairullah submitted into evidence a 1 page overview for summons #: 039121224N. Rafeena Khairullah also submitted into evidence an 11 page pdf.

Issuing Inspector Sahansra credibly testified regarding the photos in the 11 page pdf submitted by petitioner.

Respondent submitted into evidence DOB Work Permit #: Q01099838, Issued 8/21/2024, Expires 2/13/2025, filed to remove ECB 039121224N.

Michael Sargo stated that after reviewing petitioner's evidence and the testimony of Issuing Inspector Sahansra, he is not challenging the facts. Michael Sargo said he is requesting a mitigated penalty. He said the DOB permit submitted by respondent for general wiring for electrical work was filed to remove this summons, 039121224N.

Rafeena Khairullah said the DOB permit submitted by respondent was issued 8/21/2024 which is prior to the first scheduled hearing date for this summons, 10/15/2024. She also said there is mitigation for a Class 2 violation of 28-105.1, and petitioner recommends the mitigated penalty of \$400.

I credit the summons, evidence submitted by petitioner, and the testimony of DOB Issuing Inspector Sahansra. I find at the time and place of occurrence, there was no electrical permit filed for this scope of work. Therefore, respondent is in violation. The summons is sustained. I also credit respondent's evidence. I find the DOB permit submitted by respondent was issued 8/21/2024, which is prior to the first scheduled hearing date for this summons, 10/15/2024. Therefore, the penalty is the mitigated penalty of \$400.

Julie Jaffe

05/16/2025

05/16/2025

Julie Jaffe, Hearing Officer

Date

IF YOU ARE FOUND IN VIOLATION, AND ARE NOT ELIGIBLE OR DO NOT CHOOSE COMMUNITY SERVICE, YOU MUST PAY THE PENALTY WITHIN 30 DAYS OF THE DECISION DATE OR 35 DAYS IF MAILED.

- To pay by mail, send a check or money order to the Dept. of Finance Commissioner, P.O. Box 2307, Peck Slip Station, New York, NY 10272. The check or money order should be made out to "Finance Commissioner, City of New York." Write the summons number on the check or money order.
- To pay in person, bring a check, money order or credit card and this decision to any OATH Hearings Division location between 8:30 a.m. to 4:30 p.m.
- To pay online using a credit or debit card, go to www.nyc.gov/citypay/oath

If you do not pay the penalty, the City may: (1) file papers with the Civil Court ("docket a judgment"), (2) charge you a late fee, and (3) continue attempts to collect the debt.

CAN I DO COMMUNITY SERVICE?

If your summons is for the type of offense that gives you a Community Service option you can choose to complete Community Service instead of paying a penalty. Your decision will give you that option. You have to complete your Community Service by the deadline in the decision or else you will end up owing the penalty. You can even do your Community Service on the day you receive your decision.

COMPLETION OF COMMUNITY SERVICE

The Help Center will arrange for you to complete your Community Service. The Help Center is run by the Ombudsperson/*Pro Se* Clerk at OATH and is located at each Hearing Division in all five boroughs. To schedule your Community Service, call, email or visit a Help Center location.

How to Contact the Help Center to Schedule Community Service:

Manhattan: (212) 436-0845 CSmanhattan@oath.nyc.gov
Brooklyn: (718) 923-6216 CSbrooklyn@oath.nyc.gov
Queens: (718) 393-6044 CSqueens@oath.nyc.gov
Bronx: (718) 503-5565 CSbronx@oath.nyc.gov
Staten Island: (718) 876-2314 CSstateniland@oath.nyc.gov

If you complete your Community Service by the deadline in the decision, you will receive a Certificate of Completion and will not have to pay a penalty. If you need an extension to complete your Community Service, please contact the Help Center.

If you do not complete your Community Service by the deadline, you will have to pay the penalty.

NON-DISCLOSURE FOR SUMMONSES ELIGIBLE FOR COMMUNITY SERVICE

If you either completed the Community Service or paid the penalty, OATH will remove your identifying information from public records related to your case.

If you **do not** complete the Community Service or pay the penalty, your identifying information may remain on public records related to your case.

IF YOU DISAGREE WITH THE DECISION, YOU MAY APPEAL IT

To submit your appeal, you **MUST** use OATH's online or mail-in appeal forms available on OATH's website at www.nyc.gov/oath/appeal. Instructions for filing an appeal may be found on the form and OATH's website.

Your appeal **MUST** be received by the OATH Hearings Division **within 30 days** of the decision date, or 35 days if the decision was mailed to you.

To appeal you **may need** to pay the full penalty stated in this decision.

- If you cannot pay because of financial hardship, you may ask to not pre-pay by submitting with your appeal a Financial Hardship Application, available on OATH's website.
- If you are eligible and choose to perform Community Service instead of paying the penalty, you do not have to pay the penalty or complete the Community Service to appeal.

APPEAL BY ENFORCEMENT AGENCY

If you wish to answer an appeal filed by an enforcement agency, you **MUST** use OATH's Response To Appeal form. Instructions for filing an answer may be found on the form and OATH's website.

Your answer must be received **within 30 days** of the date of the enforcement agency's appeal, or 35 days if it was mailed to you.

If the enforcement agency wins the appeal, you may have to pay a penalty or, if eligible, complete Community Service even if your case was originally dismissed after the hearing.

For more information,
visit OATH's website www.nyc.gov/oath
or call 1-844-OATH-NYC

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