



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: 039528173R et al. (1 Summons) DEPT OF BUILDINGS, -against- TJAR GROUP CORP. Hearing Date: 01/06/2025 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
039528173R	Sustained	05/01/2024	310 FENIMORE STREET Brooklyn

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

TJAR GROUP CORP.

039528173R

Respondent is charged with a Class 1 violation under NYC AC 28-207.2.2.

Deanna Burbridge, Esq. appeared on behalf of Petitioner, along with the issuing officer (IO), Sawandi Downes. Caroline Kane, Esq. appeared on behalf of Respondent.

On direct examination by Ms. Burbridge, the IO testified: she recalls the relevant inspection; she went to the cited location for a reinspection; she observed an CMU block wall at exposure 4, but there were no CMU blocks there at the earlier inspection (see P Ex 1 – photos); photos taken on 4/9/24 at an earlier inspection show no CMU blocks (first two photos); the third photo, taken by her on the cited day of occurrence herein, show the CMU blocks she observed; there was a stop work order issued on 4/9/24.

On cross-examination by Ms. Kane, the IO testified; the stop work order shown in her photo is the one she put up on that day; the prior stop work order was not posted on the day of occurrence herein, when she was there.

Ms. Kane made a motion to dismiss the summons, arguing it has not been shown that Respondent was on notice that the stop work order was in place at the time of occurrence. She argued the stop work order shown only was put up by the IO on that day.

Ms. Burbridge argued that when Respondent received the original stop work order, they received six summonses. She submitted additional photos from 4/9/24 (P Ex 2) showing the relevant stop work order posted.

Ms. Burbridge recommended the standard penalty.

Ms. Kane offered nothing further.

I credit the details as alleged in the summons as well as the IO's testimony and Ms. Burbridge's argument and submitted evidence and find Respondent failed to rebut them.

Therefore, the summons is SUSTAINED.

The Class 1 standard penalty is imposed.

 01/09/2025	01/09/2025
Susan Brand, Hearing Officer	Date