



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

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

Summons# : 035685546Y et al. (1 summonses)

DEPT OF BUILDINGS,

-against-

EMPIRE PROP PARTNERS LLC

Hearing Date : 3/23/2026

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 1,250.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035685546Y	Sustained	07/30/2024	38-16 CRESCENT STREET, Queens

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B212	BC 3303.4 27-1018	Sustained	1,250.00

Total Penalty for Summons: 1,250.00

Findings of Facts & Conclusions of Law

The summons was issued on July 30, 2024, with a return date of October 8, 2024.

Attorney Deanna Bulbridge appeared for Petitioner, Department of Buildings. Attorney Frank Tamberino appeared for Respondent, EMPIRE PROP PARTNERS LLC, for a hearing on March 23, 2026.

Respondent is charged with NYC Building Code Section 3303.4. The allegation is designated as a class 1 immediately hazardous condition.

Summons alleges that ...failure to maintain adequate housekeeping...debris of the following a construction site, garbage, wooden, wooden pallet, emu blocks, plywood, cartons, plastic bags and wooden trash...

Petitioner submitted photos, see Petitioner Exhibit 1, of the condition cited. Petitioner argued that the photos depict the circle of garbage.

Respondent argued that the condition depicted was when work was in progress and the summons was issued at 2:30pm. Respondent argued that they only need to be cleaned once daily and relied on the appeals decision DOB v. Pavarini McGovern LLC, Appeal Nos. 2401150 (September 26, 2024).

Petitioner argued that the condition observed does not depict one day housekeeping condition.

New York City Building Code Section 3303.4 provides, in relevant parts, that Housekeeping at a site shall be in accordance with Sections 3303.4.1 through 3303.4.11...All areas used by the public shall be maintained free from ice, snow, grease, debris, equipment, materials, projections, tools, or other items, substances, or conditions that may constitute a slipping, tripping, or other hazard...

I credit the sworn statement of the Issuing Officer. I find that Respondent did not provide a valid defense to the charge. Upon submitted photos, I find that the accumulated debris observed indicates a lack of housekeeping for more than one day. I find that this is a class 2 major condition because the violating condition affects life, health, safety, property, or the public interest but it does not require immediate corrective action.

Accordingly, the summons is sustained and a standard penalty of \$1250 is imposed.

 04/02/2026	04/02/2026
Iyayi Uwa, Judicial Hearing Officer	Date