



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Chia-Han Lin - Nacmias Law Firm, PLLC 592 Pacific Street Brooklyn ,NY 11217	Summons No: 048405988Y et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- QUEENS VENTURES NY LLC Hearing Date: 12/12/2024 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount:\$50.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
048405988Y	Sustained	09/13/2024	103-24 123 Street Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AS26	A.C. 16-118(2)(A)	Sustained	\$50.00

Findings of Fact & Conclusions of Law

Petitioner did not appear.

The respondent appeared by Mr. C. Lin, from The Nacmias Law Firm.

The summons charges a violation of NYC AC 16-118(2)(a), for failed to clean 18-inches into the street. The inspector wrote: At T/P/O I did observe bottle(s), can(s), cigarette pack, cup(s), piece(s) of paper, tissue(s), wrappers scattered within the 18-inch curb line, during the established routing hour of 8:00 am-8:59 am.

Mr. Lin stated the respondent informed him the cited trash was in a public area and the trash did not originate from the respondent's property.

NYC AC § 16-118(2)(a) requires premises owners to keep the street 18 inches from the curb abutting their premises free from debris at all times. It is not a defense that the debris was left by others. Petitioner established the charge by the information provided by the issuing officer and contained in the details of the summons. Since, respondent failed to establish they make reasonable efforts to maintain the curb line free from debris, the summons is sustained.

E. Garcia

12/16/2024

12/16/2024

Elizabeth Garcia, Hearing Officer

Date