



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Andre Autz, Esq. - Nacmias Law 592 Pacific Street Brooklyn, NY 11217	Summons No: 035411068K et al. (1 Summons) DEPT OF BUILDINGS, -against- MOWLA INDUSTRIES LLC Hearing Date: 01/09/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$2,500.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035411068K	Sustained	01/23/2023	113-13 Atlantic Avenue Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B101	28-105.1	Sustained	\$2,500.00

Findings of Fact & Conclusions of Law

Respondent appeared by its attorney Andre Autz, Esq. to respond to the charge of work without a permit - IO observed five workers on site and renovation in progress in Apartment 3R, 4R and 4L - Apt. 3R was completely demolished and new floor joist was installed and drop ceiling - fire proofing removed from party wall between Apts. 3R and 3L leaving Apt. 3L unprotected with an occupied tenant - also demolition and new floor joist were installed and new partition wall and ceiling - wall work completed in absence of a work permit.

Petitioner appeared by its attorney Jennifer Clauden, Esq. and submitted photos taken by the IO and documents relating to the subject property.

Mr. Autz submitted sworn statements from a residential tenant and a commercial tenant and a deed showing that the Respondent took title to the subject property on April 25, 2022 in support of a pre-existing condition defense and stated that Respondent claims that when it took title to the subject property the conditions that are described in the charge already existed and the changes made were done prior to the conveyance of title to Respondent. Mr. Autz also challenged the Class 1 designation.

IO Gillis appeared and testified as to what he observed which is reflected in the photos that were taken of the subject apartments and that there were workers on site who were doing the work in question and that there was evidence of demolition and alteration work in progress. Further the conditions support the Class 1 designation.

After the IO testified and the submission of the IO's photos, Mr. Autz stated that Respondent denies the charge with no rebuttal.

I find that the IO credibly testified and that Respondent was performing work without a permit and also that the conditions observed support a Class 1 designation. I also credit the IO's photos.

Accordingly the summons is **sustained**.

<i>Melanie Finkel</i>	
01/09/2025	01/09/2025
Melanie Finkel, Hearing Officer	Date