



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: 048605209M et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- ST JOHN REAL ESTATE CONSULTANT INC Hearing Date: 01/31/2025 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
048605209M	Sustained	09/30/2024	38-75 11 STREET Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AS06	A.C. 16-118(2)(A)	Sustained	\$50.00

Findings of Fact & Conclusions of Law

The sworn-to-summons alleges a violation of Administrative Code (Code) § 16-118(2)(A) for dirty sidewalk.

Attorney, Caroline Kane, for Respondent, St. John Real Estate Consultant Inc., was present. Petitioner, the Department of Sanitation, did not appear.

Respondent's representative denied the allegation, stating the items found on the public sidewalk did not originate from Respondent's premises.

I credit the sworn-to-summons. I find that the summons as alleged is legally sufficient to establish the violation charged. I find that Respondent did not present a valid legal defense. Code §16-118(2)(a) requires the premises owner to clean up debris regardless of its source. See NYC v. Si Li, Appeal No. 1500781 (September 25, 2015). Respondent failed to provide credible evidence to rebut the allegations. Accordingly, the summons is sustained, and a \$50.00 violation penalty is imposed.



02/04/2025

02/04/2025

Paul Mendez, Hearing Officer

Date