



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Phoebe Dossett, Esq. - Nacmias Law Firm, PLLC 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 037030633H et al. (1 Summons) DEPT OF BUILDINGS, -against- ST. JOHN REAL ESTATE CONSULTAN Hearing Date: 12/02/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
037030633H	Dismissed	10/01/2024	38-65 11 Street Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B179	AC 1RCNY-MISC, RS-MISC	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

MARIA DOLLAS, ESQ., appeared for the Department of Buildings (DOB), the petitioner here. PHOEBE DOSSETT, ESQ., appeared for the respondent. The summons alleges that respondent failed to submit the required parking structure initial observation report for an existing parking structure documenting the conditions of said structure by the 1 August 2024 deadline. The summons was issued on 1 October 2024.

Petitioner's counsel rested on the allegations contained within the four corners of the summons.

Respondent's counsel denied the allegations and liability for the summons. She argued that petitioner's submission fails to

establish a prima facie showing. She explained that the property cited does not contain a garage as defined by the statute. The building is actually new, unoccupied, and does not even have Certificate of Occupancy. In fact, the Schedule A from the building, which will be used as the factual basis, or the blueprint for the actual Certificate of Occupancy contains no information regarding the presence of a garage. More to the point, petitioner's counsel contacted Claudia Misi - Badge 9CLX, the issuing officer, and she who concluded that the summons should be dismissed because (1) petitioner has no evidence that there is enclosed garage on the premises; and (2) "...either way, the building was under construction per streetview in August 2025, even if it ahd [sic] [had] enclosed spaces, they wouldn't be subject in cycle 1 and the vio [sic] [violation] should be dismissed".

In light of the foregoing, I find that petitioner has failed to establish a prima facie showing of the violation so as to require respondent to submit rebuttal evidencer. I find that respondent is not in violation.

The summons is dismissed.



12/02/2025

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Velly Polycarpe, Judicial Hearing Officer

Date