



Office of Administrative Trials and Hearings
Hearings Division

DECISION

ST JOHN REAL ESTATE CONSULTANT INC 592 Pacific street Bklyn,NY 11217	Summons No: 048411382K et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- ST JOHN REAL ESTATE CONSULTANT INC Hearing Date: 07/26/2025 Hearing Location: Remote Type of Hearing: By One-Click
---	---

Total Penalty Amount:\$50.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
048411382K	Sustained	09/16/2024	38-77 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

Respondent is charged with violating the aforementioned sanitation statute, concerning a dirty sidewalk area at the cited location.

Respondent **ST JOHN REAL ESTATE CONSULTANT INC**, appearing by email through representative **Michael Nacmias**, writing from elsewhere, does not dispute the officer's observations, explaining condition was caused by general littering. No cleaning efforts on behalf of the respondent are claimed for the day of summons issuance.

Respondent's representative's defense letter is offered by someone without explaining how he/she has any

personal knowledge of the condition at the time and place of occurrence.

Respondent may establish a defense to this violation by demonstrating that reasonable efforts have been made on a regular basis to clean the area, including on the date of the violation. A reasonable efforts defense requires that Respondent show that sufficient efforts on a daily basis were made to keep the area clean by frequent, regular and thorough inspections and cleanings or pick-ups of the area upon observation of garbage, refuse, rubbish, litter and other offensive material. I find the issuing officer's sworn statement regarding the condition at the cited premises to be credible. The respondent property owner/mgr is responsible to keep the property in compliance with the applicable statute, regardless of the source of the debris.

I credit the issuing officer's observations in the details of the summons and find facts sufficient to establish a violation under the above-referenced section of law, and to the extent that the respondent is claiming otherwise, I do not credit those claims. The summons is, accordingly sustained. Minimum penalty imposed.



07/26/2025

07/26/2025

Brian Levine, Hearing Officer

Date