



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# : 039106584L et al. (2 summonses) DEPT OF BUILDINGS, -against- HILLTOP GREEN VILLAGE LLC Hearing Date : 2/6/2025 Hearing Location : Remote Type of Hearing : By Telephone
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Total Penalty Amount : 1,250.00	Community Service(Hr): Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039106584L	Sustained	02/22/2024	159 EAST 33 STREET, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B263	AC 28-204.4	Sustained	1,250.00

Total Penalty for Summons: 1,250.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039106666P	Dismissed	02/22/2024	159 EAST 33 STREET, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B187	28-201.1	Dismissed	0.00

Total Penalty for Summons: 0.00

Findings of Facts & Conclusions of Law

Phoebe Dossett, Esq. appeared for Respondent. Deanna Lamberti, Esq. appeared for Petitioner DOB.

Respondent was issued 2 summonses for failure to comply with the Commissioner's Order: 039106584L and 039106666P.

Summons 84L was issued for violating AC 28-201.1 for failure to comply with the Commissioner's Order contained in summons 35473990X.

Ms. Lamberti noted that the underlying summons 90X (Exhibit 1) was corrected and certified after the instant summons was issued.

Ms. Dossett challenged the Class 1 Designation arguing that the underlying had been amended to Class 2 (Exhibit A).

Ms. Lamberti moved to amend the Class to Class 2.

I grant Petitioner's motion to amend to Class 2. The summons is sustained. The standard penalty for a Class 2 violation is imposed.

Summons 66P was issued for violating AC 28-201.1 for failure to comply with the Commissioner's Order contained in summons 39024643N.

Ms. Dossett moved to dismiss because the underlying summons 43N does not contain the Commissioner's Order (Exhibit A). She submitted Appeals Decisions 2201674 (Exhibit B).

Petitioner did not establish a case. The summons is dismissed.

 02/07/2025 02/07/2025	
Viven Chiu, Hearing Officer	Date

