



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division
Decision

Michael Nacmias, Esq. - Nacmias Law Firm
592 Pacific Street 1st Floor
Brooklyn, NY 11217

Summons# : 039115863Z et al. (2 summonses)

DEPT OF BUILDINGS,

-against-

All Brough Group Svc Inc

Hearing Date : 8/8/2024

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 0.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039115863Z	Dismissed	05/31/2024	159 EAST 33 STREET, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B153	28-211.1	Dismissed	0.00

Total Penalty for Summons: 0.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039115872K	Dismissed	05/31/2024	159 EAST 33 STREET, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B114	28-105.12.2	Dismissed	0.00
Total Penalty for Summons:				0.00

Findings of Facts & Conclusions of Law

Attorney Varuna Sahabir represented the petitioner, NYC Department of Buildings. Respondent All Brough Group Svc. Inc was represented by attorney Phoebe Dossett.

There are two summonses.

Summons 039115863Z is a class 1 charge alleging permit holder filed a false statement regarding egress and occupancy.

Summons 039115872K is a class 1 charge alleging work does not conform to approved construction documents.

The two summonses were issued with additional summonses for the same date, time, place of occurrence, sections of law and details of the charge. The primary difference is that in the present summonses, the respondent name specifically "brough" in the new summonses is spelled "Borough."

Counsel for both parties note that the summonses are duplicative and petitioner made no recommendation.

Respondent's counsel moved to have summons 039115863Z dismissed as duplicative of summons 039115781P and summons 039115872K is duplicative of summons 039115773P.

Summonses summons 039115781P and summons 039115773P have been adjourned for the testimony of the inspector.

Upon review of the documents-copies of summons 039115781P and summons 039115773P, I find that the present summonses are duplicative of them citing the same sections of law, the same factual details, the same date, time, place of occurrence and the misspelling of the respondent's name is the only differing details. Accordingly summonses 039115863Z and 039115872K are dismissed.

	08/09/2024
08/09/2024	Date
Therese A Tomlinson, Hearing Officer	