



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 0803286312 et al. (1 Summons) DEPARTMENT OF HEALTH & MENTAL HYGIENE, -against- 16 CHRISTOPHER STREE C/O MGMT Hearing Date: 03/28/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$2,000.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0803286312	Sustained	11/26/2024	18 GAY STREET Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AH3Y	NYCHC 151.02(A)	Sustained	\$2,000.00

Findings of Fact & Conclusions of Law

Petitioner, Department of Health and Mental Hygiene, did not appear.

Respondent appeared by Michael Nacmias, Esq. via telephone hearing on March 28, 2025.

Respondent is charged with one violation of NYC Health Code Section 151.02(a) (properties shall be free of pests and conditions conducive to pests). Charged with 6th violation in 24 month period.

Respondent states that the building has retained an exterminator that comes every month. See, Respondent's Exhibit A. The invoices state, "General treatment at exterior of building."

3 monthly invoices provided at the hearing. See, Respondent's Exhibit A.

The invoices from the exterminator do not address the condition noted by the inspector, the invoices were general, and the Respondent has not presented a sufficient defense to the violation.

Respondent submitted proof that one of the 4 priors was dismissed. See, Respondent's Exhibit A.

Despite the Respondent's retention of a professional extermination company, Respondent did not establish that there was an effective pest control measures for this premises *prior* to the violation.

Accordingly, I find that the violating conditions existed at time of offense. I sustain the summons and impose the standard penalty for the 4th violation.

	03/28/2025
Rebecca Kramer, Hearing Officer	Date