



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

The Nacmias Law Firm - Attention: MATTHEW WHITENING
592 PACIFIC STREET
NEW YORK, NY 11217

Summons No: 011816301M et al. (1 Summons)

NEW YORK CITY FIRE DEPARTMENT,

-against-

E 93 REALTY LLC

Hearing Date: 10/22/2024

Hearing Location: Remote

Type of Hearing: By Telephone

Total Penalty Amount: **\$2,375.00**

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

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
011816301M	Sustained	06/27/2024	313 93rd Street Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BF12	VC12 .	Sustained	\$2,375.00

Findings of Fact & Conclusions of Law

Respondent appeared by its authorized representative Matthew Whitening to respond to the VC 12 and failing to maintain required protection system and/or communication system in that the fire alarm system was observed out of service and occup[ancy] observed short term with ten occupied rooms. The charge was designated as a repeat violation (prior summons no. 11834766L).

Petitioner appeared by its representative Ahmad Al-Kaysey and stated that there was no correction in that no evidence was submitted that the fire alarm system was restored.

Mr. Whitening submitted photos of the subject premises in support of correction and mitigation. The photos show various rooms located at the premises and each photo has a typed written notation stating that illegal transient use has been discontinued, key locking devices have been removed and rooms vacated occupants have access to all rooms. Mr. Al-Kaysey objected to the evidence stating that the photos do not show correction of the fire alarm system.

After reviewing the evidence during the hearing, Mr. Whitening stated that respondent denies the charge with no rebuttal.

Accordingly the summons is **sustained** and the penalty imposed for a repeat violation.

<i>Melanie Finkel</i>	
10/28/2024	10/28/2024
Melanie Finkel, Hearing Officer	Date