



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Caroline Kane, Esq. - Nacmias Law Firm, PLLC 592 Pacific Street, 1st Floor Brooklyn, NY 11217	Summons No: 035676814R et al. (1 Summons) DEPT OF BUILDINGS, -against- E. 93 REALTY LLC Hearing Date: 06/24/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$2,500.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035676814R	Sustained	04/11/2024	311 93rd Street Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B2F3	BC 28-210.3	Sustained	\$2,500.00

Findings of Fact & Conclusions of Law

Malka Amar, Esq. appeared as counsel for the New York City Department of Buildings. She relied on the issuing inspector's sworn written testimony contained in the summons and recommended the minimum class 1 penalty.

Caroline Kane, Esq. appeared as counsel for the respondent. She submitted no defenses nor any evidence in support.

Respondent is charged with having a permanent dwelling converted for transient use, under Code 28-210.3, as a class 2 charge.

I find that this is a class 2 charge. A class 2 charge is a major violations are those specified as such by the New York City Construction Codes or those where the violating condition affects life, health, safety, property, or the public interest but does not require immediate corrective action, or, with respect to outdoor advertising, those where the violation and penalty are appropriate as an economic disincentive to the continuation or the repetition of the violating condition.

I find that petitioner through the sworn written testimony of the issuing officer has credibly established that the respondent did have a permanent dwelling converted as charged.

I sustain this summons as a class 2 charge, and I impose the statutory approved class 2 minimum penalty.

	
06/26/2025	06/26/2025
Keith J. Ludwiczak, Hearing Officer	Date