



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

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

Summons# : 035684369H et al. (3 summonses)

DEPT OF BUILDINGS,

-against-

E 93 REALTY LLC

Hearing Date : 1/15/2026

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
035684367Y	Dismissed	10/31/2024	315 93rd St. , Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B263	AC 28-204.4	Dismissed	0.00

Total Penalty for Summons: 0.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035684368X	Dismissed	10/31/2024	315 93rd St. , Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B263	AC 28-204.4	Dismissed	0.00

Total Penalty for Summons: 0.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035684369H	Dismissed	10/31/2024	315 93rd St. , Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B263	AC 28-204.4	Dismissed	0.00

Total Penalty for Summons: 0.00

Findings of Facts & Conclusions of Law

The summonses allege that respondent committed class 2 violations of the New York City Administrative Code section 28-204.4 by failing to comply with the commissioner's order to file certificates of correction for summonses 35679260H, 35679261J and 35679259K.

Frank Tamberino appeared on behalf of Respondent. Kimberly Manas appeared on behalf of the Department of Buildings, with Richard Mayer observing.

Mr. Tamberino moved to dismiss all three summonses arguing that respondent did not fail to comply with the commissioner's order for any of the summonses. He noted that summons -60H was corrected on July 27, 2024, prior to the issuance of the instant summons in October 2024; that summons -61J was dismissed, and that summons -59K was corrected on August 2, 2024 (also prior to the date of issuance).

Ms. Manas acknowledged respondent's correction.

I credit respondent's testimony and evidence and find that respondent has credibly rebutted the allegations and presented a defense thereto. All three summonses are dismissed.

Ruiz

01/21/2026

01/21/2026

Ricardo Luiggi, Judicial Hearing Officer

Date