



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: 049170128R et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- ATTB LLC Hearing Date: 02/03/2026 Hearing Location: Remote Type of Hearing: By One-Click
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Total Penalty Amount: \$50.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
049170128R	Sustained	06/15/2025	1049 Rutland Road Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AS18	A.C. 16-120(C)	Sustained	\$50.00

Findings of Fact & Conclusions of Law

Respondent ATTB LLC is charged with a violation of NYC Administrative Code 16-120(c) for placing bags out on the public sidewalk on a non-collection day.

In the summons, the issuing officer (IO) affirmed observing on June 15, 2025, at 3:41 am, in front of 1049 Rutland Road, Brooklyn, cited as a multiple dwelling, "one 5 gallon plastic bag(s) placed out on the public sidewalk on a non-collection day. Collection days are MWF."

In a one click hearing submission, Respondent's representative, Michael Nacmias, argued that Petitioner failed to meet their

burden of proving that the observed bag is connected to Respondent.

I credit the IO's allegations as set forth in the summons. There is a reasonable inference that because the cited bag was observed in front of Respondent's premises, it came from Respondent's premises, and Respondent is therefore responsible for the violating condition. Respondent's representative offered nothing that would rebut this inference. I find that Respondent's representative has failed to refute the IO's allegations or present a valid defense.

Accordingly, I sustain the summons and impose a civil penalty of \$50.

 02/03/2026	02/03/2026
Brian Dolan, Judicial Hearing Officer	Date