



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: 039530853N et al. (1 Summons) DEPT OF BUILDINGS, -against- CONTRACTING CORP SAHAR Hearing Date: 10/20/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$5,000.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039530853N	Sustained	07/26/2024	5616 3 AVENUE Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B112	28-207.2.2	Sustained	\$5,000.00

Findings of Fact & Conclusions of Law

Frank Tamberino, Esq. for Respondent

Henry Pita, Esq. for DOB

The summons alleges that Respondent continued to work while on Notice of the Stop Work order and it carries a \$ 5,000 fine. This case was previously adjourned by the DOB twice for the IO. DOB did not renew its request for the IO. Respondent's request for an adjournment was denied, given the fact that they did not previously request an adjournment and provided no valid reason to grant one now. Respondent first stated that it wanted an adjournment because the DOB attorney was new and

would not amend. However, Respondent cannot forum shop DOB attorneys and they have no right to an amendment. When I mentioned that, Respondent then indicated it needed an adjournment for further evidence. However, that claim is conclusionary and respondent did not explain why it could not gather the evidence earlier.

Respondent challenged Class because the SWO was lifted shortly after the violation occurred. However, this violation is a per se Class 1 violation. Therefore, Respondent is found in violation and a \$5,000 fine is imposed.

	10/20/2025
Mitchell Rubinstein, Judicial Hearing Officer	Date