



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: 048397318H et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- JUST RLTY CORP Hearing Date: 11/04/2024 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$50.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
048397318H	Sustained	06/18/2024	112-39 117th Street Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AS07	A.C. 16-118(2)(A)	Sustained	\$50.00

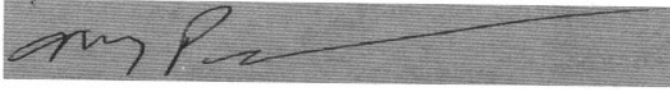
Findings of Fact & Conclusions of Law

Chia Han Alfred Lin, authorized representative, appeared for Respondent Just Rlty Corp at a hearing. Petitioner did not appear.

Respondent made a motion to dismiss due to the 2 feet of weeds as described on the summons should not be considered an obstruction, that the weeds can be walked around or ridden through and that weeds are not offense materials as written in the law.

I credit the Petitioner's case. Code § 16-118(2)(a) requires every premises owner to "keep and cause to be kept the sidewalk,

flagging and curbstone abutting [the] property free from obstruction and nuisance of every kind," including overgrown weeds. See DSNY v. Mee Wah Chan, Appeal No. 2101655 (February 24, 2022); DSNY v. Geoffrey G. Caville, Appeal No. 1801733 (March 15, 2019); DSNY v. David S. Elewitz, Appeal No. 2000462 (May 21, 2020). I find that the evidence supports a prima facie case for the violation as alleged and Respondent has failed to provide a defense. Accordingly, I find that the summons is sustained and the standard penalty is imposed for this violation.



11/06/2024

11/06/2024

Malik Pearson, Hearing Officer

Date