



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

GARY CHEN - NACMIAS LAW FIRM PLLC 592 Pacific Street - 1st Floor Brooklyn, NY 11217	Summons No: 048531016R et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- JUST RLTY CORP Hearing Date: 10/28/2024 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
048531016R	Sustained	07/30/2024	112-39 176 Street Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AS06	A.C. 16-118(2)(A)	Sustained	\$50.00

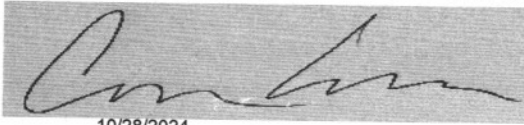
Findings of Fact & Conclusions of Law

Gary Chen, Esq. appeared on behalf of Respondent Just Rlty Corp. for a phone hearing on October 28, 2024 in response to the above-issued summons for an alleged violation of New York City Administrative Code 16-118(2)(a). The summons states that a large accumulation of bottles, cans, cups, and wrappers were observed on the sidewalk.

Respondent claimed that it is a public sidewalk; that the garbage did not originate from the Respondent; and that they did not have an opportunity to remedy this issue since the summons was issued early in the morning.

I credit the observations of the issuing officer and find that Petitioner proved this violation by a preponderance of the evidence .

Respondent failed to establish a valid defense to the charge, and did not establish that reasonable efforts were taken to keep the premises free from garbage. Furthermore, the source of the garbage is immaterial. Therefore, the summons is sustained.



10/28/2024

10/28/2024

Corey Lederman, Hearing Officer

Date