



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: 049051650H et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- JUST RLTY CORP Hearing Date: 08/07/2025 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
049051650H	Sustained	03/18/2025	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

Michael Nacmias, authorized representative for Just Rlty Corp., Respondent, appeared by electronic submission dated June 16, 2025.

The summons was issued on March 18, 2025 at 8:09 a.m. and charges a violation of NYC AC §16-118(2)(a).

The summons states the issuing officer observed a large accumulation of litter scattered on the sidewalk around the tree pit at the location during the established routing hour.

The Representative stated that leaves, paper, and twigs observed were blown on to property from another property. Someone walking by left trash on the sidewalk by the tree pit.

The Representative admitted the violation, attributing it to littering from passersby, which is not a valid defense. The source of the debris is not a valid defense as the property owner remains responsible for making reasonable efforts to keep the sidewalk around the tree pit free from litter. The Representative did not describe how many times a day the sidewalk around the tree pit is cleaned and so failed to establish a reasonable efforts defense. I do not credit the testimony and evidence of the Representative, as he writes from a different location than the place of occurrence, does not display any firsthand knowledge of the violation, and did not specify how many times a day the cited area is cleaned. I find that the Representative has failed to present a meritorious defense to the above-cited code violation. Accordingly, the summons is sustained.



08/07/2025

08/07/2025

Stephanie Darigan, Hearing Officer

Date