



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: 049211374K et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- JUST RLTY CORP 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
049211374K	Sustained	08/05/2025	112-39 176 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

Respondent, JUST REALTY CORP, appeared at a one click hearing by attorney Michael Nacmias, to adjudicate a summons issued by the DSNY alleging a violation of 16-118(2)(a) sidewalk obstruction-weeds completely obstructing pedestrian pathway.

Respondent's attorney moved to dismiss the summons and argues that the DSNY did not meet their burden of establishing that the weeds were a hazard to the public on the sidewalk.

§ 16-118 Littering prohibited.

2. (a) Every owner, lessee, tenant, occupant or person in charge of any building or premises shall keep and cause to be kept the sidewalk, flagging and curbstone abutting said building or premises free from obstruction and nuisances of every kind, and shall keep said sidewalks, flagging, curbstones, and air shafts, areaways, backyards, courts and alleys free from garbage, refuse, rubbish, litter, debris and other offensive material.

The motion to dismiss is denied.

I do not find that the reading of § 16-118 requires that Petitioner demonstrate that the cited condition constitutes a hazard to the public but that Respondent must keep the sidewalk free from obstruction and nuisances of every kind.

I find Petitioner established the violation.

SUSTAINED.



02/03/2026

02/03/2026

Margaret Tolan, Judicial Hearing Officer

Date