



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

MICHAEL NACMMIAS, ESQ 592 PACIFIC STREET BROOKLYN, NY 11217	Summons No: 049324688Y et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- JUST RLTY CORP Hearing Date: 02/11/2026 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
049324688Y	Sustained	09/15/2025	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

Michael Nacmias, Esq, an authorized Representative for Respondent 5530-5572 Netherland Ave LLC., appeared by an on-line submission in response to the violation. The Summons charged Respondent with a sidewalk obstruction pursuant to 16-118(2)(a) of the NYC Administrative Code. The issuing officer alleges observing weeds completely obstructing the pedestrian pathway.

The Representative submitted a written statement contending that the description of the violation gives no further information beside the obstruction only being weeds. The Representative stated that weeds aren't sufficient obstruction, and there is no indication the weeds would prohibit a pedestrian from safely using the pathway.

§16-118(2)(a) of the NYC Administrative Code requires an owner, lessee, or person in charge of a building or premises to keep the sidewalk free from obstruction and nuisances of every kind at all times.

The Summon is sustained. Respondent did not present any credible evidence of complying with the cited code. Respondent's defense to the violation was that weeds alone, isn't a sufficient obstruction, and there was no allegation that the weeds would prohibit a pedestrian from safely using the pathway. However, I find the cited code is clear in the requirement for sidewalks to be clear of obstruction of every kind. Thus, the observation of weeds completely obstructing the pedestrian pathway is an obstruction under the cited code. Moreover, the cited code does not require a showing that a pedestrian was prohibited from safely passing, as the presence alone extending onto the sidewalk obstructs the pathway for pedestrians. In this instance, I credit and find the weeds completely obstructed the pathway on the sidewalk.

Accordingly, Respondent is in violation and the minimum penalty of \$50.00 is imposed.

	
02/11/2026	02/11/2026
Toria Dixon, Judicial Hearing Officer	Date