



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

MICHAEL NACMIAS, ESQ 592 PACIFIC STREET BROOKLYN, NY 11217	Summons No: 049324693Z 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
049324693Z	Sustained	09/16/2025	112-39 176 STREET Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AS26	A.C. 16-118(2)(A)	Sustained	\$50.00

Findings of Fact & Conclusions of Law

Michael Nacmias, Esq., an authorized Representative for Respondent Just Rlty Corp., appeared by an on-line submission in response to the violation. The Summons charged Respondent with the failure to clean 18" into the street pursuant to 16-118(2)(a) of the NYC Administrative Code. The issuing officer alleges observing litter accumulated within the 18" curb line during the morning residential routing hour.

The Representative submitted a written statement moving to dismiss the violation. The Representative contends that DSNY failed to meet its burden of connecting the cited trash to Respondent during the established routing hour.

§16-118(2)(a) of the Administrative Code of the City of New York requires that property owners keep "sidewalks, the curb and 18" into the street, air shafts, backyards, courts, and alleys free from garbage, refuse, rubbish, litter, and offensive material." Respondent may establish a defense to this violation by demonstrating that reasonable efforts have been made on a regular basis to clean the area in question, including on the date of the violation. A reasonable efforts defense requires that Respondent show that sufficient efforts on a daily basis were made to keep the subject area clean by frequent, regular and thorough inspections and cleanings or pick-ups of the area upon observation of garbage, refuse, rubbish, litter and other material.

The Summons is sustained. Respondent did not present any credible evidence of complying with the cited code. As the owner of the property, Respondent is responsible for maintaining the cited area free from debris regardless of the source. Thus, when litter and debris is observed in front of property, as in the instant case, Respondent as the owner of the property, is responsible for removing the litter and debris. As such, the observation of the issuing officer is credited, and Respondent has failed to rebut the charge.

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

T. Dixon

02/11/2026

02/11/2026

Toria Dixon, Judicial Hearing Officer

Date