



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Phoebe Dossett, Esq. - Nacmias Law Firm, PLLC 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 035684050X et al. (1 Summons) DEPT OF BUILDINGS, -against- GREEN HOUSE TOWN CORP. Hearing Date: 03/17/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035684050X	Dismissed	08/02/2024	35-30 146th Street Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B209	BC 3301.2	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

Taylor Barje, Esq. appeared for the Petitioner. Phoebe Dossett, Esq. appeared for the Respondent charged with a violation of NYC building code § 3301.2 for failing to safeguard all persons and property affected by construction operations.

Petitioner rested on the sworn details of violation.

Respondent moved to dismiss the violation on two grounds: 1) that there is no provision of chapter 33 of the building code that requires workers to wear fall arrest harnesses, and 2) no evidence was presented that the cited area was open to the public or placed the public in danger from a fall hazard.

Petitioner stated that she had no rebuttal.

Building code (BC) § 3301.2 requires that the Respondent implement all safety measures required by Chapter 33 of the building code; or take measures necessary to protect the public and property affected by construction operations. (See NYC v. Gemstar Contracting Corp; Appeal No. 1700381, July 20, 2017.)

I credit the Respondent.

The Petitioner has failed to provide sufficient credible evidence to establish that the Respondent violated the cited provision of law.

The summons is dismissed.

	03/17/2026
Susan Kippins, Judicial Hearing Officer	Date