



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: 039539731X et al. (1 Summons) DEPT OF BUILDINGS, -against- LURIIS LLC Hearing Date: 08/19/2025 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
039539731X	Dismissed	05/01/2025	37-18 138 STREET Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B2P7	Misc. BC—Chapter 33	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

The summons alleges a class 2 violation of NYC Building Code in that construction Superintendent failed to do actions required by the code.

Cassie Rene, Esq. appeared for the petitioner, NYC Department of Buildings.

Phoebe Dossett, Esq. appeared for the respondent, Luriis LLC.

Petitioner relied on the sworn statement in the summons.

Respondent moved to dismiss the violation contending that a prima facie case was not established as no specific provision of law was cited in either the provision of law field in the summons or in the violation details. Respondent contended that a provision of law alleged in the remedy section was not sufficient. Respondent submitted appeals cases in support of their motion.

Petitioner offered no rebuttal and did not make a recommendation as to penalty.

48 RCNY 6-08(c) requires that the summons contain at a minimum a clear and concise statement sufficient to inform the respondent with reasonable certainty and clarity of the essential facts alleged to constitute the violation and information about the specific section of law, rule or regulation alleged to have been violated.

I find the summons failed to establish a prima facie case. Accordingly, the respondent's motion is granted and the summons is dismissed.



08/20/2025

08/20/2025

Ilene Sussman, Hearing Officer

Date