



**OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS**  
*Hearings Division*

**DECISION**

|                                                                                                       |                                                                                                                                                                                                                                                                          |
|-------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>FRANK TAMBERINO, Esq. - Nacmias Law Firm</b><br>592 Pacific Street 1st Floor<br>Brooklyn, NY 11217 | <b>Summons No: 039131750M et al. (1 Summons)</b><br><br><b>DEPT OF BUILDINGS,</b><br><br><b>-against-</b><br><br><b>41-15 76TH STREET, LLC</b><br><br><b>Hearing Date: 07/22/2025</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|-------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |
|----------------------------------------------|
| <b>Total Penalty Amount: \$0.00</b>          |
| <b>Community Service(Hr): Not Applicable</b> |

| <b>SUMMONS #</b> | <b>SUMMARY DISPOSITION</b> | <b>DATE OF OCCURRENCE</b> | <b>PLACE OF OCCURRENCE</b> |
|------------------|----------------------------|---------------------------|----------------------------|
| 039131750M       | Dismissed                  | 12/02/2024                | 41-15 76 STREET Queens     |

| <b>LINE<br/>ITEM</b> | <b>OATH<br/>CODE</b> | <b>CODE<br/>SECTION/RULE</b> | <b>RESULT</b> | <b>PENALTY</b> |
|----------------------|----------------------|------------------------------|---------------|----------------|
| 1                    | B2C9                 | EC 110.2(A)                  | Dismissed     | \$0.00         |

**Findings of Fact & Conclusions of Law**

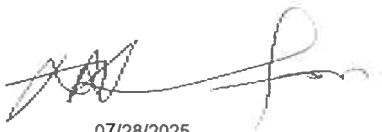
Petitioner appeared by DOB representative, Kimberly Manas Esq. Respondent, 41-15 76TH STREET, LLC., appeared by attorney, Frank Tamberino Esq., to answer a charge of having defective loose and exposed hanging wiring which was compromised due to fire and water damage. The first hearing date was February 11, 2025.

Ms. Manas relied on the allegations in the summons.

Mr. Tamberino moved to dismiss the summons stating that summons did not state that electrical work was improperly installed/performed, but merely states exposed/loose wiring which was the aftermath of fire and water event at the premises.

Ms. Manas stated that a violation has been established and a prima facie case has been made against Respondent. Ms. Manas further stated the cited law includes unfit usage of electrical equipment of which the loose/exposed wiring falls under.

I credit Mr. Tamberino's testimony and grant his motion to dismiss the summons. I find that the summons fails to state that electrical work was improperly installed/improperly performed. I further find that the summons fails to state how the post-fire and post-water damage exposed wiring was unfit at the time of installation. Accordingly, the summos is DISMISSED.



07/28/2025

07/28/2025

Akinwale Akinrefon, Hearing Officer

Date