



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 035689886Z et al. (1 Summons) DEPT OF BUILDINGS, -against- SJ 163 LLC Hearing Date: 04/07/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$2,400.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035689886Z	Sustained	02/10/2025	163 ATTORNEY STREET Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B223	BC3307 .1	Sustained	\$2,400.00

Findings of Fact & Conclusions of Law

Frank Tamberino, Esq. for Respondent

Kimberly Manas, Esq. for DOB

The summons alleges that a pedestrian protection does not meet Code because of a deteriorated mudsill. This violation carries a \$2,400 fine. DOB submitted supporting photos showing a mudsill with a gap on the bottom. Respondent asserts that the mudsill was in proper condition, but submitted no evidence. Attorney argument is not evidence. DCWP v. Jai Sai, Appeal No. 27T01627,n. 1 (July 18, 2025)(attorney argument not testimony). Respondent failed to rebut the allegations in the

summons. In any event, the DOB pictures support the summons where I was able to see a deteriorated mudsill. The Respondent is found in violation and regulatory fine of \$2,400 is imposed.



04/07/2026

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Mitchell Rubinstein, Judicial Hearing Officer

Date