



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: 039150110H et al. (1 Summons) DEPT OF BUILDINGS, -against- BOULIS CONSTRUCTION CORP Hearing Date: 02/23/2026 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
039150110H	Sustained	06/05/2025	2304 GRAND AVENUE Bronx

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

Findings of Fact & Conclusions of Law

The summons alleges the respondent violated NYC Administrative Code 28-301.1, by failing to maintain its property in a code compliant manner, at 2304 Grand Avenue Bronx on June 5, 2025. Phoebe Dossett, Esq., Nacmias Law Firm, PLLC, appeared for the respondent Boulis Construction Corp. Henry Pita, Esq., appeared for the petitioner DOB.

The petitioner relied on the issuing officer's sworn statement in the summons. The issuing officer stated that during inspection, an excessive number of threaded rods were exposed, observed throughout the sidewalk shed structure.

Additionally, trees in the vicinity were found to be inadequately protected. Those conditions may present safety and environmental concerns and should be addressed to ensure proper safety. The petitioner provided 24 photos of the conditions

described (Pet. Exh). Th petitioner added that Class 1 designation was appropriate for this violation due to the excessive number of threaded rods on the structure, as seen in the photos.

The respondent asked that the matter be dismissed as written, because the respondent is an improper party. The respondent also challenged the class designation for this charge. The respondent said that the law cited, failure to maintain a property in a code compliant manner, applies to the owner of a property. The respondent was the general contractor there.

The petitioner moved to amend the charge to a violation of BC 3307.1 (B223), pedestrian protection does not meet code specifications. The petitioner said that it more accurately reflects the description in the violation details, and does not prejudice the respondent. The respondent did not object to the amendment. The petitioner's motion is granted and the charge so amended.

The respondent denied the charge without a rebuttal.

I credit the issuing officer's sworn statement in the summons. I credit the petitioner's photographic evidence. I find the respondent had a number of exposed threaded rods as described. I find the trees in the vicinity were inadequately protected as described. The respondent provided no testimony or other evidence to refute this claim. Accordingly, I find the petitioner proved its Class 2 charge, as amended, by a preponderance of the evidence. I find the respondent is in violation. I impose the standard penalty.



02/23/2026

02/23/2026

Anthony Feldmesser, Judicial Hearing Officer

Date