



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# : 039132638R et al. (1 summonses)

DEPT OF BUILDINGS,

-against-

1138 WHITE PLAINS ROAD LLC

Hearing Date : 9/23/2025

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 0.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039132638R	Sustained	12/11/2024	1138 WHITE PLAINS ROAD, Bronx

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B201	28-105.1	Sustained	0.00

Total Penalty for Summons: 0.00

Findings of Facts & Conclusions of Law

Respondent, 1138 WHITE PLAINS ROAD LLC, appeared, by its counsel, Phoebe Dossett, Esq., and Petitioner, NYC Dept. of Buildings, appeared by its counsel, Laura Slavin and the issuing officer, (I/O) Zapata.

The summons alleged a class 1 violation of Section 28-105.1 of the NYC Administrative Code for work without a permit specifically at the time of inspection the I/O "observed plumbing installation for a bathroom and kitchen area, consisting of copper pipe connection into plastic plex tubing, for hot/cold lines, white pvc pipes on walls and floors for drainage, and the use of tub/shower, sinks and toilet, vent pipe open gas line pipe, work approx. 60 cpt installed w/o permit, stop all work, maintain safe area safe. "

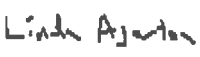
Ms. Slavin submitted the complaint (Exh. 1) of construction work in a basement of a residential building and a packet of 44 photos of the cited plex tubes, hot/cold lines, pvp pipes, gas line pipes, vent open pipes.

I/O credibly stated that at the time of offense he observed the cited work.

Ms. Dossett stated that her client disputed the facts and that she could not rebut the prima facie case, and she did not dispute service or the class.

I credit the allegations and find they support a violation of Section 28-105.1. I further find the allegations support a designation of a class 1 because the violating condition poses a threat that severely affects life, health, safety, property, the public interest, or a significant number of persons so as to warrant immediate corrective action. I do not credit the dispute in fact and find no defense was presented and no correction was submitted.

Accordingly, I sustain and impose the mandatory penalty.

	
09/24/2025	09/24/2025
Linda Agoston, Hearing Officer	Date