



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: 039132642J et al. (1 Summons) DEPT OF BUILDINGS, -against- 1138 WHITE PLAINS ROAD LLC Hearing Date: 09/23/2025 Hearing Location: Remote Type of Hearing: By Telephone
--	--

Total Penalty Amount: \$2,500.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039132642J	Sustained	12/11/2024	1138 WHITE PLAINS ROAD Bronx

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B101	28-105.1	Sustained	\$2,500.00

Findings of Fact & 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 electrical work and new wiring supply and components for installation on the front portion of the cellar/basement level, temporary lighting. Unsafe connections. one electrical panel, work approx 60 pct installed. new wiring installed on 1st flr highway, new panel in apt 1R w/o permit. stop all work, maintain 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 occupied building with mailboxes and workers with tools and electrical wires, gas line pipes and water pipes (Exh. 2).

I/O credibly stated that at the time of offense he responded to a complaint and that he observed the cited work and that the unpermitted electrical work was hazardous.

Ms. Dossett challenged the class as the cited work was able to be legalized and submitted an electrical permit dated 2/25/25 to remove violation # 39132642J for general wiring in the cellar and basement 125A panel and 1 set of 3 feeders (Exh. A) and photos of the panel (Exh. B). She stated that she did not dispute service.

Ms. Slavin stated that the work that I/O observed on the date of offense was a class 1 violation.

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.

Linda Agoston

09/24/2025

09/24/2025

Linda Agoston, Hearing Officer

Date