



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: 037031204Y et al. (1 Summons) DEPT OF BUILDINGS, -against- PENTECOSTAL CIRCLE TABERNACLE Hearing Date: 10/14/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00

Community Service(Hr): Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
037031204Y	Dismissed	10/01/2024	167 East 98th Street Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B179	AC 1RCNY-MISC, RS-MISC	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

The summons alleges a class 1 violation of 1 RCNY 103-16 the respondent failed to submit the required parking structure initial observation report for an existing parking structure.

Gurtej Sahni, Esq. appeared for the petitioner, NYC Department of Buildings.

Phoebe Dossett, Esq. appeared for the respondent, Pentecostal Circle Tabernacle, and denied the violation.

Petitioner relied on the sworn statement of the issuing officer.

Respondent moved to dismiss the violation stating that the premises was not a parking structure as defined in the statute and submitted supporting documentation.

Petitioner after reviewing respondent's evidence offered no rebuttal and did not make a recommendation to penalty.

1 RCNY 103-16 provides, in pertinent part, "...the owner of the building in which a parking structure is located and whose condition assessment report is due as set forth in item (B) or (C) of subparagraph (v) of paragraph (4) of subdivision (c) of section 103-13 of these rules, must have a one-time initial observation of the parking structure performed by or under the direct supervision of a qualified parking structure inspector ("QPSI"), as defined in section 101-07 of these rules. The results of such initial observation must be filed with the Department by August 1, 2024 on a form provided by the Department..."

Class 1 violations are those deemed to be immediately hazardous. Immediately hazardous violations are those specified as such by the New York City Construction Codes, or those where 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.

The violation issued here is not subject to mitigation or cure so correction, even if timely does not alter the penalty.

I credit the respondent's evidence and find the respondent refuted the allegations in the summons and established a defense to the violation. Accordingly, the summons is dismissed.

Ilene Sussman

10/14/2025

10/14/2025

Ilene Sussman, Hearing Officer

Date