



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: 039543416H et al. (1 Summons) DEPT OF BUILDINGS, -against- ZSN DEVELOPMENT INC Hearing Date: 04/17/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$2,500.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039543416H	Sustained	08/08/2025	436 BLAKE AVENUE Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B1F2	BC 3301.7 (2014 code)	Sustained	\$2,500.0

Findings of Fact & Conclusions of Law

Petitioner, the New York City Department of Buildings ("DOB"), charges Respondent, ZSN Development Inc., with a Class A violation of § 3301.7 of the New York City Building Code ("BC"), for failure to maintain or display documents required by Chapter 33. The summons states that a "steel framing plan" was not provided at the active job site.

Both parties attended a telephonic hearing on Friday, April 17, 2026. Maria Dollas, Esq. appeared for Petitioner. The Issuing Officer, Noel Powell, badge # 3188, testified on behalf of Petitioner. Phoebe Dossett, Esq. appeared for Respondent. Both

parties submitted documentary evidence.

Respondent sought dismissal or, in the alternative, a reduction of the violation classification, arguing that this was a paperwork violation that does not warrant a Class 1 designation. Respondent relied on *DOB v. Rite Way Construction Corp.*, Appeal No. 2401181 (September 26, 2024). Respondent further asserted that the required plan existed and was subsequently approved by DOB after the inspection.

Petitioner maintained that the Class 1 designation was proper. Mr. Powell testified, among other things, that without an approved steel framing plan available at the site, there is no way to verify whether ongoing work complies with approved specifications, thereby creating an immediately hazardous condition.

In rebuttal, Respondent argued that a Stop Work Order had been partially rescinded and that the Issuing Officer did not clearly identify a dangerous condition.

I credit the summons details and Petitioner's evidence. Petitioner established a prima facie case. I also credit Respondent's documentary evidence. However, I am not persuaded by Respondent's arguments. It is undisputed that, at the time of the August 8, 2025, inspection, no DOB-approved steel framing plan was available at the active job site. Unlike a harmless paperwork deficiency, the absence of an approved structural plan at an active construction site directly implicates the ability to ensure that structural work is being performed safely and in accordance with approved specifications. I find that the condition supports a Class 1 designation as immediately hazardous. This violation is not subject to mitigation. As such, Respondent failed to refute the allegation or establish a defense.

Accordingly, the summons is sustained, and a standard civil penalty of \$2,500 for the Class 1 violation is imposed.



04/17/2026

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Geoffrey Luan, Judicial Hearing Officer

Date