



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 039147498X et al. (1 Summons) DEPT OF BUILDINGS, -against- EAST 193RD STREET PROPCO LLC C/O SEYFARTH SHAW LLP Hearing Date: 03/09/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$1,250.00**

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

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039147498X	Sustained	05/08/2025	360 EAST 193 STREET Bronx

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B255	28-301.1	Sustained	\$1,250.00

Findings of Fact & Conclusions of Law

Petitioner, appeared by authorized representative, Guartej Sahni, Esq. and Inspector Anthony Mowe, also appeared; Respondent, appeared by authorized representative, Frank Tamberino, Esq.

The summons sets forth a violation of NYC Administrative Code, section 28-301.1, failure to maintain building in code compliant manner, i.e., no sprinkler system provided, a class 1 violating condition.

Inspector Mowe stated that he went to the cited premises, pursuant to a standard inspection; that the cited premises is a shelter; that he observed the cited violation; that 2 or more gas power dryers, require more than 1 sprinkler head and that he

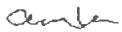
only saw 1 sprinkler head for more than 3 dryers.

Mr. Sahni moved to amend the cited offense to a class 2 violation and produced supporting documents.

Mr. Tamberino argued that the details of the summons don't set forth sufficient details so as to provide sufficient notice to Respondent of the offense; that the certificate of occupancy and permit, establish that a sprinkler system existed and that there is insufficient evidence to establish the cited violating condition. He produced supporting documents.

I credit Inspector Mowe's statements and Petitioner's evidence and I find that the summons sets forth sufficient notice to Respondent. I grant Mr. Sahni's motion to reduce the violation to a class 2 violating condition as I find that there is sufficient evidence to support the amendment. I don't credit Mr. Tamberino's arguments and I find that he has not rebutted the allegations as set forth in the summons.

Accordingly, the summons is sustained and the mandatory penalty is imposed.



03/18/2026

03/18/2026

Aubrey Lees, Judicial Hearing Officer

Date