



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: 039083622Y et al. (1 Summons) DEPT OF BUILDINGS, -against- EAST 193RD STREET PROPCO LLC C/O SEYFARTH SHAW LLP Hearing Date: 03/02/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$800.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039083622Y	Sustained	04/12/2023	360 EAST 193 STREET Bronx

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B2C9	EC 110.2(A)	Sustained	\$800.00

Findings of Fact & Conclusions of Law

A remote hearing was held on 3/2/2026 Summons Number 039083622Y.

Deanna Lamberti, Esq. appeared on behalf of the Petitioner, the Department of Buildings ('DOB').

Respondent, 'East 193rd Street Propco LLC', was represented at the remote phone hearing by Phoebe Dossett, Esq. of the Nacmias Law Firm, PLLC.

The DOB charges Respondent with a rule violation of EC 110.2(a) on 4/12/2023. Ms. Lamberti relied on the narrative on the

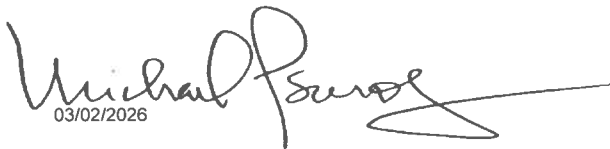
sworn-to-summons which states that the Issuing Officer observed on the roof of the subject premises "... improper termination of the flexible cords supplying power to the lights."

Ms. Dossett denied the allegation without rebuttal. She also stated that she was not challenging service of process.

Pursuant to Title 48 of the Rules of the City of New York (RCNY)§ 6-12(b), the summons is prima facie evidence of the facts stated therein, and if it alleges each element the rule charged, is legally sufficient to establish a violation, unless disproved by credible evidence from the Respondent.

Here, I credit the sworn-to-summons and evidence presented by Petitioner's counsel. I find that the summons as alleged is legally sufficient to establish the violation charged. I find that Respondent's attorney did not present contrary evidence, a valid legal defense or evidence to establish mitigation.

Accordingly, Respondent is found in violation. Summons is sustained and standard penalty of \$800.00 is imposed.


03/02/2026

03/02/2026

Michael Psaros, Judicial Hearing Officer

Date



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: 06063-25F1 et al. (1 Summons) DEPARTMENT OF HEALTH & MENTAL HYGIENE, -against- 881 BISTRO INC. Hearing Date: 03/03/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$750.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
06063-25F1	Sustained	08/21/2025	881 LEXINGTON AVENUE Brooklyn

LINE ITEM	OATH CODE	VIOL CODE	CODE SECTION/RULE	CONDITION (SEVERITY)	RESULT	PENALTY
1	NA	04N	NYCHC 81.23(a)	5	Sustained	\$350.00
2a	NA	08A	NYCHC 81.23(a)	4	Sustained	\$200.00
2b	NA	08A	NYCHC 81.23(a)	4	Sustained / Bundled with Line 2a	\$0.00
3	NA	10B	NYCHC 81.20(b)	1	Sustained	\$100.00
4	NA	10F	NYCHC 81.17(e)(1)	1	Sustained	\$100.00

Findings of Fact & Conclusions of Law

Frank Tamberino appeared on behalf of Respondent for a phone hearing on March 3, 2026 in response to the above-issued summons. No appearance on behalf of Petitioner.

Line item 1: Respondent claimed that an extermination company services the property on a bi-weekley basis; and all the areas where there were alleged to have been flies have been cleaned. Respondent submitted an affirmation of correction; photos; and an extermination invoice dated 10/30/25 in support.

I credit the observations of the issuing officer and find that Petitioner proved this violation by a preponderance of the evidence. I also credit Respondent's claim, but it does not provide a basis for dismissal. The cited issues were present at the time the summons was issued. Therefore, this violation is sustained.

Line item 2a: Respondent claimed that an extermination company services the property on a bi-weekley basis; and all the areas where there were alleged to have been issues have been cleaned. Respondent submitted an affirmation of correction; photos; and an extermination invoice dated 10/30/25 in support.

I credit the observations of the issuing officer and find that Petitioner proved this violation by a preponderance of the evidence. I also credit Respondent's claim, but it does not provide a basis for dismissal. The cited issues were present at the time the summons was issued. Therefore, this violation is sustained.

Line item 2b: Respondent claimed that an extermination company services the property on a bi-weekley basis; and all the areas where there were alleged to have been issues have been cleaned. Respondent submitted an affirmation of correction; photos; and an extermination invoice dated 10/30/25 in support.

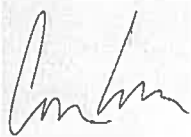
I credit the observations of the issuing officer and find that Petitioner proved this violation by a preponderance of the evidence. I also credit Respondent's claim, but it does not provide a basis for dismissal. The cited issues were present at the time the summons was issued. Therefore, this violation is sustained.

Line item 3: Respondent claimed that the issue regarding the water leak has been corrected. Respondent submitted an affirmation of correction; and closing procedure logs in support.

I credit the observations of the issuing officer and find that Petitioner proved this violation by a preponderance of the evidence. I also credit Respondent's claim, but it does not provide a basis for dismissal. The cited issues were present at the time the summons was issued. Therefore, this violation is sustained.

Line item 4: Respondent claimed that all cracks have been repaired using approved sealant. Respondent submitted photos and an affirmation of correction in support.

I credit the observations of the issuing officer and find that Petitioner proved this violation by a preponderance of the evidence. I also credit Respondent's claim, but it does not provide a basis for dismissal. The cited issues were present at the time the summons was issued. Therefore, this violation is sustained.



March 03, 2026

3/3/2026

Corey Lederman, Judicial Hearing Officer

Date