



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Caroline Kane, Esq. - Nacmias Law Firm, PLLC 592 Pacific Street, 1st Floor Brooklyn, NY 11217	Summons No: 25Q00858 DEPARTMENT OF CONSUMER AND WORKER PROTECTION, -against- FLOWERS BY GIORGIE INC. Hearing Date: 07/07/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$9,800.00	Restitution: \$0.00
Suspension/Revocation/Sealing:	

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
25Q00858	Sustained	04/01/2025	4517 GREENPOINT AVE Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	OCCUR- RENCE	NO. OF COUNTS	RESULT	PENALTY	SUSPENSION/ REVOCATION/SEALING
1	NA	NYC Admin Code § 20-233(a)	1	1	Sustained	\$9,800.00	

Findings of Fact & Conclusions of Law

On April 1, 2025 respondent was charged with stoop line violation.

Caroline Kane appeared for respondent. Tamara Coleman appeared for DCWP.

During the hearing, Ms. Coleman relied on the summons. Ms. Kane argued respondent corrected the stoop line violation the same day as the summons issuance and provided an affidavit and photos. Ms. Coleman recommended the standard penalty from

the date of the summons issuance to the hearing date.

Upon review of the summons, I credit the petitioner's allegations in the summons, finding respondent in violation absent sufficient defense. While the summons alleges the start date of unlicensed activity as a date of prior settlement (1/10/2018), herein, I impose the inspection date as the start date of the inspection date, April 1, 2025 to the hearing date, July 7, 2025. Regarding Ms. Kane's defense that respondent corrected and the penalty should not be issued for the full duration following respondent's same day correction, the photos provided by respondent are not time stamped to allow for objective verification of same day correction. Therefore, respondent's evidence of correction was not credible to rebut the presumption of continued unlicensed activity from the inspection date (April 1, 2025) through to the hearing date (July 7, 2025) for a total of 98 days.

Accordingly, the summons is sustained and the standard \$100 penalty per day is sustained.



August 06, 2025

08/06/2025

Amanda Gayle, Hearing Officer

Date