



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: 000692039P et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- 2021 84TH STREET PO BOX 1327 Hearing Date: 06/02/2025 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
000692039P	Sustained	01/15/2025	2021 84 St Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA16	24-122 (B)(1)	Sustained	\$800.00

Findings of Fact & Conclusions of Law

A hearing was conducted by telephone on June 2, 2025. Michael Nacmias, Esq. appeared for the respondent. Antwan Gibbs appeared for the petitioner. The summons alleged a violation of NYC Admin. Code sec. 24-122(b)(1) in that the respondent used fuel burning boiler without a DEP Certificate of Operation. The petitioner presented an evidence packet that included photographs of the fuel burning boiler in the respondent's premises and a DEP notice of disapproval for the installation of the respondent's boiler. The respondent argued that the summons incorrectly named the respondent, which should have been "221 Street Owners Corp." I find this argument to be without merit as the petitioner's evidence included a Department of Finance Property Tax Bill Quarterly Statement that lists "2021 84TH STREET PO BOX 1327" as the named owner of the respondent's premises. The summons is, therefore, upheld, and a penalty of \$800 is imposed.



06/03/2025

06/03/2025

Chin Ho Cheng, Hearing Officer

Date