



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: 039148929N et al. (1 Summons) DEPT OF BUILDINGS, -against- BENZAKEN, NATHAN Hearing Date: 03/20/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$3,125.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039148929N	Sustained	05/24/2025	69 LAKE STREET Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B263	28-204.4	Sustained	\$3,125.00

Findings of Fact & Conclusions of Law

Frank Tamberino, Esq. appeared as counsel for Nathan Benzaken, Respondent. Henrietta Baidoo, Esq. appeared for the Petitioner, DOB. The telephone hearing was held on March 20, 2026. The summons alleges a Class 2 violation of the Building Code Provision 28-204.4 for fiasling to comply with the commissioner's order in the manner described in the summons.

Petitioner argued that this summons mentions a different underlying summons. And challenges the aggravated designation. DOB argued that the underlying summons was found to be in violation as of the day of the hearing there has been no correction. She went on to say that there is a valid basis for the aggravated designation as the summonses were issued to the same respondent, for the same address, addressing the same issue all within the requisite time frame.

I credit the sworn allegations in the summons and find that the violating conditions existed as alleged. No certificate of correction has been submitted during the hearing or filed with DOB as of March 20, 2026. The statutory penalty of \$3,125.00 is imposed for the violation.

The summons is sustained.



03/27/2026

03/27/2026

Melissa Petrozza, Judicial Hearing Officer

Date