



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

FRANK TAMBERINO, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons# : 048747604X et al. (1 summonses) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- RAM REALTY GROUP LLC Hearing Date : 2/23/2026 Hearing Location : Remote Type of Hearing : By Telephone
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Total Penalty Amount :	50.00	Community Service(Hr):	Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
048747604X	Sustained	11/18/2024	602 MORRIS AVENUE, Bronx

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	ASAC	16-120 (C)	Sustained	50.00

Total Penalty for Summons: 50.00

Findings of Facts & Conclusions of Law

Attorney Frank Tamberino appeared for Respondent, **RAM REALTY GROUP LLC.**, appeared for a hearing on February 23, 2026. Petitioner, Department of Sanitation, did not appear.

Respondent is charged with a violation of the NYC Administrative Code section 16-120(c).

The Summons alleges that, "At T/P/O I did observe many bags placed out on the public sidewalk without a receptacle with tight-fitting lid prior to 8pm on the day before collection ...

Respondent argued that strangers dump garbage. Respondent argued that they have a super that keeps the area clean. Respondent argued that the location attracts people who litter and perform illegal dumping.

Section 16-120(c) requires waste receptacles to be stored off the street until time for removal. Per § 1-02.1(a) of Title 16 of the Rules of the City of New York (RCNY), receptacles or bags containing solid waste or recyclables out at the curb for collection by the Department as follows: 1. Except as provided in paragraph (2) of this subdivision, materials must be placed out at the curb no earlier than 8:00 p.m. on the day before scheduled collection and no later than 12:00 a.m. on the scheduled collection day...

I credit the allegations in the summons. I find that Respondent did not have a persuasive defense that the many bags observed were dumped and did not originate from the cited premise. I further find that Respondent submitted no statement nor evidence to establish that they place their receptacle out with tight-fitting lids.

Accordingly, the summons is sustained and the standard penalty of \$50 is imposed.



02/24/2026

02/24/2026

Iyayi Uwa, Judicial Hearing Officer

Date