



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

RAM REALTY GROUP LLC/MICHAEL NACMIAS, ESQ. 592 PACIFIC STREET BROOKLYN, NY 11217	Summons No: 049338850K et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- RAM REALTY GROUP LLC Hearing Date: 02/01/2026 Hearing Location: Remote Type of Hearing: By One-Click
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Total Penalty Amount: \$50.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
049338850K	Sustained	07/31/2025	SIDE OF 602 MORRIS AVENUE Bronx

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AS06	A.C. 16-118(2)(A)	Sustained	\$50.00

Findings of Fact & Conclusions of Law

Respondent, Ram Realty Group LLC, hereinafter, "Respondent," was represented by Michael Nacmias, Esq., who appeared by online statement to deny the Summons. Respondent's representative motioned to

dismiss because there was no way to monitor the sidewalk during the established time as no agent of Respondent was present to maintain it. Dismissal is requested.

The details section of the Summons credibly states: "At T/P/O I did observe a large accumulation of scattered ashtray contents, bottle(s), can(s), cup(s), napkins, paper bag(s), piece(s) of paper, tissue(s),

wrappers on the sidewalk at the above location during the established routing hour of 6:00pm-6:59pm."

Respondent may establish a meritorious defense to this violation by demonstrating that reasonable efforts are made on a daily basis to clean the sidewalk including on the date of

the violation.

The reasonable efforts defense requires that Respondent show that sufficient efforts are made, on a daily basis to keep the sidewalk clean by frequent, regular and thorough inspections and cleanings

or pick-ups of the sidewalk upon observation of garbage, refuse and other offensive material.

The respondent property owner/mgr is responsible to keep the sidewalk clean in compliance with the applicable statute, regardless of the source of the litter. The extent of cleaning efforts, the number

of routine daily cleanings and the times of day of such cleanings, are all factors for consideration in determining what constitutes reasonable efforts in a particular situation.

Respondent's representative's vague defense that there was no way to monitor the sidewalk because Respondent's agent had gone for the day is insufficient.

He fails to provide a cleaning schedule and to state when the sidewalk was last cleaned prior to issuance of the Summons. He fails to state how often the sidewalk is cleaned and it is not credited that the

sidewalk will be clean without reasonable daily cleaning efforts. Even one daily cleaning is insufficient to establish the reasonable efforts defense. The representative does not state that any daily cleaning efforts

are made. No basis for dismissal has been found. The issuing officer's observation is credited and Respondent found in violation, as charged. Accordingly, the Summons is sustained and the penalty imposed.

M Oresky

02/01/2026

02/01/2026

Marsha Oresky, Judicial Hearing Officer

Date