



**OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS**  
*Hearings Division*

**DECISION**

|                                                                                                            |                                                                                                                                                                                                                                                                     |
|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Caroline Kane, Esq. - Nacmias Law Firm, PLLC</b><br>592 Pacific Street, 1st Floor<br>Brooklyn, NY 11217 | <b>Summons No: 0219509510 et al. (1 Summons)</b><br><br><b>DEPT OF TRANSPORTATION,</b><br><br><b>-against-</b><br><br><b>QAHWAH HOUSE</b><br><br><b>Hearing Date: 07/31/2025</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Total Penalty Amount: **\$500.00**

Community Service(Hr): **Not Applicable**

| SUMMONS #  | SUMMARY DISPOSITION | DATE OF OCCURRENCE | PLACE OF OCCURRENCE    |
|------------|---------------------|--------------------|------------------------|
| 0219509510 | Sustained           | 04/20/2025         | 8602 4 AVENUE Brooklyn |

| LINE<br>ITEM | OATH<br>CODE | CODE<br>SECTION/RULE | RESULT    | PENALTY  |
|--------------|--------------|----------------------|-----------|----------|
| 1            | ADS4         | 34RCNY 5-02(A)       | Sustained | \$500.00 |

**Findings of Fact & Conclusions of Law**

Caroline Kane for the Respondent and Mr Paul Stewart for DOT.

Ms. Kane argued that this was a wrong named Respondent as the summons should have been issued either to the building owner or the prior tenant. That they did not need to register the Open Air restaurant as they did not own it. She additionally stated that they should be charged with a first offense as the prior violation was dismissed.