



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Caroline Kane, Esq. - Nacmias Law Firm, PLLC 592 Pacific Street, 1st Floor Brooklyn, NY 11217	Summons No: 014175925M et al. (1 Summons) NEW YORK CITY FIRE DEPARTMENT, -against- VERMONT GOURMET GROCERY DELI Hearing Date: 06/10/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$350.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
014175925M	Sustained	03/10/2025	580 VERMONT STREET Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BF05	VC5 .	Sustained	\$350.00

Findings of Fact & Conclusions of Law

This telephone hearing was held on June 10, 2025. Petitioner, FDNY, appeared by Joanne Guerra. Respondent, Vermont Gourmet Grocery Deli, appeared by Caroline Kane Esq. The first hearing was scheduled for April 29, 2025.

This summons alleges violation of NYC Fire Code VC 5 (Failure to produce records). The summons states that the Respondent failed to maintain/produce records for the fire extinguishing system at the premises.

Ms. Guerra relied on the affirmed allegations of the IO in the summons.

Ms. Kane stated that this violation had been corrected.

Ms. Guerra confirmed that this violation had been corrected prior to the first hearing date.

I credit the undisputed, affirmed statements of the IO in the summons regarding Respondent's violation of VC5. I also credit Respondent's testimony regarding the correction of the violation prior to the first hearing date. I find Respondent in violation. I further find that the violation was corrected before the first scheduled hearing date and conclude that mitigation is appropriate under the circumstances. I sustain the VC5 Violation in the summons and impose the mitigated penalty for a Category 5 violation, in the amount of \$350.00.

Barbara Halper

06/10/2025

06/10/2025

Barbara Halper, Hearing Officer

Date