



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

Decision

Frank Trambino, Esq. - Nacmias Law Firm, PLLC
592 Pacific Street, 1st Floor
Brooklyn, NY 11217

Summons# : 039143577X et al. (1 summonses)

DEPT OF BUILDINGS,

-against-

31 SUNSET PARK HOLDINGS, LLC .

Hearing Date : 3/23/2026

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 0.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039143577X	Dismissed	04/01/2025	124 31 STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B1C9	27-3018(b)	Dismissed	0.00

Total Penalty for Summons: 0.00

Findings of Facts & Conclusions of Law

The summons was issued on April 1, 2025, with a return date of June 11, 2025.

Attorney Deanna Bulbridge appeared for Petitioner, Department of Buildings. Attorney Frank Tamberino appeared for Respondent, 31 SUNSET PARK HOLDINGS, LLC ., for a hearing on March 23, 2026. Witness Jack Gula appeared for Respondent..

Respondent is charged with NYC Administrative Code Section 27-3018(B). The allegation is designated as a Class 1 immediately hazardous condition.

Summons alleges that ...observed BX cable wires hanging throughout the whole apartment, new ceiling in wall boxes...obtain permit

Petitioner rested on the summons.

Respondent submitted photos, in support of arguments.

Respondent moved to dismiss for defective service. Respondent argued that there was no reasonable attempt since the Issuing Officer (IO) did not ask if anyone was available to accept service.

Petitioner argued that the IO spoke to the owner, and the owner told the IO to post the summons therefore service was proper.

Respondent argued that the phone call does not relive the IO of their duty to make a reasonable attempt.

Respondent argued that there was no electrical work being performed to require permit.

Respondent examined the Witness. Witness testified that they installed new box and connected a temporary light. Witness testified that they just repaired and installed a box.

Respondent argued that there was no electrical work being performed.

Petitioner moved to amend the provision to Electrical Code Section 110.2(A) since it better fits the details of the electrical wires hanging out.

Respondent objected to the motion and argued that the amended provision makes no mention of hanging wire.

Petitioner argued the motion should be granted since there are no new facts and the penalty stays the same.

Section 27-3018(b) requires that a master electrical business or special electrician file an application with the DOB Commissioner for a work permit issued by the department to install electrical work other than low-voltage electrical work and that no such work be performed until the Commissioner has reviewed and approved the application and issued an appropriate permit.

I credit the Respondent's arguments and evidence. I denied the Petitioner's motion to amend the provision since details of the summons fail to correlate with EC section 110.2(A). Section 110(A) does not address hanging wires. Irrespective if service was attempted over a phone call with the building's owner, I find that service was not sufficient because the IO's affirmation of service fails to establish that inquiry was made for an authorized person to accept service on behalf of the Respondent. See NYC v. 1262 Broadway LLC, Appeal No. 1700647 (August 17, 2017). I find that the conditions cited in the summons make no mention on what electrical work was performed to require a permit.

Accordingly, the summons is dismissed.

Iyayi Uwa

04/06/2026

04/06/2026

Iyayi Uwa, Hearing Officer

Date