



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Samantha Dumas 592 Pacific St. Brooklyn, NY 11217	Summons No: 08468-25F0 et al. (1 Summons) DEPARTMENT OF HEALTH & MENTAL HYGIENE, -against- 5 STAR PIZZA-PASTAS & BURGERS II CORP Hearing Date: 11/20/2025 Hearing Location: Remote Type of Hearing: By One-Click
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Total Penalty Amount: \$1,000.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
08468-25F0	Sustained	07/07/2025	2454 EAST TREMONT AVENUE Bronx

LINE ITEM	OATH CODE	VIOL CODE	CODE SECTION/TITLE	CONDITION (SEVERITY)	RESULT	PENALTY
1	NA	18-01	NYCHC 81.5	N	Sustained	\$1,000.00

Findings of Fact & Conclusions of Law

This summons was issued as a result of an inspection conducted on 7-7-25 at 3:14pm. Samantha Dumas, attorney for respondent, appeared by online submission.

LINE ITEM 1

This charges current valid permit to operate a food service establishment issued by the Department of Health and Mental Hygiene not provided in that the permit application is incomplete and missing documents. Operator was sent 2 information required letters from NYC Licensing Center on 11/21/2024 and on 12/01/2024 informing the operator that the permit application is incomplete. At the time of inspection, the establishment's permit application was observed incomplete. The food service establishment observed open and in operation preparing and serving foods to customers intended for consumption at time of inspection. Samantha Dumas said that "respondent has an active application for a permit pending with DOH - reference

number 5016217 which was filed on November 24, 2024."

I credit the charge and find that it makes out a violation of the cited code section. I do not find that respondent credibly denied the charge of operating with an incomplete permit application. I so find because Dumas did not include any documentation of the filing of a completed permit application filed on November 24, 2024. Further, respondent did not indicate that it had received a permit prior to the inspection date on which it was operating. Thus, I find that respondent has not established a defense to the charge. I therefore sustain this Line Item.



November 20, 2025

11/20/2025

Deena F. Greenberg, Judicial Hearing Officer

Date