



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

**DECISION**

|                                                                                             |                                                                                                                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Michael Nacmias, Esq. - Nacmias Law Firm</b><br>592 Pacific Street<br>Brooklyn, NY 11217 | <b>Summons No: 049361958H et al. (1 Summons)</b><br><br><b>THE NEW YORK CITY DEPARTMENT OF<br/>SANITATION,</b><br><br><b>-against-</b><br><br><b>DECHANG YEE</b><br><br><b>Hearing Date: 03/02/2026</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By One-Click</b> |
|---------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |
|----------------------------------------------|
| <b>Total Penalty Amount: \$50.00</b>         |
| <b>Community Service(Hr): Not Applicable</b> |

| <b>SUMMONS #</b> | <b>SUMMARY DISPOSITION</b> | <b>DATE OF OCCURRENCE</b> | <b>PLACE OF OCCURRENCE</b> |
|------------------|----------------------------|---------------------------|----------------------------|
| 049361958H       | Sustained                  | 09/24/2025                | 132-05 Avery Avenue Queens |

| <b>LINE<br/>ITEM</b> | <b>OATH<br/>CODE</b> | <b>CODE<br/>SECTION/RULE</b> | <b>RESULT</b> | <b>PENALTY</b> |
|----------------------|----------------------|------------------------------|---------------|----------------|
| 1                    | ASPM                 | 16-120 (A)(2)                | Sustained     | \$50.00        |

**Findings of Fact & Conclusions of Law**

Michael Nacmias, attorney and authorized representative for Respondent, DECHANG YEE, appears by online submission (Respondent's Exhibit A).

Respondent is charged with §16-120(a)(2) of the Administrative Code of the City of New York for improper receptacle. The summons alleges that on 09/24/2025, there was refuse place out for collection in a receptacle that does not minimize rodent access and harborage. Building is required to comply with Local Law 111 of 2022.

Representative does not deny the facts alleged but states that the violation summons makes a conclusory statement with no

evidence to support it. states that there is nothing in the summons indicating rodents or rodent activity.

§16-120 states in pertinent part:

(a) states: The owner, lessee, agent, occupant or other person who manages or controls a building or dwelling shall provide and maintain in accordance with this section separate receptacles for the deposit of incinerator residue and ashes; refuse, and liquid waste. The receptacles shall be provided for the exclusive use of each building or dwelling and shall be of sufficient size and number to contain the wastes accumulated in such building or dwelling during a period of seventy-two hours. The receptacles shall be made of metal or other material of a grade and type acceptable to the department, the department of health and mental hygiene and the department of housing preservation and development. Receptacles used for liquid waste shall be constructed so as to hold their contents without leakage. Metal containers shall be provided with tight fitting metal covers.

2. (a) Where the conditions precedent and requirements set forth in subparagraphs (b) and (c) of this paragraph are satisfied and apply, respectively, the receptacles used to meet the requirements set forth in paragraph 1 of this subdivision shall be of a material or design approved by the department, department of health and mental hygiene and department of housing preservation and development to minimize rodent access and harborage.

I find the summons states sufficient facts to establish a violation under the above-referenced law and I credit the issuing officer's observations as stated. The summons need not allege rodent activity, only that the containers do not meet the requirements of the section of law.

I find that Respondent placed refuse out for collection in a container that does not minimize rodent access and harborage, and the summons is accordingly sustained.



03/02/2026

03/02/2026

Laurie Cohen, Judicial Hearing Officer

Date