



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. 592 Pacific Street Brooklyn, NY 11217	Summons No: 049291781K et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- YEE DECHANG Hearing Date: 03/27/2026 Hearing Location: Remote Type of Hearing: By One-Click
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Total Penalty Amount: \$50.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
049291781K	Sustained	11/03/2025	132-05 Avery Avenue Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AS18	A.C. 16-120(C)	Sustained	\$50.00

Findings of Fact & Conclusions of Law

Respondent Yee Dechang appeared by his attorney Michael Nacmias, by electronic submission. Petitioner NYC Department of Sanitation did not appear.

Mr. Nacmias argued "Motion to Dismiss. The officer's allegation is conclusory and lacks specific factual detail, including who placed the bags, when they were placed, or any evidence that the respondent had knowledge of or the opportunity to correct the alleged condition. Accordingly, the Department has failed to meet its burden of proof, and the summons should be dismissed."

I find Mr. Nacmias' argument baseless. The allegation is very specific and makes out a clear prima facie case for violation of the cited section – that there were 16 30-gallon bags placed on the sidewalk on a non-collection day. How Mr. Nacmias would expect an issuing officer to know "who placed the bags, when they were placed" or what "respondent has knowledge of" is beyond reason, and I find the argument completely frivolous. Motion denied.

As Mr. Nacmias presented no cognizable defense and as I fully credit the summons I find that respondent was in violation of AC 16-120(c) for failing to store receptacles.

I note that the summons seeks to impose a multiple offense penalty, but that petitioner presented no evidence of prior summonses. This summons is amended to reflect the first offense penalty.

Accordingly, this summons is sustained, as amended, and the first offense penalty of \$50.00 is hereby imposed.



03/27/2026

03/27/2026

Mitchell Regenbogen, Judicial Hearing Officer

Date