



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street Brooklyn, NY 11217	Summons No: 049337392H 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
049337392H	Sustained	11/03/2025	132-05 Avery Avenue Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AS2S	16-120 (A)	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 fails to tell us what type of receptacle was found and where it lacked being considered "rigid" and with "tight fitting lids". This observance does not give enough evidence to be validated as a violation."

I disagree. I find that the inartfully drafted summons nonetheless makes out a minimum prima facie case for violation of the cited section, shifting the burden of going forward to respondent. As Mr. Nacmias presented no denial and no evidence

whatsoever to rebut the allegation I find that respondent presented no defense to this summons. Motion denied.

I fully credit the summons and find that respondent was in violation of AC 16-120(a) for using improper receptacles and failing to containerize.

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



03/27/2026

03/27/2026

Mitchell Regenbogen, Judicial Hearing Officer

Date