



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias 592 Pacific Street Brooklyn, NY 11217	Summons No: 049417194R et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- SAIF REALTY LLC Hearing Date: 04/13/2026 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
049417194R	Sustained	11/21/2025	1736 Flatbush Avenue Brooklyn

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

Findings of Fact & Conclusions of Law

Respondent appears by online submission (Exhibit A) by its' representative, Michael Nacmias.

Respondent is charged with violating §16-120(c) of the Administrative Code of the City of New York for failure to store receptacles.

The representative moves to dismiss the summons based on the following: 1) the building has proper containers with tight-fitting lids and 2) the cited condition was due to outside interference.

§16-120(c) provides, in relevant part, that garbage receptacles be stored in the building, or at the rear of the building, until time for removal of its contents by the Department of Sanitation or other collection agency.

Household waste and recyclable materials may not be placed out earlier than 8:00 p.m. and no later than 12:00 a.m. the day before a scheduled collection. However, if materials are placed out in a receptacle with a tight-fitting lid, or paper recyclables that have been properly tied (not bagged), they may be placed out by residential properties after 6:00 p.m.

I credit the issuing officer's observations and find facts sufficient to establish a violation under the above-referenced section of law.

To the extent that the representative is denying the charge, I do not credit those claims based upon the insufficient information provided.

I find that a credible, valid defense has not been established.

Accordingly the summons is sustained and the minimum penalty of \$50 is imposed.