



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Anthony Sargo, Esq. 592 Pacific Street Brooklyn, NY 11217	Summons No: 0803687830 et al. (1 Summons) DEPARTMENT OF HEALTH & MENTAL HYGIENE, -against- BO OLSSON Hearing Date: 03/26/2026 Hearing Location: Remote Type of Hearing: By Telephone
--	---

Total Penalty Amount: \$300.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0803687830	Sustained	11/25/2025	51-80 48 STREET Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AH3P	NYCHC 151.02(A)	Sustained	\$300.00

Findings of Fact & Conclusions of Law

Attorney Michael Sargo appeared on behalf of Respondent, BO OLSSON, for a hearing on March 26, 2026. Petitioner, Department of Health and Mental Hygiene, did not appear.

Respondent is charged with a violation of the NYCHC 151.02(a).

Summons states the "Harborage conditions that encourage the nesting of rats exist in that overgrown vegetation was observed in rear yard of property."

Respondent submitted invoices, see Respondent Exhibit A, from their exterminator to establish the pest control services were provided monthly prior to issuance.

NYCHC 151.02(a) provides all premises capable of attracting or supporting rodents, insects and other pests shall be kept free from rodents, insects, and other pests, and from any conditions conducive to pests. The person in control of such premises shall take such measures as may be necessary to prevent and control the harborage and free movement of rodents, insects or other pests.

I credit the allegations in the summons. Although acknowledged, a defense of having taken adequate measures is not available when harborage conditions exist. See DOHMH v. Adams Apt. LLC, Appeal No. 1900254 (May 16, 2019). Therefore, I find that the pest control measures taken prior to issuance does not negate the harborage condition observed when the summons was issued.

Accordingly, the summons is sustained and a standard penalty of \$300 is imposed.

Iyayi Uwa

03/30/2026

03/30/2026

Iyayi Uwa, Judicial Hearing Officer

Date