THE CITY OF NEW YORK
ENVIRONMENTAL CONTROL BOARD

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HEARING LOCATION:
Environmental Control Board
66 John Street
10th Floor
New York, NY 10038
(212) 361-1400

Method of Appearance
Live Hearing

DECISION AND ORDER
Violation #: 0169142564 (1 NOV)
Hearing Date: August 10, 2010

To: Paul Voloarsky MSS CONSTRUCTION
80 Maiden Lane Ste 507
New York, NY 10038

City of New York v. MSS CONSTRUCTION

Total Civil Penalty: $0.00

1 Notice(s) of Violation (NOV(s)) was/were issued to the Respondent. On the record before me, and upon the Further Findings of Fact/Conclusions of Law stated below, I find as follows and, where applicable, order payment and compliance.

NOV: 0169142564
PLACE OF OCCURRENCE: 1972 MONTGOMERY AVE BRONX
DATE OF OCCURRENCE: 03/08/2010
ISSUING OFFICER/AGENCY: SIKOS 919715 056
ECB CODE: AD06
CHARGE: A.C. 19-109(B) IDENTIFYING SIGNS IMPROPERLY DISPLAYED OR MISSING
DISPOSITION: DISMISSED CIVIL PENALTY IMPOSED: $0.00

FURTHER FINDINGS OF FACT/CONCLUSIONS OF LAW:

NOV: 0169142564 CHARGE: A.C. 19-109(B) IDENTIFYING SIGNS IMPROPERLY DISPLAYED OR MISSING

169 142 564 MSS Construction

Respondent, MSS Construction, appeared through its counsel, Paul Volodarsky, Esq., who denied the violation of 19-109b of the Administrative Code of the City of New York. Mr. Volodarsky moved to dismiss on the grounds of improper service. The affidavit of service does not identify any person served nor does it state that a copy of the NOV was affixed and mailed. I find that the affidavit of service does not describe any proper service of the NOV. Accordingly, this NOV is dismissed.

TOTAL CIVIL PENALTY: $0.00

Tue Aug 2010 08/10/10 14:

Control 5 AUG 1 2 2010

08/10/2010

Irene C Warshauer, Administrative Law Judge — Date

PAYMENT DUE WITHIN TEN (10) DAYS
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