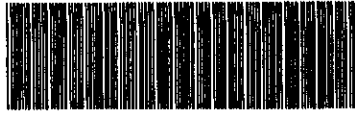


WCS 270



**THE CITY OF NEW YORK
ENVIRONMENTAL CONTROL BOARD**

HEARING LOCATION:
Environmental Control Board
233 Schermerhorn Street
11th Floor
Brooklyn, NY 11201
(718) 875-7428



923837112E8557B368

Method of Appearance
Live Hearing

DECISION AND ORDER
Violation #: 034831656L (1 NOV)
Hearing Date: March 7, 2011

To: COHEN HOCHMAN ALLEN
80 Maiden Lane
New York, NY 10038

City of New York v. 8740 18 AVE CORP

Total Civil Penalty: \$0.00

I 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: 034831656L
PLACE OF OCCURRENCE: 8740 18 AVENUE BROOKLYN
DATE OF OCCURRENCE: 02/25/2010
ISSUING OFFICER/AGENCY: 2251 DOB
ECB CODE: B284
CHARGE: ZR -MISC
DISPOSITION: DISMISSED

CIVIL PENALTY IMPOSED: \$0.00

FURTHER FINDINGS OF FACT/CONCLUSIONS OF LAW:

NOV: 034831656L ZR -MISC

Bradley Green, Esq., the authorized representative of the Respondent 8740 18th Avenue Corp., appeared at today's hearing. Appearing for the Petitioner, the Department of Buildings was Vivian Currie. Also appearing for the Petitioner was officer Anthansios. The Respondent is charged with a violation of the zoning resolution in that there was an "auto glass" advertising sign mounted on the roof of the cited premises.

Officer Anthansios stated that he served the Notice of Violation, but did not do the inspection leading to its issuance.

The alleged location of this occurrence is 8740 18th Avenue. Mr. Green stated that the named Respondent's auto glass store is located at 8715 18th Avenue. The petitioner supplied photographs made a part of this file, depicting the offending sign.

Officer Anthansios testified that there are a lot of auto glass stores in the vicinity of where this Notice of Violation was issued. He stated that he served an auto glass store. He did not recall exactly upon which auto glass store he served the instant Notice of Violation, but stated that he relied upon the ticket as to where to serve.

It is noted that the aforesaid photographs depicts several signs on more than one building.

Although I credit both officer Anthansios's and Mr. Green's testimony, I find that the Petitioner has failed to prove that proper service was effectuated upon the proper Respondent.

Accordingly, the Notice of Violation is dismissed.

TOTAL CIVIL PENALTY: \$0.00

Mon Mar 2011 03/14/11 13:10:40	Control 5	MAR 17 2011	03/14/2011
Steven Epstein, Administrative Law Judge		Date	

**PAYMENT DUE WITHIN TEN (10) DAYS
READ BACK OF THIS ORDER - PROTECT YOUR RIGHTS**