

THE CITY OF NEW YORK  
OFFICE OF ADMINISTRATIVE  
TRIALS AND HEARINGS

P R E S E N T: CHRISTINE STECURA  
Administrative Law Judge

---

In the matter of:

DEPARTMENT OF HOUSING PRESERVATION AND DEPARTMENT

Petitioner,

Index No.

25-1984

- Against -

MICHAEL GEYLIK

Respondent

---

June 12, 2025

Office of Administrative Trials  
And Hearings  
100 Church Street  
New York, NY 10007

Volume IV, Page 601 - 699

## A P P E A R A N C E S:

PETITIONER'S REPRESENTATIVE  
DEMETRIOS MESTOUSIS, ESQ.  
100 GOLD ST| ROOM 6Y-2  
NEW YORK NY 10038

RESPONDENT'S REPRESENTATIVE  
VLADIMIR FAVILUKIS  
747 THIRD AVENUE  
NEW YORK NY 10017

| <u>PETITIONER'S<br/>WITNESS</u> | <u>DIRECT</u> | <u>CROSS</u> | <u>REDIR</u> | <u>RECROSS</u> | <u>VOIR<br/>DIRE</u> |
|---------------------------------|---------------|--------------|--------------|----------------|----------------------|
|---------------------------------|---------------|--------------|--------------|----------------|----------------------|

|             |     |     |     |  |  |
|-------------|-----|-----|-----|--|--|
| A. Sequinot | 605 | 644 | 693 |  |  |
|-------------|-----|-----|-----|--|--|

| <u>RESPONDENT'S<br/>WITNESS</u> | <u>DIRECT</u> | <u>CROSS</u> | <u>REDIR</u> | <u>RECROSS</u> | <u>VOIR<br/>DIRE</u> |
|---------------------------------|---------------|--------------|--------------|----------------|----------------------|
|---------------------------------|---------------|--------------|--------------|----------------|----------------------|

## E X H I B I T S

| <u>ALJ</u> | <u>DESCRIPTION</u> | <u>I.D.</u> | <u>IN EV.</u> |
|------------|--------------------|-------------|---------------|
|------------|--------------------|-------------|---------------|

| <u>PETITIONER</u> | <u>DESCRIPTION</u> | <u>I.D.</u> | <u>IN EV.</u> |
|-------------------|--------------------|-------------|---------------|
|-------------------|--------------------|-------------|---------------|

|     |  |     |     |
|-----|--|-----|-----|
| 8A. | Sequinot 5/27/25 follow up<br>memo w/Chlapek | 628 | 629 |
|-----|--|-----|-----|

|      |                      |     |     |
|------|----------------------|-----|-----|
| 11A. | 3/11 and 3/19 photos | 630 | 631 |
|------|----------------------|-----|-----|

|     |             |     |     |
|-----|-------------|-----|-----|
| 11. | 3/19 photos | 633 | 634 |
|-----|-------------|-----|-----|

| <u>RESPONDENT</u> | <u>DESCRIPTION</u> | <u>I.D.</u> | <u>IN EV.</u> |
|-------------------|--------------------|-------------|---------------|
|-------------------|--------------------|-------------|---------------|

1 ALJ CHRISTINE STECURA: All right. Good morning.  
2 Today is June 12th, 2025, it is now 9:39 AM. We are here in  
3 the continuing trial of Department of Housing and  
4 Preservation v. -- and Development, excuse me, v. Michael  
5 Geylik. The index number is 251984. And at this time, I'll  
6 allow Counsel to state their appearances.

7 MR. DEMETRIOS MESTOUSIS: Yes, Your Honor. For the  
8 Petitioner, Demetrios Mestousis, 100 Gold Street New York,  
9 New York New York.

10 ALJ STECURA: Sorry.

11 MS. RONIT JOSEPH: For HPD, Ronit Joseph, 100 Gold  
12 Street, Your Honor.

13 ALJ STECURA: Thank you. Good morning.

14 MR. MESTOUSIS: Sure.

15 MR. VLADIMIR FAVILUKIS: For Respondent, Vladimir  
16 Favilukis of Kucker Marino Winiarsky & Bittens, Your Honor.

17 MR. JOSEPH GOLDSMITH: And Joseph Goldsmith, also  
18 from Kucker Marino Winiarsky & Bittens for Respondent.

19 ALJ STECURA: All right, thank you. Good morning.

20 MR. FAVILUKIS: Good morning.

21 MR. GOLDSMITH: Good morning.

22 ALJ STECURA: And I'll note for the record that  
23 today Mr. Geylik is not present. So without further ado then  
24 I'll ask that Petitioner call its witness.

25 MR. MESTOUSIS: Yes, Your Honor. We are going to

1 call Abimael Sequinot.

2 MR. ABIMAEEL SEQUINOT: Good morning.

3 ALJ STECURA: Good morning. You may be seated  
4 again. So your testimony is still in progress, you are under  
5 oath when we swore you -- I swore you in before. I just want  
6 to ask, have you discussed your testimony with anyone since  
7 the last trial date?

8 MR. SEQUINOT: Absolutely not, Your Honor.

9 ALJ STECURA: All right, thank you. So I'm going  
10 to remind you to speak into the microphone, also to wait  
11 until the question is finished before you answer. If there's  
12 an objection, just wait until I rule on the objection. If  
13 you can't see an exhibit, let us know. And if you don't  
14 understand or you didn't hear the question, just ask that it  
15 be repeated or rephrased. Okay?

16 MR. SEQUINOT: Thank you. Yes.

17 ALJ STECURA: All right. Counselor.

18 MR. MESTOUSIS: Thank you, Your Honor.

19 **DIRECT EXAMINATION OF MR. SEQUINOT**

20 **BY MR. MESTOUSIS:**

21 Q: Good morning, Mr. Sequinot.

22 A: Good morning.

23 Q: Mr. Sequinot, when we adjourned last week, we were  
24 reviewing your March 11th pictures --

25 A: Yes.

1 Q: -- as Exhibit 9. I just wanted to show you those  
2 exhibits again and ask you some questions about a few of the  
3 pictures.

4 MR. MESTOUSIS: Your Honor, do you need another  
5 copy of Exhibit 9 or?

6 ALJ STECURA: I have my 9, thank you.

7 MR. SEQUINOT: Thank you, Counselor.

8 Q: Mr. Sequinot, can you please turn to the first picture?

9 A: Yes.

10 [OFF MIC CONVERSATION]

11 Q: All right. Mr. Sequinot, can you please let me know --  
12 based on your observation of the floor here at the entrance, can  
13 you describe if what's depicted in this picture is deterioration  
14 from March of '24 until March of '25?

15 A: Rephrase the question again.

16 Q: So based on your observation, can you let me know,  
17 depicted in this picture, do we see deterioration from the  
18 previous year?

19 A: Yes, these tiles. The deterioration of the missing  
20 tiles and the concrete patches weren't done in a short period of  
21 time. This was over a long period of time, deterioration of the  
22 tiles.

23 Q: Okay. Can you just go to picture 22 please now. And  
24 I'm going to ask you to just look at 22, 23 and 24 because they're  
25 all about the banister. And I want to -- I want to ask you, based

1 on your observation of this railing banister, can you describe if  
2 what's depicted in these pictures is deterioration from March of  
3 '24 until March of '25?

4 MR. FAVILUKIS: Objection, Your Honor. Leading.

5 ALJ STECURA: It is leading, but I'll allow it.

6 But I caution you, if you ask leading questions the testimony  
7 that you get will have less weight.

8 MR. MESTOUSIS: I understand, Your Honor. Thank  
9 you.

10 ALJ STECURA: Thank you.

11 Q: So go ahead and answer.

12 A: Well, some of the wood in the base of the banister,  
13 especially in picture number 23, shows deterioration that would  
14 have took some time to happen. The crack in the wood,  
15 deterioration of the wood around it, so the wood took some time.

16 Q: Okay. And then let's flip to picture 27. Now, can you  
17 just describe to me how would you depict this condition here?

18 A: Well, this picture is the rooftop. You can see the  
19 chipping, the cracking of the roof floor. Water was coming out  
20 that's why you see that wet spot around the Nike shoe lying on the  
21 left because water was stuck underneath that, so when you stepped  
22 on it, it oozes out through all the cracks that are on the roof.

23 Q: Okay. And would you say over what time period would  
24 this condition have existed? Or no, let me rephrase that. Over  
25 what time period would this condition have deteriorated?

1           A:    Well, the amount of chafing and cracking on the roof  
2 would take a long period of time.  Roofs are usually pretty sturdy  
3 and last quite a few years, but this one seems to have been  
4 falling apart for quite some time.

5           Q:    Okay.

6           MS. JOSEPH:  Just one second, Your Honor.

7           ALJ STECURA:  Yeah.

8           MS. JOSEPH:  If I may just tell the -- let me see.

9           Q:    All right.  So when -- when you -- when you look at the  
10 condition, what, if any, deterioration continued from March of  
11 2024 until March of 2025?

12          A:    The roof scaling and cracking throughout, it just was a  
13 long period of time.  Like I said, roofs usually last for quite  
14 some years.  The amount of deterioration show that it hadn't been  
15 done quite some time.

16          MR. MESTOUSIS:  Okay.  All right.  You could put  
17 that exhibit to the side.  Your Honor, I'd like to show the  
18 witness what is already in evidence as Respondent's D3.

19          ALJ STECURA:  Let me just see if I have a copy  
20 here.

21          MR. MESTOUSIS:  We -- we have a copy, Your Honor.

22          ALJ STECURA:  Okay.

23          MS. JOSEPH:  Yeah.

24          ALJ STECURA:  You said D or B?

25          MR. MESTOUSIS:  D.  D as in David.

1 [OFF MIC CONVERSATION]

2 ALJ STECURA: Thank you.

3 MR. SEQUINOT: Thank you.

4 Q: All right. Can you just take a look at that and let me  
5 know when you're done?

6 A: I am done, Counselor.

7 Q: Okay. Can you tell me who wrote this document?

8 A: It was Steel Core Engineering.

9 Q: Okay. And to whom is it written?

10 A: To Mr. Phillip Ing, works with the Department of  
11 Buildings.

12 Q: Okay. Now I want to direct you to the second line of  
13 the first paragraph, it begins with the temporary shoring was  
14 visually inspected, do you see that?

15 A: Second line from?

16 Q: From -- in the first paragraph there under the Dear, Mr.  
17 Ing?

18 A: Okay.

19 Q: So it says, "The temporary shoring was visually  
20 inspected to be in compliance and remained in place."

21 A: Yes.

22 Q: And now I want to direct you to the next line which is,  
23 "Additional probes were created and visually inspected to give us  
24 a better understanding of the existing building framing conditions  
25 in other locations throughout the upper floors of the building

1 where we currently had access."

2 A: Okay.

3 Q: So what is the location that the owner -- owner's  
4 engineer is stating that reinforcement and repair work is  
5 required?

6 MR. FAVILUKIS: Objection, Your Honor. This is  
7 calling for the witness to read off of the document on  
8 matters that are not necessarily within his information and  
9 control.

10 MR. MESTOUSIS: Okay.

11 ALJ STECURA: Sustained.

12 MR. MESTOUSIS: I'll rephrase, yeah.

13 Q: What floors of the building are occupied by the tenants?

14 A: Floors 3, 4, 5.

15 Q: Okay. Now what -- what would you consider these floors  
16 in the building?

17 A: Excuse me?

18 Q: What would you consider these floors in the building?  
19 Would it be the upper floor or the lower floor?

20 A: They are the upper floors, all of them.

21 Q: Okay. All right. So just put that to the side for now.

22 And I want to show you --

23 MR. MESTOUSIS: I want to show the witness, Your  
24 Honor, what is in evidence as Petitioner's 25.

25 ALJ STECURA: Okay. You may show the witness.

1 MR. MESTOUSIS: Thank you.

2 ALJ STECURA: Thank you.

3 MR. SEQUINOT: Thank you.

4 [OFF MIC CONVESATION]

5 Q: Okay. Can you just take a look at that document,  
6 please?

7 A: Yes, I have.

8 Q: All right. I want you to go to the sixth page after the  
9 exhibit page.

10 A: Including the exhibit page or after?

11 Q: After the exhibit page. On the top of that page, it  
12 says job description.

13 A: Yes.

14 Q: Okay. Can you just -- in that paragraph there, can you  
15 describe for me where -- where's the location that the work under  
16 this job application of the roof is located at.

17 ALJ STECURA: Excuse me.

18 MS. JOSEPH: Bless you, Your Honor.

19 ALJ STECURA: Thank you.

20 A: Support the main roofs, floors 3, 4, and 5 and main roof  
21 levels.

22 Q: Okay. And what -- would you consider those the upper  
23 floors?

24 A: Yes.

25 MR. MESTOUSIS: Okay. You can put that to the

1 side. All right. Your Honor, I'd like to show the witness  
2 what is already in evidence as Respondent's D4.

3 ALJ STECURA: You may. Thank you.

4 MR. SEQUINOT: Thank you.

5 Q: If you could just review that document, please?

6 A: Yes, I have.

7 Q: Okay. Now, who wrote this document?

8 A: Steel Core Engineering.

9 Q: And to whom is it written?

10 A: Phillip Ing from DOB.

11 Q: What's the date on this document?

12 A: November 25th, 2024.

13 Q: Okay. I want to direct you to the last paragraph where  
14 it says, "For the safety of all residents."

15 A: Yes.

16 Q: Do you see that? So, "For the safety of all residents,  
17 it is imperative that the upper floors be vacated immediately to  
18 allow for the necessary repairs. The structural instability of  
19 the building and its current state cannot support continued  
20 occupancy without posing a significant hazard."

21 A: Yes.

22 Q: So as far -- I'm sorry. "For the safety of all --

23 MR. MESTOUSIS: Sorry. One second, Your Honor.

24 Q: Now in relation to the necessary repairs, the owners  
25 engineer references -- what does he say about the continued

1 occupancy of the tenants during these repairs?

2 A: He says they would be hazardous.

3 MR. MESTOUSIS: All right. You can put that to the  
4 side. Your Honor, I'd like to show the witness what is  
5 already in evidence as Respondent's E2.

6 ALJ STECURA: You may. Thank you.

7 MR. SEQUINOT: Thank you.

8 [OFF MIC CONVERSATION]

9 Q: Okay. Just review that email chain, please.

10 A: Okay.

11 Q: Now I want to refer you to the second email from the  
12 top. It's an email written by Sarah Desmond. Now, on the first  
13 line there, do you see the DOB filing number that's referenced?

14 A: Yes.

15 Q: Okay. So can you just read that filing number, please?

16 A: M01181265-I1.

17 Q: Okay. And in the second paragraph, if you could just  
18 review that paragraph and then let -- let us know, what does Sarah  
19 Desmond state is the scope of the work? Or what does Sarah  
20 Desmond say needs to happen with the tenants or may have to happen  
21 with the tenants regarding the scope of work we just mentioned the  
22 job application number.

23 MR. FAVILUKIS: Objection, Your Honor. Again, it's  
24 asking the witness to opine on what somebody else thinks on  
25 not matters that are within what he's already testified as

1 he's not involved.

2 MR. MESTOUSIS: I'm not asking --

3 ALJ STECURA: I'm going to -- I'm going to ask you  
4 to rephrase the question because it's confusing as to what  
5 you're asking.

6 Q: Okay. Can you please tell us what is Ms. Desmond  
7 stating may have to happen with the tenants regarding the DOB  
8 filing number scope of work?

9 MR. FAVILUKIS: Objection. It's the same  
10 objection. What -- what -- he wants this witness to say  
11 what's another person wrote in an email?

12 MS. JOSEPH: No.

13 MR. FAVILUKIS: Or what? The truth of the matter?  
14 What -- what's the --

15 MS. JOSEPH: May I respond, Judge?

16 ALJ STECURA: No, your colleague is first chair  
17 today. Mr. Mestousis.

18 MR. MESTOUSIS: Yeah, I -- again, I'm not asking  
19 what the -- what the writer thinks. I'm -- I'm basically  
20 asking him to read what the writer is saying.

21 ALJ STECURA: So ask him to read.

22 MR. MESTOUSIS: Yes, Your Honor.

23 Q: Can you just read the second paragraph, please?

24 A: Sure. "Depending on the scope of sequencing of the  
25 planed work, it may require temporary relocation of the tenants

1 and occupancy. If it requires temporary relocation, you will need  
2 to work this out with the tenants and their representatives in  
3 advance. Any tenant relocation should be handled, negotiated  
4 directly with the affected parties."

5 Q: Thank you. Can you just -- comparing this to the one --  
6 the exhibit we just saw, D4, what did we just see the owners  
7 engineer tell DOB has to happen before the necessary process can  
8 start?

9 A: That we need to vacate the tenants.

10 Q: Okay. Okay. Now, I want to go to the second page of  
11 that email -- of that exhibit.

12 ALJ STECURA: Which exhibit?

13 MR. MESTOUSIS: The exhibit we're just looking at?

14 ALJ STECURA: E2?

15 MR. MESTOUSIS: E2, yes.

16 Q: Now, you -- you see an email from Mr. Favilukis there to  
17 Mr. Philip Ing?

18 A: Yes. Yes.

19 Q: Also Mr. Michael Geylik is CC'd on that email?

20 A: Yes.

21 Q: Okay. Now, in the third line of that email, do you see  
22 where Mr. Favilukis writes, "As discussed, the owner would like to  
23 restart --"

24 MR. FAVILUKIS: No.

25 Q: -- would like to -- I'm sorry. "Would like to start on

1 the remediation work as soon as possible, but we cannot do so with  
2 occupied units and the tenants seem to be constantly lodging  
3 complaints with 311," and so on. So as dis -- so according to  
4 Counsel, can the work start with the occupied units?

5 MR. FAVILUKIS: Objection, Your Honor. Again,  
6 calls for this witness to surmise and make conclusive  
7 statements on what somebody else said.

8 ALJ STECURA: Sustained. The email speaks for  
9 itself.

10 MR. MESTOUSIS: Okay.

11 ALJ STECURA: If you want to call the author of the  
12 email --

13 MR. MESTOUSIS: I understand.

14 ALJ STECURA: -- and subpoena him.

15 MR. FAVILUKIS: I'm here.

16 MR. MESTOUSIS: No problem.

17 Q: And just one final question. When is that email dated?

18 A: March 21, 25.

19 Q: Okay. All right. You could put that exhibit to the  
20 side. Okay. I want you to look at Exhibit number 8, it's already  
21 in evidence. Petitioner's number 8.

22 [OFF MIC CONVERSATION]

23 ALJ STECURA: I have my own 8 from last time.

24 MR. MESTOUSIS: Okay.

25 ALJ STECURA: Thank you.

1 [OFF MIC CONVERSATION]

2 MR. SEQUINOT: Thank you.

3 Q: If you can just review that exhibit, please.

4 A: Okay. I have.

5 Q: Okay. All right. Can you flip to page 5 which includes  
6 the exhibit page and on the top of that page there's a date of  
7 March 26, '25.

8 A: Yes.

9 Q: Page. Okay. All right. I want to refer you to the  
10 second paragraph, which begins with Thomas Ducklith (phonetic).

11 A: Yes.

12 Q: And we're going to go about four lines down -- one, two,  
13 yeah. Four lines downward. And the sentence I'm reading is he  
14 stated that two of those toilets were removed, do you see that?

15 A: Yes.

16 Q: All right. So "He stated that two of those toilets were  
17 removed, leaving just one toilet on the 5th floor and one toilet  
18 on the 2nd floor for six people. He stated that at one time the -  
19 - the kitchen area on the 4th floor and that kitchen was removed  
20 and currently they have no kitchen area."

21 A: Yeah.

22 Q: Now, based on your experience working in the CONH unit  
23 in an SRO building is a CONH necessary to remove bathrooms and or  
24 kitchens?

25 A: Yes.

1 MR. MESTOUSIS: Your Honor, I'd like to show the  
2 witness the multiple dwelling law, if that's possible, just  
3 to read from the -- for the record, just to read the law.

4 ALJ STECURA: Well, the law -- I mean, you can  
5 argue in your brief, the law.

6 MR. MESTOUSIS: Okay.

7 ALJ STECURA: The witness doesn't need to read it.  
8 If you want to highlight something --

9 MR. MESTOUSIS: Yeah.

10 ALJ STECURA: -- in a question -- in a question  
11 format, the -- the witness is here to answer questions.

12 MR. MESTOUSIS: Okay. Yeah, it's the university  
13 administrative code. I -- I just wanted to read it for the  
14 record if it's possible just to -- to -- to basically point  
15 out the same --

16 ALJ STECURA: You can argue that in your closing  
17 brief.

18 Q: Okay. Okay. So when did the tenants tell you that the  
19 toilets to shower in the kitchen were removed?

20 A: In 2022.

21 Q: 2022.

22 ALJ STECURA: Pardon me, 2022?

23 MR. SEQUINOT: Yes.

24 ALJ STECURA: Okay.

25 Q: And as far as you know, was there a CONH granted at any

1 time prior to 2022, which was when the tenant said the bathrooms  
2 were removed?

3 A: No, there was not.

4 Q: There was not, okay. All right, I want you to look now  
5 on the same page, we're going to go 10 lines up from the bottom.

6 A: Excuse me.

7 Q: And the -- and the sentence I'm looking at is, he stated  
8 that in November of 2024.

9 A: Yes.

10 Q: Do you see that? So you wrote, "He stated that in  
11 November of 2024, the building, the interior of all the vacant  
12 units." Can you just clarify what you mean by that?

13 A: There was a typo. I meant to say that the owner of the  
14 building, he -- he demolished the interiors of all the vacant  
15 units. I'm sorry.

16 Q: Okay.

17 ALJ STECURA: So how should the sentence read?

18 MR. SEQUINOT: Well, let me get back to it, I'm  
19 sorry. He stated that November, 2024, that the owner of the  
20 building removed the interior of all the vacant units.

21 ALJ STECURA: Thank you.

22 MR. FAVILUKIS: I'm -- I'm sorry. From my note,  
23 this is someone speaking to a tenant and then reporting back  
24 to you -- to this witness who then is writing this down in  
25 this memo?

1 ALJ STECURA: You'll have the opportunity to cross  
2 examine.

3 Q: All right. I want you to go to the next page now and go  
4 down 19 lines from the top. And the sentence I'm reading from is  
5 she stated that the tenants have been afraid.

6 A: Yes.

7 Q: "She stated that the tenants have been afraid that they  
8 were going to be vacated due to the severe sloping floors and the  
9 fact that all the vacant units were gutted." Now, who told you  
10 that statement?

11 A: That statement was done by Judy Staman.

12 Q: By who?

13 A: Judy Staman, one of the tenants.

14 Q: Okay. And did the tenants tell you anything about Mr.  
15 Geylik? Or what, if anything, did the tenants tell you about Mr.  
16 Geylik telling them that they may be vacated?

17 A: Many of the tenants -- at least five of the tenants told  
18 me that Mr. Geylik had approached them at one time or another to  
19 let them know that the -- to do the work, the property may have to  
20 get vacated.

21 Q: Okay. Now, I want you to look at the bottom of the page  
22 three lines up --

23 A: Yes.

24 Q: -- in the paragraph, which begins with Paterson  
25 Beckwith. And the sentence I'm looking at is, "The owner told him

1 that DOB granted him permission." Do you see that?

2 A: Yes.

3 Q: So the owner told him that DOB granted him permission to  
4 do probing in the building and Mr. Beckwith stated that the owner  
5 took the opportunity to gut all the vacant units." So on your  
6 visits to the property, can you please describe the condition of  
7 the vacant units?

8 A: Lot of vacant units were pretty much all of them were  
9 gutted. Some had more material stuff on the walls than others,  
10 but floors were removed, walls removed, some ceilings were  
11 removed, so they were primarily gutted.

12 Q: Okay. Can you tell me specifically the condition of  
13 apartment 2A on the third floor?

14 A: Sure. 2A had the floor gutted to the point where the  
15 subfloor was missing and you could see beams; you could actually  
16 see to the lower floor. You could see right through the floor.  
17 Wooden planks were put across so we were able to walk in the room,  
18 but the original floors were no longer there and you could see the  
19 bottom of them.

20 Q: Okay. So what was your observation through the floor  
21 that was -- well, let me rephrase that. So you said the floor was  
22 not there, basically?

23 A: The floor was missing, most of the subfloor was missing.

24 Q: Okay.

25 A: There were beams still there, that's why they were able

1 put the wooden planks that we were able to walk on.

2 Q: So when you're looking towards where the floor was, what  
3 would you see?

4 A: The next floor. The floor underneath was light than the  
5 next floor.

6 Q: Okay. All right. I want you to go to the next page  
7 now. We're going to look three lines down from the top, and the  
8 sentence I'm looking at is "he stated that since the kitchen area  
9 was taken away from them," can you see that?

10 A: Yes, I do.

11 Q: So, "He stated that since the kitchen area was taken  
12 away from them, they were able to store personal items in 2B."

13 A: Yes.

14 Q: Now, what were your observations with unit 2B on March  
15 11th?

16 A: 2B was sealed on March 11th, I never got access to it.

17 Q: What do you mean sealed?

18 A: Had a padlock on the door, you couldn't get in.

19 Q: Okay. Did you get to observe 2B on March 19th?

20 A: Yes.

21 Q: Okay. And what did you witness with 2B on that day?

22 A: Vacant unit, partially gutted.

23 MR. MESTOUSIS: Okay. All right. One second, Your  
24 Honor.

25 Q: Okay. So now I want you to look at six lines from the

1 top, we're on the same page now. The same paragraph, six lines  
2 from the top. I'm reading the sentence that says "he stated that  
3 they had a garbage dumpster."

4 A: Yes.

5 Q: So, "He stated that they had a garbage dumpster on the  
6 side of the property for their garbage, which was removed." Now  
7 what were your observations regarding a garbage dumpster in March  
8 of '25?

9 A: I didn't see a dumpster.

10 Q: Okay. Did you see any other areas where tenants could  
11 throw out their garbage?

12 A: There was one alleyway, there was a -- a small trash  
13 bin, but not a dumpster.

14 Q: Okay. And this alleyway, did they have access to it?

15 A: Well, to the side of the alleyway there's -- there's a  
16 gate. They would have to put their arm over the gate and through  
17 the bars, lift the handle that will lift out of the ground to make  
18 the gate movable, padlock block, push the gate open.

19 Q: Okay. All right. I want you to look at the same page,  
20 I'm going to the second paragraph now which begins with Zachary  
21 Hall.

22 A: Yes.

23 Q: And I'm going to direct you 12 lines down. And the  
24 sentence that I'm looking at is "he stated that the owner told  
25 him," do you see that?

1 A: Yes.

2 Q: So, "He stated that the owner told him he would replace  
3 the facilities with brand new fixtures. He stated that he needed  
4 the CONH to be able to replace the facilities." First of all,  
5 when you are stating he, can you just clarify for us who you're  
6 referring to?

7 A: Zachary Hall. Well, Zachary Hall, I'm sorry.

8 Q: And what, if anything, did he tell you about the owner  
9 stating he needed a CONH to replace the facilities?

10 A: The owner told him that he needed to have the CONH  
11 granted by HPD in order for him to do the work to replace the --  
12 the toilets that were removed.

13 Q: Okay. And of the tenants you spoke with, how many of  
14 them told you similar statements?

15 A: Five.

16 Q: Okay. All right, let's go to the next page now, I'm  
17 looking at the first line. The sentence is, "he stated that all  
18 the fire-retardant materials," do you see that?

19 A: Yes.

20 Q: So, "He stated that all the fire-retardant materials  
21 were also removed from those demolished rooms. He stated that is  
22 the amount of work that would be consistent with someone wanting  
23 to demolish the entire building."

24 MR. FAVILUKIS: I apologize. Who's he? Page 5 is

25 --

1 MR. MESTOUSIS: I'll ask him.

2 MS. JOSEPH: We can clarify.

3 MR. FAVILUKIS: Okay.

4 Q: So when you say he, who do you mean?

5 A: If I'm not mistaken, that was Remy Chlapek, if I said  
6 that correctly.

7 Q: Okay. What were your observations of the vacant units  
8 with respect to this statement?

9 A: Well, the units were gutted primarily to the next walls.  
10 The walls were missing, ceilings were missing, floors and some  
11 were missing.

12 Q: Okay. I want you to go to the next page now, on the top  
13 the date is March 27, 2025.

14 A: Yes.

15 Q: So I want you to go four lines down in that paragraph,  
16 it begins with "Supervising Investigator Sequinot and CPM," do you  
17 see that?

18 A: Yes.

19 Q: So, "Supervising Investigator Sequinot and CPM Delpilar  
20 were met at the property by DOB's, Phillip Ing and five additional  
21 DOB inspectors." I'm going to stop there but the sentence  
22 continues. What did you observe with respect to the DOB  
23 inspectors? Or let me rephrase that. What were the DOB  
24 inspectors doing on March 19th?

25 A: They were entering, taking pictures and documenting

1 whatever they saw in the vacant units and actually some occupied  
2 units also.

3 Q: Okay. And you were -- you were accompanying them when  
4 they were doing that?

5 A: Yeah, we were going in and out of the same units.

6 Q: Okay. So now I want to go to that same paragraph, we're  
7 going to look two lines up from the bottom.

8 A: Okay.

9 Q: And the sentence I'm looking at is "on the 2nd floor  
10 through a hole in the wall," do you see that?

11 A: Yes.

12 Q: So, "On the 2nd floor, through a hole in the wall, full  
13 bathroom was viewed and photo documented." Now, what if any,  
14 access did the tenants of the building have to this bathroom?

15 A: None.

16 Q: And how come?

17 A: There was a door before that leading into that space.

18 Q: Okay.

19 A: And you would have to get into the door. That door was  
20 locked with a padlock, yeah.

21 MR. MESTOUSIS: Okay. Okay. You can put that  
22 exhibit to the side. All right. Your Honor, I'd like to  
23 show the witness what is already in evidence as Respondent's  
24 G2.

25 ALJ STECURA: You may.

1 [OFF MIC CONVERSATION]

2 ALJ STECURA: Thank you.

3 MR. SEQUINOT: Thank you.

4 Q: Okay. Have you had a chance to review that document,  
5 Mr. Sequinot?

6 A: I'm looking at it now. Okay.

7 Q: Okay. So I want to refer you to the -- 1, 2, 3, 4 to  
8 like the sixth section where it says violation details.

9 A: Yes.

10 Q: Okay. Now what was this violation issued for?

11 A: It says fire stopper removed and expose electrical  
12 wiring in unoccupied rooms 2, 3 and 4th floors of the premises.

13 Q: Okay. And when was this violation issued?

14 A: Oh, I'm looking for dates.

15 Q: I'll refer you to the second paragraph.

16 A: What date are we looking at? 3/19/25.

17 Q: Okay. And who is the issuing officer? And that's --  
18 I'll refer you to the bottom section.

19 A: G. Butler.

20 Q: Okay. Now, do you recall if Mr. Butler was there on  
21 March 19th?

22 A: No.

23 Q: You -- you don't recall or you don't?

24 A: I don't recall. I didn't get everybody's name, --

25 Q: Okay.

1 A: -- just Mr. Ing's.

2 Q: Okay. Now what were your observations regarding the  
3 fire stopping that these violations were removed in the unoccupied  
4 rooms?

5 A: Well, the rooms were gutted. There was nothing in the  
6 walls. There was nothing on the floors that would show me that  
7 fire stopping was present.

8 Q: Okay. And what were your observations regarding the  
9 exposed electrical wiring?

10 A: Those electrical wires were exposed. Once they removed  
11 the -- the walls -- some of the walls in the ceilings, were --  
12 wires were hidden in there or attached to the fire detectors and  
13 things of that nature were now exposed.

14 Q: Okay. And your observations were made on what floors?

15 A: Throughout.

16 MR. MESTOUSIS: Throughout, okay. You can put that  
17 to the side. Your Honor, I'd like to show the witness  
18 Petitioner's 8A for identification.

19 ALJ STECURA: You may. Thank you.

20 MR. SEQUINOT: Thank you.

21 Q: All right. So have you had a chance to review that?

22 A: Yes.

23 Q: Okay. Do you recognize this document?

24 A: Yes.

25 Q: And what is it?

1           A:    It's a memo that I -- I wrote after meeting with Mr.  
2    Chlapek.

3           Q:    All right.  And when did you write this memo?

4           A:    The 27th of May.

5           Q:    Of this year?

6           A:    Of this year, I'm sorry.  2025, yes.

7           Q:    And is that your signature on the second page?

8           A:    Yes.

9                   MR. MESTOUSIS:  Your Honor, I'd like to admit this  
10           into evidence as Petitioner's 8A.

11                   ALJ STECURA:  Any objection?

12                   MR. FAVILUKIS:  No.  No, Your Honor.

13                   ALJ STECURA:  All right.  Petitioner's 8A is now in  
14           evidence.

15                   **[Petitioner's Exhibit 8A admitted into evidence.]**

16                   MR. MESTOUSIS:  Thank you.

17           Q:    So I want to refer you to the second page, including the  
18    cover letter -- the cover page, it's dated May 27th on the top.

19           A:    Yes.

20           Q:    And I'm going about two lines down.  The sentence that  
21    reads "during this meeting, Mr. Chlapek."

22           A:    Yes.

23           Q:    So, "During this meeting, Mr. Chlapek stated that the  
24    applicant, Mr. Geylik, had asked if he could help him in the  
25    removal of some of the common facilities."  Did Mr. Chlapek tell

1 you why he assisted Mr. Geylik with the removal of these  
2 facilities?

3 A: Well, he said that he was a little behind in rent, so  
4 when Mr. Geylik came to him and asked him for help in those  
5 removals, he was more than willing to help.

6 Q: Okay. I want to direct you now to line 15, so we're  
7 going 15 lines down from the top. It's a sentence that says, "He  
8 stated that if Mr. Ducklith was not present." Do you see that?

9 A: Yes.

10 Q: So, "He stated that if Mr. Ducklith was not present, he  
11 would have to walk up the stairs located at the side of the  
12 building."

13 A: Okay.

14 Q: Now, did you -- my -- my apologies, one second. Did you  
15 take a picture of the staircase and the ladder mentioned by Mr.  
16 Chlapek?

17 A: Yes.

18 MR. MESTOUSIS: Okay. You can put that exhibit to  
19 the side. Your Honor, I'd like to show the witness exhibit -  
20 - Petitioner's 11A for identification.

21 ALJ STECURA: You may. Thank you.

22 MR. SEQUINOT: Thank you.

23 MS. JOSEPH: You're welcome.

24 Q: Please review that and let me know when you're done.

25 A: Yes.

1 Q: Who took these photos?

2 A: I did.

3 Q: And when did you take them?

4 A: I took them on the 19th.

5 Q: Okay. Any other dates?

6 A: And the 11th.

7 Q: Okay. And the 11th. Did you observe the conditions in  
8 these photos?

9 A: Yes.

10 Q: And are the conditions depicted in the photo a true and  
11 accurate description as it existed on the date you took the  
12 photos?

13 A: Yes.

14 MR. MESTOUSIS: Your Honor, I'd like to admit  
15 Petitioner's 11A into evidence.

16 ALJ STECURA: Any objection?

17 MR. FAVILUKIS: No, Your Honor.

18 ALJ STECURA: All right. 11A is in evidence.

19 **[Petitioner's Exhibit 11A admitted into evidence.]**

20 MR. MESTOUSIS: Thank you, Your Honor.

21 Q: Okay. I want you to flip to the first picture.

22 A: Yes.

23 Q: Can you tell us what this is a picture of?

24 A: So this is the entryway to the commercial space and  
25 that's Mr. Geylik right behind the door coming out.

1 Q: Okay. Let's flip to picture number 3 now, so let's skip  
2 the next one. Let's go to picture number 3. What are we looking  
3 at here?

4 A: This is the frontal shot of the -- of the property, 109  
5 East 9th. On the right-hand side, that's the entryway to the  
6 commercial unit. On the far left-hand side, we see the people  
7 standing in front, that is the doorway that the tenants will use  
8 for access to the property. To the extreme left, that is the gate  
9 that we spoke of earlier that blocks the alleyway.

10 Q: Okay. Let's go to the next picture now. What are we  
11 looking at here?

12 A: Beyond the gate, and this is the alleyway. The stairs  
13 on the right-hand side are the stairs alongside of 109 East 9th  
14 Street.

15 Q: Okay.

16 ALJ STECURA: So, Counselor, it's going to be  
17 confusing for the transcript, you need to refer to what page  
18 of the document you're referring to.

19 MR. MESTOUSIS: Yes, Your Honor. Okay. So we were  
20 just looking at picture number 5, or page number 5, including  
21 the exhibit cover page.

22 Q: So now we're going to go to the next picture, which is  
23 page number 6. And what are we looking at here?

24 A: The same stairwell going up to the top level, which is  
25 the platform, sorry for the sunlight, but just over that railing,

1 there's a ladder alongside of the building that leads you to the  
2 roof --

3 Q: Okay.

4 A: -- of that structure.

5 Q: And is this the ladder that you were talking to Mr.  
6 Chlapek about?

7 A: This is the ladder that he referred to, yes.

8 MR. MESTOUSIS: Okay. Okay. You can put that to  
9 the side. Your Honor, I would like to show the witness  
10 Petitioner's 11 for identification.

11 ALJ STECURA: You may. Thank you.

12 MR. SEQUINOT: Thank you.

13 Q: If you can just take a look at those pictures, let me  
14 know when you're done.

15 A: Okay, Counsel.

16 Q: Okay. Who took these photos?

17 A: I did.

18 Q: And when did you take these photos?

19 A: These were taken on the 19th of March, 2025. Sorry.

20 Q: 2025. Did you observe the conditions in these photos?

21 A: Yes.

22 Q: And are the conditions depicted in the photos a true and  
23 accurate description as it existed on the day that you took the  
24 photos?

25 A: Yes.

1 MR. MESTOUSIS: Your Honor, I'd like to admit  
2 Petitioner's 11 into evidence.

3 ALJ STECURA: Any objection?

4 MR. FAVILUKIS: No, Your Honor.

5 ALJ STECURA: All right. 11 is in.

6 **[Petitioner's Exhibit 11 admitted into evidence.]**

7 MR. MESTOUSIS: Okay. Thank you, Your Honor.

8 Q: So, if you look, these pictures have some numbering on  
9 the bottom.

10 A: Yes.

11 Q: Can you go to picture number 2.

12 A: Yes.

13 Q: Can you tell me what this is a picture of?

14 A: This is inside unit 4C. That's the wall leading up to  
15 the ceiling. As you see, there's cracking all around the walls,  
16 the ceiling and wall never meet, there's gaps in it. Some plaster  
17 board poorly put up on the right-hand side. And again, evidence  
18 of water leaks and chipping paint and plaster.

19 Q: Can you just point out what would be the evidence of the  
20 water leaks?

21 A: You see those stains up along the top of the ridge and  
22 some around the wood areas; from our experience, those are  
23 evidence of water leaks, moisture in the walls.

24 Q: Okay. Let's flip to the next picture, which is picture  
25 number 3.

1 A: Yes.

2 Q: Now, what is this picture?

3 A: This is, again, unit 4C. This is the floor. The floor  
4 was removed, some of the subfloor. You see beams coming across.  
5 The lighter wood is the planks that they placed there so we will  
6 be able to walk across the rooms.

7 Q: Okay. And where was this picture taken?

8 A: 4C.

9 Q: All right. Now I want you to skip all the way to  
10 picture number 11 now.

11 A: Yes.

12 Q: Okay. Now, what is this picture?

13 A: Again, this is unit 4C. You can see the -- the totality  
14 of the floor missing. Again, those wooden planks are just placed  
15 there for us to be able to stand there. The yellow tripod there,  
16 that's a light -- working light so they could work in the dark if  
17 they had to. Peeling paint on the walls, plaster cracking,  
18 exposed brick on the right-hand side.

19 Q: Okay. And let's flip to the next page, picture number  
20 12. What are we looking at here?

21 A: Same unit 4C. Again, just showing the missing floor  
22 down to the subfloor wooden plank. The blue is the wall and you  
23 see the chipping paint plaster.

24 Q: Okay. Now I want to go to picture number 13. What are  
25 we looking at here?

1           A:    Unit 4C.  This is a ceiling shot of plasterboard that  
2 was placed up there and you see the gaps, so they're not sealed  
3 properly.  There's gaps all around the area there.  The wall  
4 itself is -- painting needed plaster, cracking.

5           Q:    Okay.  And what is the significance of this?

6           A:    Seems like the sheetrock was just placed poorly on the  
7 roof.  It's not done properly taped up and it's gapping.

8           Q:    Okay.  Now on your March 19th visit to the building, was  
9 that visit scheduled with the owner?

10          A:    Yes.

11          Q:    All right.  Now, I want you to go back to page -- to  
12 picture number 6.

13          A:    Okay.

14          Q:    Now, what is this picture?

15          A:    This is a removed ceiling here.  This is a -- this is  
16 unit 3A.

17          Q:    Okay.

18          A:    So the ceiling has been removed.  On the right-hand  
19 side, you see the wire's dangling there, that's what was the smoke  
20 detector attached was now dangling.  The wood, you see some decay  
21 and some evidence of concealed water leaks.  That's all the dark  
22 wiggly areas you'll see, that is moisture that was in the walls  
23 caused by water.

24          Q:    Okay.  And you said the wires, what type of wires are  
25 those?

1 A: Smoke detector wires.

2 Q: Okay. Okay. Let's go to picture number 10 now. What  
3 are we looking at here?

4 A: This is unit 2A and this is -- what you see in front of  
5 us in the bottom part of the picture is the saddle entering from  
6 the hallway into the unit. And here you see the floors are  
7 removed and you can see down to the next floor. You see the  
8 little lighted area right in the middle of the picture closest to  
9 the left, that's the next floor down. So it was removed, the  
10 subfloor was removed. The lighter plank are the planks placed in  
11 there so we could walk across. So we have to step over that gap  
12 to get under the plywood to walk through the room.

13 Q: So the -- the gap that you're mentioning that we're  
14 seeing the floor below or the apartment below or the space below,  
15 is that where there's like, I see a little blue in the picture as  
16 well, is that --

17 A: Yeah, that's the lower level.

18 Q: Okay. All right. Let's go to picture number 17. What  
19 are we looking at here?

20 A: Ceiling of unit 2A. A big chunk of the ceiling removed.  
21 Those little planks and beams that have been removed, they're  
22 broken and just a big hole up in the wall -- up the ceiling.

23 Q: Okay. And what apartment is that in?

24 A: 2A.

25 Q: 2A. What are we looking at here? I'm sorry. Flip to

1 picture number 18. What are we looking at here?

2 A: Again, this is 2A, the floor. You see some piping down  
3 there and you see the floor has been removed. The white areas you  
4 see with little light coming through, that's the next floor down.  
5 The wall is up to the right-hand side and you see, you know,  
6 plaster missing and the floor missing.

7 Q: Okay. Let's go to picture number 19. What are we  
8 looking at here?

9 A: Same unit, 2A, floor removed, planks to walk across.

10 Q: Okay. Now, during -- you have years of experience as an  
11 investigator, so during visits to buildings as an investigator,  
12 did you have any occasion to observe probing work done at  
13 buildings?

14 A: Yes.

15 Q: And based on your experience, what is an exploratory  
16 opening or probing mean?

17 A: From my experience, there are smaller openings, 12 by 6s  
18 maybe, able to put cameras in to kind of see what the -- inside  
19 the walls look like with any leaks, pipe damage. So there's  
20 smaller holes made and then after they're done probing and  
21 assessing the situation, they cover them back up.

22 Q: Okay. And what type of elements are being explored when  
23 there is openings in walls and floors?

24 A: You're looking for leaks, any type of damage to the  
25 wood, to the structure, electrical wirings that may need to be

1 replaced. This is checking out the interior of the -- of the  
2 property that you can't see where the walls are up.

3 Q: Okay. Now based on your observations of the open spaces  
4 at apartment 2A, what elements were left to explore in the areas  
5 we saw where the open floor was?

6 A: The entire room was opened up. I mean, there was an --  
7 you could see everything through the -- all the way down to the  
8 next floor.

9 Q: Okay. So were there any elements -- or what elements  
10 specifically in unit 2A were observed from the probing that was  
11 done?

12 A: I don't understand the question.

13 Q: Okay. So I guess what -- what is left to explore?

14 A: Nothing to -- it was completely -- nothing.

15 Q: Okay. Now from your observation of unit 2A, was the  
16 subfloor in the open areas restored?

17 A: No.

18 Q: Okay. I want you to flip now to picture number 22.  
19 What are we looking at here?

20 A: Sorry. This is an open ceiling. So the ceiling's been  
21 removed. What you're looking at is the -- the floor above you,  
22 but the ceiling in that unit was removed. Water damage, again,  
23 the darker woods, some decay under wood. That's a sprinkler head  
24 right there, but it's been painted over in white. So if it was  
25 active, it would have trouble opening in case of a fire.

1 Q: Okay. And let's flip to picture 23 now, the next one,  
2 what are we looking at here?

3 A: Again, one of the units. That's the smoke detector off  
4 the wall. Wood -- the ceiling was removed. Again, water evidence  
5 damage on the wooden beams and decay on the wooden beams  
6 throughout.

7 Q: Okay. I want to take you now to picture 26. Can you  
8 explain what we're looking at here?

9 A: Yeah, it's a building jack, this is used to shoring up  
10 the building.

11 Q: Okay.

12 A: This was located in the commercial unit.

13 Q: All right. In the commercial unit, and on what floor is  
14 that?

15 A: On the ground level, street level floor.

16 Q: And let's go to picture 27 now. What are we looking at  
17 here?

18 A: More of those jacks placed to shore up the building from  
19 the lower levels up.

20 Q: Okay. And -- I'm sorry, where is that located?

21 A: Commercial unit. If I'm not mistaken, this is in their  
22 cellar.

23 Q: In their cellar.

24 A: Yeah.

25 Q: Now based on your observations of these vacant rooms,

1 I'm going back to the vacant rooms now in the second, third,  
2 fourth, and fifth. What concerns about the safety of the o --  
3 occupants do you have, if any?

4 A: Well, the fact that a lot of the walls is they were  
5 gutted, exposing a lot of things. There was open wires, whether  
6 they were active or not, I wouldn't know. But the wires were  
7 hanging there. Problem is if you ever did have a -- a fire in an  
8 emergency in one of those units, you had to kick the door and you  
9 could trip over one of those landings or going to a gap on the  
10 floor if those wooden planks are there. If there's a fire,  
11 whether there's retardant material or not, which you're doing is  
12 removing layers with the fire, we have to struggle to get through.  
13 So if it's burning through one wall, whether there's fire  
14 retardant between the walls or not, it'll still have to go through  
15 the beams into the next wall. But if you remove that, then you're  
16 giving access to the next wall without anything stopping the fire  
17 from progressing quickly. So you slow it down. The concern would  
18 be the safety of the tenants in case of a fire or any type of  
19 emergency units that go in there, have to go into an empty room  
20 and fall through the floor.

21 Q: Okay. And can you just explain to me what is the  
22 significance of the padlocks that are on the doors with respect to  
23 fire safety?

24 A: Well, you would have to take time to kick those doors in  
25 to remove them. Fire departments do come with excellent equipment

1 for that, but those extra few seconds everybody knows in an  
2 emergency of any type seconds are crucial. So the longer it takes  
3 them to probably open these doors, the more chance of worse things  
4 happening.

5 Q: Now, would you describe the conditions in the vacant  
6 rooms that you observed to being good repair?

7 A: No.

8 MR. MESTOUSIS: Your Honor, I'd like to have the  
9 witness look at D3 again, we were looking at it earlier.

10 ALJ STECURA: You may have to direct your witness.

11 MR. SEQUINOT: Is it okay?

12 MR. MESTOUSIS: Yeah, you should have it there, D3.

13 [OFF MIC CONVERSATION]

14 Q: Can you just flip to on the top, you see how there's  
15 page numbers, page 24. I want you to go to page 24-45.

16 A: Yes.

17 Q: Okay. It's photo number 18. You see on the right side,  
18 can you describe what is that white stuff over there?

19 A: The white stuff is some type of insulation or even fire-  
20 retardant material. I'm not sure, but some type of insulation  
21 that would go between the walls.

22 Q: Okay, but you said it could --

23 A: It could be, yeah.

24 Q: It could be --

25 A: It could be fire retardant material or just regular

1 insulation, I'm not sure.

2 Q: Okay. So it could be -- so you -- I'm sorry, yes.  
3 Let's go to the next page.

4 A: Yes.

5 Q: It's photo number 19. I see that stuff again there.  
6 What -- what is that?

7 A: Again, it looks -- it could be either fire retardant  
8 material or just type some type of insulation, I'm not really  
9 sure.

10 Q: Okay. And let's go to the next page. Photo number 20  
11 again, I just -- the -- the white stuff there. What is that?

12 A: Yeah, you see it on the top now and now you see on the  
13 left-hand side. So it's obviously something that was between the  
14 walls when they removed everything.

15 Q: So the -- I'm sorry, also on the left side, is that the  
16 same thing?

17 A: Yes, the top and the left.

18 Q: Okay. Now so you describe it as insulation or fire-  
19 retardant material. So what does seeing these pieces -- what does  
20 it lead you to conclude about the apartments?

21 MR. FAVILUKIS: Objection, Your Honor, calls for  
22 speculation.

23 ALJ STECURA: I'm going to sustain it. You can  
24 reframe it with -- within his ex -- his experience.

25 MR. MESTOUSIS: Sure.

1 Q: So -- so -- so based on your experience, what is  
2 depicted in this picture?

3 A: Removal of ceilings, removal of whatever type of  
4 insulation or fire-retardant material that was, has obviously been  
5 removed throughout the property.

6 Q: Okay.

7 [OFF MIC CONVERSATION]

8 MR. MESTOUSIS: We have no further questions, Your  
9 Honor.

10 ALJ STECURA: Okay. So we're going to take a short  
11 break before we start cross examination. So why don't we  
12 come back at 10:45. Reminder, don't speak to anyone about  
13 your testimony, it's still in progress.

14 MR. SEQUINOT: I will not.

15 ALJ STECURA: Thank you.

16 [OFF THE RECORD]

17 [ON THE RECORD]

18 ALJ STECURA: Okay. It's 10:47 AM. We are back on  
19 the record. The witness is going to his seat and I will  
20 invite Respondent's Counsel to cross examine the witness.

21 MR. FAVILUKIS: Thank you, Your Honor.

22 **CROSS EXAMINATION OF MR. SEQUINOT**

23 **BY MR. FAVILUKIS:**

24 Q: Good morning.

25 A: Good morning.

1 Q: I wanted to get some clarity before I start off with all  
2 of my questions. Towards the end of the questioning by Mr.  
3 Mestousis, you mentioned the door locks or the padlocks on the  
4 vacant units. So is it your testimony -- did I understand your  
5 testimony to mean that vacant units should be left unlocked  
6 because it might take the fire department longer to kick down a  
7 locked door in case of a fire?

8 A: I didn't say that.

9 Q: That's what I -- that's -- I just wanted to clarify.

10 A: Yeah, no, I didn't say that.

11 Q: So then would you say vacant units should not be left  
12 unlocked?

13 MS. JOSEPH: Objection, Your Honor. That's calls  
14 for -- the question is to relate to the testimony. It's not  
15 relating to the testimony.

16 MR. FAVILUKIS: That was the question -- the  
17 question was whether or not he -- inspector -- Investigator  
18 Sequinot observed padlocks. The answer had to do with fire  
19 department having trouble breaking down a locked door in case  
20 of a fire.

21 MS. JOSEPH: Okay.

22 Q: So my question is -- I'll rephrase my question. Do you  
23 think it is inappropriate to put padlocks on vacant unit doors?

24 MS. JOSEPH: I object. Objection, Your Honor.

25 ALJ STECURA: Overruled. You may answer.

1 A: I think doors should be locked.

2 Q: Do you think it's inappropriate to put padlocks on the  
3 doors of vacant units?

4 A: Padlocks? Yes.

5 Q: Yes. Padlocks are inappropriate?

6 A: To -- yeah, in my opinion, yes.

7 Q: What type of lock would be appropriate?

8 A: A regular door lock would be fine.

9 Q: Regular door lock. Okay, understood. But padlocks  
10 inappropriate?

11 A: To me.

12 MS. JOSEPH: Objection.

13 Q: And -- and the -- and is it your testimony that these  
14 doors have padlocks on them?

15 A: Some, yes,

16 Q: But not all?

17 A: Not that I recall.

18 Q: Which ones had padlocks on them?

19 A: I don't remember.

20 Q: Okay. I di -- the reason I'm asking is because I didn't  
21 see any padlocks in the photos. So we're you -- are you certain  
22 that there were padlocks on any of the doors?

23 A: Yes.

24 MS. JOSEPH: Objection, Your Honor --

25 MR. FAVILUKIS: Okay.

1 MS. JOSEPH: -- asked and answered.

2 MR. FAVILUKIS: Asked and answered. I'll let it  
3 go.

4 ALJ STECURA: Fine.

5 Q: I'd like to start off with the DOB violation that Mr.  
6 Mestousis asked you about. It's Exhibit G2. If you have a co --  
7 I -- I have a copy, but if you have it --

8 A: Yeah, right here. Thank you.

9 Q: Okay. So at the top there it, at the top right corner,  
10 it says summons number.

11 A: Yes.

12 Q: And then the summons number ends, and I'll just read the  
13 last three digits, 77M as in Mary.

14 A: Yes.

15 MR. FAVILUKIS: Okay. And I want to show you  
16 Exhibit G9. I don't know if you have it. If -- I -- I -- I  
17 can give you a copy and it's -- you have it. You gave me  
18 your copy last time.

19 MS. JOSEPH: I have it. We have it.

20 ALJ STECURA: Is G9 in evidence?

21 MR. FAVILUKIS: It was entered into evidence last  
22 time, I believe.

23 MS. JOSEPH: It's in evidence. I'm not sure if it  
24 was introduced last time or not, but it is in evidence,  
25 Judge.

1 ALJ STECURA: Thank you.

2 MS. JOSEPH: You're welcome

3 MR. SEQUINOT: Thank you.

4 MR. FAVILUKIS: And --

5 ALJ STECURA: Do you have a copy for me?

6 MR. FAVILUKIS: I -- we might, but I'm just using  
7 the copy they gave us last time, but we can look at it. It's  
8 RG9.

9 ALJ STECURA: Pause. If you're going to use a wi -  
10 - an exhibit, I ask that you have a copy for {01:11:41}  
11 [indiscernible]

12 [OFF MIC CONVERSATION]

13 ALJ STECURA: I found it. Thank you.

14 MR. FAVILUKIS: Oh, okay. Great. Apologies about  
15 that, Your Honor. Is it just -- is everyone -- everyone has  
16 it? Yeah.

17 Q: So, Investigator Sequinot, can you just read to me in --  
18 there's a paragraph there, it's titled Petitioner's Justification.

19 A: Okay.

20 Q: And can you just read to me the first sentence?

21 A: "The above-referenced summons 39142176K and 39142177M  
22 are withdrawn."

23 Q: And who is this memo from?

24 A: Shamonda Graham, Executive Director of DOB.

25 Q: And to whom is it addressed?

1 A: OATH Hearing Division.

2 Q: What date?

3 A: May 13th, 2025

4 Q: Do you take from this memo to mean that the DOB withdrew  
5 viol -- the violation I asked you about earlier G2?

6 MS. JOSEPH: Objection, Your Honor, it speaks for  
7 itself.

8 MR. FAVILUKIS: Okay.

9 ALJ STECURA: Sustained.

10 MR. FAVILUKIS: I'll withdraw my question. Okay.

11 Q: I want to ask you about -- give me one second. I  
12 apologize. There was an email chain that Mr. Mestousis asked you  
13 about. It's Exhibit E2, do you have that?

14 A: Yeah. Yes, I do.

15 MR. FAVILUKIS: And that's one of the exhibits that  
16 Mr. Mestousis brought up.

17 MS. JOSEPH: Oh, oh yeah.

18 Q: And I just want you to flip to the second page of that  
19 so that we're looking at my email dated Friday, March 21st.

20 A: Yes.

21 Q: To Philip Ing.

22 MS. JOSEPH: Can -- can you just wait a minute for  
23 us to fi -- to get it? Thank you. Okay, thank you. Thank  
24 you, I got it.

25 Q: And Mr. Mestousis read from my email, he read into the

1 record, but then he stopped and said and so forth after a certain  
2 period. And I'd like to just read the entire sentence so that  
3 it's in the record and then ask you about that sentence. So the  
4 sentence that I'm referring to that Mr. Mestousis read was from my  
5 email to Philip Ing. Philip Ing, you said, you know, right is --

6 A: Yes.

7 Q: -- the supervising engineer at the forensic engineering  
8 unit --

9 MS. JOSEPH: Objection, Your Honor. Counsel is  
10 testifying.

11 ALJ STECURA: Sustained.

12 Q: Okay. It says, I write, "As discussed the owner would  
13 like to start on the remediation work as soon as possible, but we  
14 cannot do so with occupied units. And the tenants seem to be  
15 constantly lodging complaints with 311." And that's where Mr.  
16 Mestousis stopped and he said and so forth. So I write, ("We  
17 apparently had two DOB inspectors come out after emphasis  
18 Wednesday morning's inspection, and two DOB violations were issued  
19 that same afternoon, which my clients believe were an error and  
20 are now dealing with John Rain to have administratively  
21 dismissed.") end of sentence. I have a couple of questions on  
22 that sentence. Do you know who John Rain is?

23 A: No.

24 Q: Okay. The date on this email is March 21st.

25 A: Okay

1 Q: What date did you conduct your last inspection of the  
2 premises?

3 A: 19th of March.

4 Q: March 19th? And I just want you to take a look at  
5 Exhibit G2 again.

6 A: Yes.

7 Q: And that's -- you see at the top left there's -- below  
8 mailing address for respondents is it says date of occurrence.

9 A: Oh, no. Yes.

10 Q: And what's the date there?

11 A: 3/19.

12 Q: So this DOB violation was issued on the same date as  
13 your inspection, correct?

14 A: Yes.

15 MS. JOSEPH: Objection, Your Honor. We -- okay, I  
16 withdraw my objection.

17 MR. FAVILUKIS: Thank you.

18 Q: Do you know if the issuing -- the DOB issuing Officer G.  
19 Butler was present for the -- for your inspection?

20 A: I do not.

21 Q: Okay. And then my email here, I said that we had two  
22 DOB violations issued, correct?

23 A: Correct.

24 MR. FAVILUKIS: Okay. I want to move on or back to  
25 Exhibit 11A. Those are the photos that you said you took.

1 They're dated March 11th.

2 ALJ STECURA: Thank you.

3 MS. JOSEPH: Just to -- for clarification, Judge,  
4 one of them is dated March 11th.

5 MR. MESTOUSIS: He said both. He said --

6 MR. FAVILUKIS: Oh, I apologize. Some of them are  
7 some dated March 11th. The first one is dated March -- I'll  
8 -- I'll -- I will clarify as to which photos I'll ask about.

9 MS. JOSEPH: Wonderful.

10 ALJ STECURA: I'm dealing with the heap of exhibits  
11 here, so just let -- give me a moment. 11A you said? Or --

12 MR. FAVILUKIS: 11A.

13 ALJ STECURA: All right, go ahead.

14 Q: And so, as Ms. Joseph pointed out correctly, some of  
15 these are dated March 11th and I believe at least one is dated  
16 March 19th. So these are the photos that you took, correct?

17 A: Yes.

18 Q: Okay. So I'd like to flip to the second to last photo,  
19 which would be for the fourth page excluding the cover page.

20 A: Yes.

21 Q: Okay. So -- and you testified that this was a photo you  
22 took of the courtyard outside of the building?

23 A: Yes.

24 Q: All right. And I heard you say that there were no  
25 dumpsters in the courtyard when you did your inspections; is that

1 correct?

2 A: Yes.

3 Q: I -- I'd just like to -- I'm -- I'll point to what I'm  
4 looking at and I'll describe it for the record. On the left side  
5 of the photo next to the red brick wall there, what I have circled  
6 on my photo --

7 A: Alongside the other building, you said?

8 Q: Alongside the other building across from the stairwell.

9 A: Right.

10 Q: What is that?

11 A: Looks like a dumpster.

12 Q: Okay. And what date is this photo?

13 A: The 11th.

14 Q: Okay. Now is that red building, the red brick building,  
15 is that part of the structure at 109 East 9th?

16 A: No.

17 Q: Do you know what that building is?

18 A: No.

19 Q: Did you ever ask any of the tenants what that building  
20 was?

21 A: No.

22 Q: Okay. I want to ask you about Exhibit 11. Okay. And  
23 there are, I believe, 27 photos in Exhibit 11.

24 MS. JOSEPH: Just one second.

25 ALJ STECURA: Yeah, give us a second, please.

[10:59:45]  
[01:20:52]

1 [OFF MIC CONVERSATION]

2 ALJ STECURA: Thank you.

3 MR. FAVILUKIS: Let me know when you guys have it.

4 MS. JOSEPH: Oh, yeah.

5 Q: So the reason I believe there are 27 photos, is because  
6 the first one is marked 1 and the last one is marked 27. They are  
7 all, as far as I can tell, dated March 19th. Now, Mr. Mestousis  
8 asked you about most of them, but not all of them. Can you tell  
9 me, are there any photos in these 27 photos of occupied units?

10 A: Do I have to look through it?

11 Q: Yep.

12 A: I am done. No.

13 Q: No occupied unit photos -- occu -- photos of occupied  
14 units in this batch?

15 A: No.

16 Q: Okay. In photos 13 and 14, can you flip to those?

17 A: Yes.

18 Q: What are those photos of?

19 A: Ceilings.

20 Q: And what is that material?

21 A: Plasterboard.

22 Q: And is plasterboard -- does plasterboard have a fire  
23 rating?

24 A: It does.

25 Q: What's the fire rating on plasterboard?

1           A:   Not sure.  No.  I know it does, I just don't know it  
2 now.

3           Q:   Okay.  It's just that previously we were testifying  
4 about fire hazards and fire stopping --

5                   MS. JOSEPH:  Objection, Your Honor, it's --

6                   MR. FAVILUKIS:  I haven't asked the question.

7                   ALJ STECURA:  There's no question pending.

8           Q:   And I think we skipped through these photos.  Is this  
9 plasterboard material, in your experience, fireproof?

10                   MS. JOSEPH:  Objection, Your Honor.  I believe the  
11 question was asked --

12                   ALJ STECURA:  Overruled.  You may answer if you  
13 can.

14           A:   Fire proof?

15           Q:   Or fire rated?  I apologize; I don't know the  
16 terminology.  What's the terminology for this fire -- for this  
17 plasterboard?  In terms of --

18                   MS. JOSEPH:  Objection, Your Honor.

19                   MR. FAVILUKIS:  I'll withdraw it.

20                   ALJ STECURA:  Yeah.

21                   MR. FAVILUKIS:  I'll withdraw it.  Let's go to  
22 photos 24, 25, 26 and 27.

23                   MR. SEQUINOT:  Yes.

24           Q:   Okay.  And you testified that these are, I think you  
25 referred to them as jacks?

1 A: Uh-huh.

2 Q: And then maybe -- maybe I misheard, I thought you  
3 referred to them as shoring as well. Did you ever refer to these  
4 as shoring in the previous testimony?

5 A: Yeah. The jacks to shore up.

6 Q: To shore up. And why are these needed?

7 MS. JOSEPH: Objection, Your Honor.

8 ALJ STECURA: Overruled.

9 A: They're needed to support the structure of the building,  
10 the integrity of the building.

11 Q: What if they are not there, what happens?

12 MS. JOSEPH: Objection, Your Honor. That's calls  
13 for speculation.

14 ALJ STECURA: If -- I'm going to overrule the  
15 objection, if the witness can answer, he may answer.

16 A: What was the question again?

17 Q: What happens if these are not there?

18 A: I don't know what would happen. What can happen --

19 Q: What can happen?

20 A: Then the building could be in jeopardy of moving,  
21 collapsing, even.

22 Q: Collapsing?

23 A: Even. Yes.

24 Q: Even. And what if the building is occupied -- if the  
25 residential units are occupied in the building, but these jack

1 shoring are not there, what happens to the people in the occupied  
2 units if it collapses?

3 A: If they're there and the building collapses, then  
4 they're going to get hurt.

5 Q: Okay. And so you witnessed these on the ground floor  
6 and also the first floor?

7 A: Well, the ground floor is the first floor.

8 Q: Sorry, what floors did you witness these jack shores in?

9 A: In the commercial unit, on the ground floor or first  
10 floor and below it, which is just cellar or basement.

11 Q: Not on the second floor?

12 A: These beams? No.

13 Q: What was in the second floor?

14 A: They had wooden -- wooden structure also used for  
15 shoring that was erected.

16 Q: And in your experience, are wooden shores appropriate?

17 MS. JOSEPH: Objection, Your Honor, I don't believe  
18 that the witness testified as far as his experience with  
19 regard to shoring of a building. He -- he spoke to these  
20 particular pictures, yes, but not in the general ter --  
21 terms.

22 ALJ STECURA: I'm going to sustain it because there  
23 were no pictures of wooden shoring --

24 MR. FAVILUKIS: Understood.

25 ALJ STECURA: -- on the second floor.

1 Q: What is your experience with shoring?

2 A: Can you rephrase that question? I don't understand it.

3 Q: What type of experience have you had with these types of  
4 shoring?

5 A: Except for visual, I've never shored a building, but  
6 I've seen them.

7 Q: Okay. You don't have any training as an engineer, do  
8 you?

9 A: Nope.

10 Q: Okay. What is your experience with probing in a  
11 situation where a building requires to be shored?

12 MS. JOSEPH: Objection, Your Honor. I think it's a

13 --

14 ALJ STECURA: Overruled, but you asked about  
15 probing and his experience and what probing is used for.

16 MS. JOSEPH: Right. But he's --

17 ALJ STECURA: Overruled.

18 A: Well, from my experience, just going through my daily  
19 functions, not too many buildings that experience probing and I  
20 myself have owned homes and had that probing done.

21 Q: That wasn't my question. I asked what your experience  
22 is with probing with buildings that require shoring like this.

23 A: I don't have any.

24 Q: Don't have any?

25 A: No.

1 Q: Okay. In your experience with probing, do you believe  
2 that sometimes a probe require -- needs to be smaller and  
3 sometimes it needs to be larger depending on the conditions that  
4 you're inspecting for?

5 A: Yes.

6 Q: Okay. I want to turn to Exhibit 9. That's that the --  
7 the more thicker packet photos.

8 A: Okay.

9 ALJ STECURA: Just give me one second. I'm ready.  
10 Thank you.

11 MR. FAVILUKIS: So there are -- oh --

12 MS. JOSEPH: I'm Sorry. I'm sorry, my bad. Where  
13 are we? Which one?

14 MR. MESTOUSIS: Exhibit 9.

15 MS. JOSEPH: Okay. Did we just do it or no? No.

16 MR. MESTOUSIS: Yeah, you did it.

17 MR. GOLDSMITH: Yeah, they did it this morning.

18 MR. FAVILUKIS: You just did 11.

19 MR. MESTOUSIS: Oh, I'm sorry. I just did 11.

20 MS. JOSEPH: Oh, yeah, yeah. So -- I got it. Yes.

21 MR. FAVILUKIS: Those are the March 11th photos, I  
22 believe.

23 MS. JOSEPH: Yes.

24 MR. FAVILUKIS: And there were several photos that  
25 Mr. Mestousis asked you about from Exhibit 9. The first one

1 was page 1, and I'll -- I'll pick a couple others. Could you  
2 flip to -- one second.

3 [OFF MIC CONVERSATION]

4 MR. FAVILUKIS: So exhibit -- the first photo and  
5 then pages 25, 26, 20 -- excuse me. Pages 25, 26, 27.

6 MS. JOSEPH: Let me just look at it.

7 ALJ STECURA: How are the pages identified?

8 MR. FAVILUKIS: Oh, there -- there -- on the copy  
9 that we have, they're at the top corner.

10 ALJ STECURA: Okay.

11 MR. FAVILUKIS: It's -- I don't know --

12 MS. JOSEPH: Actually --

13 MR. FAVILUKIS: -- it's --

14 MS. JOSEPH: -- it's on the front.

15 MR. FAVILUKIS: It's on the --

16 ALJ STECURA: The bottom.

17 MS. JOSEPH: The bottom. Yeah.

18 ALJ STECURA: All right, thank you. You said 25,  
19 26 and 27?

20 MR. FAVILUKIS: Correct. And -- and page 1.

21 MR. SEQUINOT: M1?

22 MR. FAVILUKIS: Uh-huh. And page 23. But I want  
23 you to take a look at page 1, 25, 26, 27, 23. Let me know  
24 when you have a chance to look at those.

25 MR. SEQUINOT: I've looked at them.

1 Q: Okay. You said that this level of deterioration, and  
2 I'm kind of paraphrasing, so you correct me if I'm wrong, you said  
3 that this level of deterioration requires some time, and then I  
4 think you said a long time; is that correct?

5 A: Yes.

6 Q: And --

7 ALJ STECURA: Are you referring to all the  
8 pictures?

9 MR. FAVILUKIS: The -- Mr. Mestousis asked  
10 Investigator Sequinot about specific photos, I know that page  
11 1 was one of those specific photos as well as page, I believe  
12 27.

13 ALJ STECURA: Right. But right now, you're asking  
14 the witness --

15 MR. FAVILUKIS: I'm just asking about these --  
16 these ones. I don't need the wi --

17 ALJ STECURA: So you're asking about these five  
18 pages.

19 MR. FAVILUKIS: Correct. Correct. I don't need  
20 the witness to look through everything.

21 Q: So sometime and a long time, is that like 10 months?

22 A: That's objective what a long time is.

23 Q: I'm asking you. Is -- is 10 months, would -- would this  
24 look --

25 A: To me five months would be a long time.

1 Q: Sure. Would -- so I want you to take a look at page 26.  
2 Okay. So I don't want to be subject -- I don't -- I don't -- I  
3 want to get out from the subjective. I want to get back to the  
4 objective, right. So is this level of deterioration -- does that  
5 occur in -- could that occur in 10 months?

6 A: It could.

7 Q: It could?

8 A: Of course.

9 Q: Okay. How about page 25?

10 A: Okay.

11 Q: Also 10 months, it could -- this level of deterioration  
12 could occur in 10 months?

13 A: Could have been.

14 Q: Could have been. Could it have occurred over 10 years?

15 A: Sure.

16 Q: Sure. What about 30 years? Could it have occurred over  
17 30 years?

18 A: No.

19 Q: No less than 30 years, right?

20 A: Yes.

21 Q: Possibly five months -- possibly 10 months. Possibly 10  
22 years?

23 A: Maybe.

24 MS. JOSEPH: Objection. Asked and answered.

25 MR. FAVILUKIS: I'm trying to ascertain whether

1 these conditions occurred within the inquiry period, which  
2 started March 4th, 2024.

3 MS. JOSEPH: Okay. Well Judge, if I may?

4 ALJ STECURA: You -- if you're trying to figure out  
5 if it occurred in the inquiry period, then limit your  
6 questioning to that --

7 MR. FAVILUKIS: Understood.

8 ALJ STECURA: -- not 30 years.

9 Q: So is it your testimony, Investigator Sequinot, that  
10 these conditions could have occurred prior to March 4th? This was  
11 perfect. And then starting in March 4th, up until March 11th,  
12 2025, March 4th, 2024. And then until your inspection in March  
13 11th, 2025, this is what happened. Is that --

14 A: I don't know.

15 Q: Okay. That's all I was asking.

16 A: Okay.

17 Q: Yeah, that's all I was asking. Okay. I would like you  
18 to turn to page 29. It's the last photo.

19 A: Yes.

20 Q: And you testified about this at the last appearance.

21 A: Yes.

22 Q: I think -- I think you referred to this as an exhaust --  
23 as a building exhaust pipe; is that correct?

24 A: I used the word vent.

25 Q: Vent pipe. Building vent pipe. And I believe, and

1 again, I'm sorry, I'm just going to repeat because it was a week  
2 ago, you said that this -- this could be dangerous, I believe,  
3 correct?

4 A: I didn't say that.

5 Q: Oh, I'm sorry. Is this not -- what's the relevance of  
6 this stone sitting on the vent pipe?

7 A: What I was asked, what's the purpose of this -- of the  
8 vent pipe, which is to allow gases that can build, that can force  
9 harm to escape from the building.

10 Q: Okay. And so what could happen in the building if this  
11 vent pipe is covered and it's a working vent pipe?

12 A: You can have a buildup of gases that can be toxic to the  
13 people that live in the building.

14 Q: Okay. Do you know if this vent pipe was working?

15 A: No.

16 Q: After you saw this photo -- excuse me, after you took  
17 this photo on March 11th, you met with the tenants on March 18th,  
18 correct? In your report, I believe you said -- oh, sorry, March  
19 17th. For current -- March 17th for current -- I'm reading now  
20 from your report, which is -- I apologize, I don't know the  
21 exhibit. That was what we were -- what Mr. Mestousis was reading  
22 from.

23 ALJ STECURA: Okay. But you -- which -- figure out  
24 which exhibit you're referring to.

25 [OFF MIC CONVERSATIONS]

1 MR. FAVILUKIS: It is Exhibit 11 or no, I'm sorry.  
2 That's the photos. Do you -- do you have your report in  
3 front of you there?

4 MS. JOSEPH: Well, there were two reports, Your  
5 Honor.

6 ALJ STECURA: Yeah, that's what I am asking.  
7 Please, you -- you should figure out what you're referring  
8 to.

9 MR. FAVILUKIS: I will.

10 ALJ STECURA: Don't ask him to --

11 MR. FAVILUKIS: I apologize. As you mentioned,  
12 there are a lot of exhibit lists.

13 ALJ STECURA: I know.

14 [OFF MIC CONVERSATION]

15 MR. FAVILUKIS: Oh, it's Petitioner's Exhibit 8

16 ALJ STECURA: 8?

17 MR. FAVILUKIS: Certified copy of investigator  
18 memorandum of tenant's complaints dated March 14th, 26th,  
19 27th.

20 [OFF MIC CONVERSATION]

21 Q: You ready?

22 A: Yes.

23 Q: So on page 1, which is your report, the memorandum of  
24 tenant's complaints dated March 14th, it says that you met with  
25 certain persons on March 11th and then on page --

1 A: I'm sorry, you said page 1?

2 Q: Page 1, the -- the report that's dated March 14th, 2025.

3 ALJ STECURA: Okay. So that's --

4 MR. SEQUINOT: Page 3.

5 ALJ STECURA: The third page of the document.

6 MR. FAVILUKIS: Oh, I'm sorry. Oh, I apologize  
7 that's -- okay. It's page -- on my document it's the second  
8 -- I -- I understand --

9 MR. MESTOUSIS: Cover page.

10 MR. FAVILUKIS: -- yeah, there's the cover page and  
11 then there's the second page, yeah.

12 Q: So on the fourth page of the document, which at the top  
13 right it says March 26th, 2025. And then the first paragraph says  
14 on March 17th --

15 A: Yes.

16 Q: Four current tenants from the above address came, okay.

17 A: Yes.

18 Q: So March 17th was six days after you took this photo.

19 A: Okay.

20 Q: Did you ask any of these people about this vent pipe  
21 being locked -- being covered in -- with a stone?

22 A: No.

23 Q: Okay. On March 19th, when you performed your most  
24 recent invest -- inspection of the building, do you remember I was  
25 there?

1 A: Yes.

2 Q: And do you remember Mr. Geylik was there?

3 A: Yes.

4 Q: At that time, did you ask Mr. Geylik about the stone  
5 covering this vent pipe?

6 A: No.

7 Q: Okay. Did you ask me?

8 A: Nope.

9 Q: Did you ask anyone?

10 A: Nope.

11 Q: Okay. Did you ask any of the tenants, either when you  
12 met with them on March 17th, or most recently in May when you met  
13 with Mr. Chlapek or spoke to Mr. Chlapek? Did you ask them if  
14 they'd go to the roof?

15 MS. JOSEPH: Objection, Your Honor. I don't  
16 believe that was part of direct with tenants going to the  
17 roof on either -- this line of question.

18 MR. FAVILUKIS: This -- I'm talking about the vent  
19 pipe.

20 ALJ STECURA: Yes. Overruled.

21 MR. FAVILUKIS: Which is on the roof.

22 ALJ STECURA: Yes. Overruled.

23 Q: Did you ask anybody, Mr. Chlapek or any of the tenants  
24 that you met with previously, if any of them go to the roof?

25 A: No.

1 Q: Well, I think you did because -- or you spoke to Mr.  
2 Chlapek about the fact that he climbs up the ladder, didn't you?

3 A: Yes.

4 Q: Okay. And does the ladder go up to the roof?

5 A: Not that roof.

6 Q: Not that roof. Which roof does the ladder go up to?

7 A: You guys have a struck -- the -- the agency -- the  
8 agency has a structure that's lower than the building on the back  
9 of the building. He climbs up that ladder to get to that roof to  
10 crawl in through his window because he couldn't get through his  
11 front door. That's not the --

12 Q: So he told you?

13 A: So he told me.

14 Q: Right.

15 A: You asked the question.

16 Q: Right. I understand.

17 A: That's not the same roof.

18 Q: And is that a setback roof? Is that what we would refer  
19 to it as? A setback roof?

20 A: I guess. I don't know the terminology for that type of  
21 roof.

22 Q: Okay.

23 A: So it's a different structure.

24 Q: That's okay. So the vent pipe is on a -- on a higher  
25 level roof.

1 A: On the roof of the building itself.

2 Q: On the roof --

3 A: The tenant's building.

4 Q: I -- I understand. Got it. The -- the -- the other one  
5 is also the roof of the building. It's just a lower roof.

6 A: That's why I said the tenant's building.

7 Q: The tenant's building.

8 ALJ STECURA: We can move on.

9 Q: Okay. So you saw this vent pipe being covered by the  
10 stone. You ascertained that it might be dangerous if it's  
11 covered, but you didn't ask anybody about it -- anybody about it;  
12 is that correct?

13 MS. JOSEPH: Objection, Your Honor, asked to  
14 answer.

15 ALJ STECURA: Sustained.

16 Q: Okay. Did you report this coverage of the vent pipe to  
17 anyone as a potential hazardous condition?

18 A: Myself, no.

19 Q: Okay. Do you know if it's still covered?

20 A: No.

21 Q: If it's a working vent pipe and it has -- and it's  
22 covered by a stone and it's still covered like that, does that  
23 raise any concern for you that it's dangerous?

24 MS. JOSEPH: Objection, Your Honor. It was asked  
25 and answered at the time that the testimony was given, not in

1           some future time.

2                   MR. FAVILUKIS: What?

3                   ALJ STECURA: Overruled. If -- if you can answer,  
4           you may answer

5           A: What was the question again?

6           Q: If the vent pipe is still covered in the same -- if  
7           nothing has changed between March 11th when you took that photo  
8           and today, June -- can I please finish? Is that possible? It's  
9           been three months. Do you believe that it's possibly dangerous?

10                   MS. JOSEPH: Obje -- objection, Your Honor.

11                   MR. FAVILUKIS: This --

12                   MS. JOSEPH: I'm sorry, I -- I thought you stopped.  
13           I'm sorry.

14                   MR. FAVILUKIS: Okay. No, no, that -- go ahead.  
15           What the -- what's -- what's the objection? It's -- I  
16           literal -- I'm just asking the same question.

17                   MS. JOSEPH: He's asking, is it possibly dangerous  
18           --

19                   MR. FAVILUKIS: I'm asking if he believes if it's  
20           dangerous.

21                   ALJ STECURA: Your question is speculative.

22                   MR. FAVILUKIS: Well --

23                   ALJ STECURA: I'm sustaining an objection --

24                   MR. FAVILUKIS: Understood.

25                   ALJ STECURA: -- based on speculation.

1 MR. FAVILUKIS: Understood. Okay. Let me get to  
2 my next question.

3 ALJ STECURA: But let's -- let's let the question  
4 be asked before we object, please.

5 MR. FAVILUKIS: Thank you, Your Honor.

6 ALJ STECURA: Thank you.

7 MS. JOSEPH: Yes, Your Honor.

8 Q: You testified at the previous trial date, I think you  
9 called this a special case, which is why you assigned it to  
10 yourself; is that correct?

11 A: That's not the reason why I signed it to myself.

12 Q: That -- that's -- I'm sorry, that's not --

13 A: That's not the reason why I signed it to myself. I  
14 could've signed it to any of my investigators.

15 Q: I'm sorry.

16 A: I could have signed it to any of my investigators.

17 Q: Did you call this a special case?

18 A: Yeah.

19 Q: Okay. What's special about it?

20 A: Because it's not a normal case as we draw it in on a  
21 monthly basis, this was a rescind -- attempt to rescind the CONH  
22 and I have the most experience with that, so I took it upon  
23 myself.

24 Q: So why did you assign it yourself if it's not -- if it  
25 wasn't because this is a special case, why did you assign it to

1 yourself?

2 A: I just said it was a special case.

3 ALJ STECURA: Asked and answered.

4 Q: Okay. So in this case, there was a previous  
5 investigator that already did an investigation; is that correct?

6 A: Yes.

7 Q: And what was that investigator's name?

8 A: Guy Donaldson (phonetic).

9 Q: And I may have misunderstood your testimony last time; I  
10 thought you said that Guy Donaldson is no longer with the  
11 Department. Did I understand that correct?

12 A: He was no longer at the Department.

13 Q: He was no longer?

14 A: Yes.

15 Q: Is he with the Department now?

16 A: Yes.

17 Q: So he -- so he did the original investigation,  
18 subsequently left and now come -- came back; is that correct?

19 He's now --

20 A: Yes.

21 Q: -- back with the CONH unit?

22 A: Yes.

23 Q: And at the time that this came to your desk, was Guy --  
24 Guy Donaldson not with the Department?

25 A: He was not.

1 Q: If Guy Donaldson had been with the Department at that  
2 time, would this rescission been assigned to him because he would  
3 be the orig --

4 MS. JOSEPH: Objection. Sorry, my bad.

5 Q: Would it have been assigned to him?

6 MS. JOSEPH: Objection, Your Honor.

7 ALJ STECURA: What's the objection?

8 MS. JOSEPH: He's asking specula -- again,  
9 speculative question if that down --

10 ALJ STECURA: Sustained.

11 Q: Okay. Did you speak with Guy Donaldson about this case?

12 A: This case now?

13 Q: Yes.

14 A: No.

15 Q: Did you speak to Guy Donaldson about this case before  
16 you assigned it to yourself?

17 A: No.

18 Q: Okay. So Guy Don -- again, I'm just asking. I don't --

19 A: That's fine.

20 Q: -- know the interim workings, right? So --

21 A: No problem.

22 Q: Guy Donaldson did the original investigation?

23 A: Yes.

24 Q: Found that no harassment wa -- occurred or that there  
25 was no evidence of harassment, then left the Department. This

1 came -- came across your desk, you deemed it special, assigned it  
2 to yourself, Guy Donalds -- and then didn't speak to Guy Donaldson  
3 --

4 MS. JOSEPH: Objection, Your Honor. It's a comm --  
5 that -- it's a cumulative question.

6 MR. FAVILUKIS: Okay.

7 ALJ STECURA: There's no question.

8 Q: When did Guy Donaldson return to the Department?

9 A: A couple weeks ago, I think.

10 Q: Okay. Are you not allowed to speak to him about this  
11 case?

12 A: Allowed?

13 Q: Yeah.

14 A: I don't know that I'm allowed or not. I don't need to  
15 speak to him about the case.

16 Q: No, that wasn't my question.

17 A: I said I don't know if I'm allowed or not.

18 Q: Oh, okay. So you might not be allowed to speak to him  
19 and you might be allowed to speak to him; is that right?

20 MS. JOSEPH: Objection, Your Honor. We are going,  
21 you know, in depth into this line of questioning, which  
22 wasn't part of direct whatsoever.

23 MR. FAVILUKIS: We -- we gave a lot of leeway every  
24 day.

25 ALJ STECURA: Wait, stop. Stop. It was brought up

1 on direct. I'll ask you to limit it because I'm not sure  
2 we're going anywhere --

3 MR. FAVILUKIS: Understood.

4 ALJ STECURA: -- relevant. So if you have a point,  
5 get to it, please.

6 MR. FAVILUKIS: Understood.

7 Q: Did Guy Donaldson also create an investigation report  
8 for his investigation?

9 A: Yes.

10 Q: Okay. And you've looked at that report?

11 A: Yes.

12 Q: Okay. Now, the -- the DOB inspectors that were present  
13 for the March 11 -- March 19th inspection that you did, and -- and  
14 there was a second person from the Certificate of No Harassment  
15 Unit, I apologize, I -- I -- I'm kind of skipping from one  
16 question to another, so I'll -- I'll restart. There was a second  
17 investigator with you from the Certificate of No Harassment Unit,  
18 correct, on March 19th?

19 A: Incorrect.

20 Q: Incorrect?

21 A: Yes.

22 Q: Okay. You were the only one from the Certificate of No  
23 Harassment Unit there on March 19th?

24 A: Yes.

25 Q: Was there a second person from HPD there with you?

1 A: Yes.

2 Q: And who was that person?

3 A: Samuel DelPilar.

4 Q: Okay, got it. And Samuel DelPilar is not from the  
5 Certificate of No Harassment Unit?

6 A: No, he is not.

7 Q: What unit is Samuel DelPilar in?

8 A: He's a CPM. He's his own unit.

9 Q: He's the only -- is he the only person in the unit?

10 A: Yes.

11 Q: Okay. And the -- there were other inspectors there from  
12 other -- or there were other personnel there from other agencies,  
13 correct?

14 A: Yes.

15 Q: And you testified already that Phillip Ing was there  
16 from the DOB. Were there other people there from the DOB?

17 A: Yeah, there was five others.

18 Q: Do you know those people by name?

19 A: No.

20 Q: Do you know those people by face? Like, did you  
21 recognize them from before, from -- from other -- from other  
22 interactions?

23 A: One gentleman I -- I remember from a building I did  
24 years ago.

25 Q: Okay. And did you reach out to any of the DOB personnel

1 after the March 19th inspection?

2 A: No.

3 Q: Okay. Do you remember having any conversations on March  
4 19th with the DOB personnel?

5 A: Yes.

6 Q: Did you have any conversations with the DOB personnel  
7 about probing?

8 A: About probing?

9 Q: Yeah.

10 A: A conversation, no.

11 Q: On March -- what -- what did you have with them about  
12 probing?

13 A: I made a comment.

14 Q: I'm sorry?

15 A: I made a comment.

16 Q: What was your comment?

17 A: I asked Mr. Ning, did he believe that I was probing.

18 Q: Mr. who?

19 A: Ning.

20 Q: Oh, Ing.

21 A: Sorry, my apologies. Ing.

22 Q: No. You -- you asked him -- I'm sorry, repeat that  
23 please.

24 A: I asked him if he believed that the demolished rooms was  
25 probing.

1 Q: And what did Mr. Ing tell you?

2 A: He never answered me.

3 Q: Oh, did you think he didn't hear you?

4 MS. JOSEPH: Objection, Your Honor.

5 MR. FAVILUKIS: Okay.

6 ALJ STECURA: Sustained.

7 Q: Are you allowed to speak to the DOB personnel after you  
8 perform an inspection?

9 A: Yes.

10 Q: Do you ever; after performing an inspection for a  
11 Certificate of No Harassment application or rescission at which  
12 DOB personnel are present, do you ever reach out to the DOB  
13 personnel then?

14 MS. JOSEPH: Objection, Your Honor. It's -- it's  
15 outside of the realm of this -- of defense of this case.

16 MR. FAVILUKIS: This is a special case. I want to  
17 know --

18 ALJ STECURA: Hold on. Stop. Finish saying what  
19 you're saying --

20 MS. JOSEPH: It is --

21 ALJ STECURA: -- because Ms. Favilukis interrupted  
22 you.

23 MS. JOSEPH: Okay, I'm sorry. Well, it is -- it is  
24 a question about -- it's a speculative to question, which has  
25 -- which does not relate to the facts of this case.

1 MR. FAVILUKIS: Well --

2 MS. JOSEPH: I'm going to sustain it because it  
3 wasn't brought up on direct examination.

4 MR. FAVILUKIS: I understand. I mean, the reason  
5 I'm asking --

6 MS. JOSEPH: I've sustained the objection. Ask  
7 another question.

8 MR. FAVILUKIS: Thank you, Your Honor.

9 Q: Do you know the, and I apologize if I misstate the  
10 terminology here, the fire rating for this building?

11 A: No.

12 Q: Did you review the I-cards for this building prior to  
13 performing your inspection?

14 A: Prior? No.

15 Q: Did you review the I-cards for this building prior to  
16 either the previous trial date or today?

17 A: Before the previous trial date? Yes.

18 Q: Okay. But you don't remember the fire rating?

19 A: No, that's not what I was looking for.

20 Q: What were you looking for?

21 MS. JOSEPH: Objection, Your Honor. We are going  
22 to areas again that were not covered on direct whatsoever.

23 ALJ STECURA: Sustained.

24 MS. JOSEPH: Oh, I'm sorry. My apologies.

25 [OFF MIC CONVERSATION]

1 ALJ STECURA: Yes, go ahead.

2 Q: Did -- did you review any of the DOB or HPD violation  
3 history for this building prior to your inspections?

4 A: Yes.

5 Q: You did. And were there any?

6 A: Prior violations?

7 Q: Prior to your inspection, were there any violations by  
8 either Department?

9 A: No.

10 Q: Did you review the DOB or HPD violation history prior to  
11 your testimony?

12 MS. JOSEPH: Objection, Your Honor. Can counsel  
13 differentiate between DOB and HPD? It's two different sets  
14 of agencies.

15 MR. FAVILUKIS: I'm -- I'm saying either one.

16 ALJ STECURA: Overruled.

17 A: What's the question, again?

18 Q: Did you review prior to your testimony, but after your  
19 inspections, the DOB or HPD violation history for this building?

20 A: Yes.

21 Q: And were there any?

22 A: There was two that were placed after my second visit.

23 Q: Were those the two that I gave you the DOB memo for  
24 withdrawing those violations?

25 A: Yes.

1 Q: Okay. So were there any HPD violations?

2 MS. JOSEPH: Objection. Asked and answered.

3 MR. FAVILUKIS: Did you --

4 ALJ STECURA: Sustained.

5 Q: Okay. Did you review the building certificate of  
6 occupancy prior to your inspection?

7 A: Yes.

8 Q: And what is the fire rating class on this certificate of  
9 occupancy?

10 A: I don't know.

11 Q: Okay. Did you review the COs before the testimony?

12 MS. JOSEPH: Objection, Your Honor. It was asked  
13 and answered, it was also not part of direct.

14 MR. FAVILUKIS: Okay. I'll withdraw it.

15 AJ STECURA: Sustained. Thank you.

16 Q: You said that you inspected some of the occupied units;  
17 is that correct?

18 A: Yes.

19 Q: And were there any showers or tubs in any of the  
20 occupied units that you inspected?

21 MS. JOSEPH: Objection. It was not part of direct.

22 MR. FAVILUKIS: This is part of the testimony with  
23 respect to the conditions in the building.

24 MS. JOSEPH: It is not --

25 ALJ STECURA: I'm -- I -- I don't believe that it

1 was part of the direct. I will allow you very narrow  
2 inquiry.

3 MR. FAVILUKIS: I only have one question following  
4 up on that.

5 Q: Did -- did you witness any showers or bathtubs in any of  
6 the occupied units?

7 A: Yes.

8 Q: Okay. And in your experience, could placing showers or  
9 tubs where they're not supposed to be cause a weight problem for  
10 the building structural elements?

11 MS. JOSEPH: Objection, Your Honor. That is far  
12 from what was on direct, and it is far from -- it is  
13 speculative, again.

14 ALJ STECURA: Sustained.

15 MR. FAVILUKIS: Then I have one other question on  
16 that, Your Honor.

17 Q: Were there any -- on the I-cards, any showers or  
18 bathtubs shown in any of the residential units?

19 A: No.

20 Q: Okay. Did you inspect Mr. Beckwith's unit?

21 A: Yes.

22 Q: Oh, sorry. I don't know if Mr. Beckwith was there.  
23 Sorry. You did? And did you inspect Mr. Ducklith's unit?

24 A: No.

25 Q: Okay. Do you recall the earthquake that happened in New

1 York last year?

2 A: Yes.

3 Q: Why -- why is that funny?

4 A: You want to call it an earthquake.

5 Q: Oh --

6 A: If you want to call it an earthquake.

7 Q: I know, I understand. What would you call it?

8 A: Tremor.

9 Q: A tremor. Okay. Had you previously experienced what  
10 you would call an earthquake?

11 A: Uh-huh.

12 MS. JOSEPH: Objection, Your Honor. This was not  
13 part of direct.

14 ALJ STECURA: Sustained.

15 MR. FAVILUKIS: Okay.

16 MS. JOSEPH: Thank you.

17 Q: What's the condition of Mr. Beckwith's apartment?

18 A: The room, bed, sink.

19 Q: Is it a poor condition, good condition, great condition?

20 MS. JOSEPH: Objection, Your Honor. This was not  
21 part of direct and we are now going into details as to --

22 MR. FAVILUKIS: I'll withdraw it.

23 Q: What would you say the condition of the building's  
24 public hall is? Poor, good, great?

25 A: Poor.

1 Q: Poor. Is the public hall floors -- are the public hall  
2 floors at a significant angle?

3 MS. JOSEPH: Objection, Your Honor. It was not  
4 part of direct.

5 ALJ STECURA: Sustained.

6 Q: Okay. You testified that Mr. Chlapek told you that he  
7 had performed some work in the building?

8 A: Yes.

9 Q: Did he tell you that he was a carpenter?

10 A: He told me he was in construction. He --

11 Q: He was in construction. I thought in your report it  
12 said carpenter, but he said he was in construction. Okay. And  
13 did you talk to him about the types of work experience he has in  
14 in carpentry or construction?

15 MS. JOSEPH: Objection, Your Honor. It's --

16 MR. FAVILUKIS: It was in the -- it's in the  
17 report. Oh, I'm sorry. I apologize.

18 MS. JOSEPH: Yeah. So if -- if it is in the  
19 report, could Counsel direct the witness to where in the  
20 report he's asking about?

21 ALJ STECURA: I agree with Ms. Joseph. If you're  
22 referring to the report, refer to the report.

23 MR. FAVILUKIS: Sure. I believe it's 8A. That's  
24 the new -- the new report.

25 ALJ STECURA: All right. So let's all take a

1 moment to locate 8A.

2 [OFF MIC CONVERSATION]

3 ALJ STECURA: I have it. Thank you.

4 MR. FAVILUKIS: Thank you, Your Honor. Yeah. So  
5 this says, "The tenant stated that Mr. Geylik told him that  
6 the common facilities needed to be updated and that Mr.  
7 Chlapek built custom made shelves in one of the bathrooms.  
8 Mr. Chlapek also helped remove the kitchen and shower. Mr.  
9 Geylik informed him there were violations for that area  
10 because Mr. -- Mr. Gey -- Geylik informed him."

11 ALJ STECURA: Where?

12 MR. FAVILUKIS: Oh, I -- I -- sorry. Sorry. This  
13 is -- it --

14 ALJ STECURA: Sounds like you're paraph --  
15 phrasing.

16 MR. FAVILUKIS: No, I'm actually -- I was actually  
17 reading from it. It's the first page of the report. It's  
18 the second page of the exhibit. I'll be more specific.

19 ALJ STECURA: Thank you.

20 MR. FAVILUKIS: There -- second sentence. It says,  
21 "During this meeting, Mr. Chlapek stated that the applicant,  
22 Mr. Geylik, had asked if he could help him in the removal of  
23 some of the common facilities." And then it goes on to  
24 describe some of the items of work. Then towards the middle  
25 there there's a sentence that starts, "He stated that he

1 would call Thomas Ducklith, who is also a tenant to come down  
2 and open the front door if he was available." That's in  
3 reference to the keys. To -- to -- to the lost keys, right?

4 MS. JOSEPH: Wait, I'm sorry. I can't find that  
5 just a second.

6 MR. FAVILUKIS: It's -- I'll tell you how many  
7 sentences are those.

8 MS. JOSEPH: Yeah.

9 MR. FAVILUKIS: Lines down, it's --

10 MS. JOSEPH: Oh, I see. I see. He stated that he  
11 would call Thomas.

12 MR. FAVILUKIS: Yeah, right.

13 MS. JOSEPH: I see. Thank you.

14 MR. FAVILUKIS: In the middle.

15 Q: And did you ask Mr. Ducklith about this claim?

16 MS. JOSEPH: Objection, Your Honor. The testimony  
17 -- the questions to the tenants are contained within the  
18 document, which is Exhibit 8.

19 MR. FAVILUKIS: This is 8A but -- or, I'm sorry,  
20 Exhibit A.

21 MS. JOSEPH: Exhibit A has the questions --

22 MR. FAVILUKIS: Is the original report.

23 MS. JOSEPH: Exhibit A has the questions on March,  
24 2026 of Thomas Ducklith. And within that contains what the  
25 questions, what the way answers were with regard to Thomas

1 Ducklith.

2 ALJ STEECURA: I don't think I understand your  
3 question. Could you repeat that?

4 Q: Sure. The -- in your report about your interview with  
5 Mr. Chlapek, Mr. Chlapek makes the claim that he lost his keys. I  
6 think that he's claiming that the landlord won't give him keys and  
7 that he -- okay. That he -- I'll -- I'll stick to the very words  
8 that he would ask his neighbor, Mr. Ducklith to let him in.  
9 That's what -- this is Mr. Chlapek telling you?

10 MS. JOSEPH: What -- that -- objection, that is not  
11 what this states. All right. If Counsel wants to ask, could  
12 you please refer to what is stated in his report? What the  
13 witness --

14 Q: Sure. The sentence reads, "He stated he being Mr.  
15 Chlapek, I believe, stated that he, Mr. Ch -- Mr. Chlapek would  
16 call Thomas Ducklith, who is also a tenant to come down and open  
17 the door if he was available. Is that sentence in reference to  
18 Mr. Chlapek's claim that he didn't have a key for the building's  
19 front entrance?

20 MS. JOSEPH: Objection, Your Honor. It speaks for  
21 itself.

22 MR. FAVILUKIS: But you just said it was --

23 ALJ STEECURA: Stop. Stop. Don't -- sustained --  
24 overruled. If -- if you can answer, please answer.

25 A: What's the question again?

1 Q: That sentence that I just read. Do you need me to read  
2 it again?

3 A: Uh-huh.

4 Q: Okay. And I'll ask you questions so that we're clear on  
5 who we're talking about. "He stated," who's he?

6 A: Oh, Remy Chap -- Mr. Chlapek.

7 Q: Remy Chlapek, right. "He stated that he would call,"  
8 who's he, that second he?

9 A: He would call.

10 Q: Who's he? Who's the second he? Is that also Mr.  
11 Chlapek.

12 A: Yes.

13 Q: Okay.

14 MS. JOSEPH: I'm -- I'm just -- objection. I'm  
15 just trying to see if the witness has it in front of him,  
16 that's all. That's all I'm trying to understand.

17 ALJ STECURA: He does. He does.

18 MS. JOSEPH: Okay, thank you.

19 Q: Do you want to read it?

20 A: Continue.

21 Q: Do you want -- do you want -- is it easier?

22 ALJ STECURA: No, no, you're not asking him --

23 MR. FAVIUKIS: Okay, I got it. I got it.

24 ALJ STECURA: It's not that kind of --

25 Q: He stated that he would call Thomas Ducklith, who is

1 also a tenant to come down and open the front door, if he, I think  
2 he, you mean Thomas Ducklith that last, he, is Thomas Ducklith, if  
3 he was available?

4 A: Right.

5 MR. FAVIUKIS: Correct? That sent -- I don't --  
6 I'm sorry, Your Honor, I don't recall if you su -- I'm simply  
7 asking if that sentence refers to Mr. Chlapek's claim that he  
8 had lost his keys and needed someone to -- to -- to open the  
9 door for him. That's all I'm asking in this with this  
10 question. Is --- is that permissible?

11 MS. JOSEPH: I object to that. I -- I don't --

12 ALJ STECURA: You're assuming a fact.

13 MS. JOSEPH: Okay, I withdraw my objection. I see  
14 it, I see it within the document. I withdraw my objection.

15 ALJ STECURA: All right. Ask the question, there's  
16 no objection.

17 Q: So that -- that question -- that sentence there, I  
18 assume you don't need me to read it again for the 15th time?

19 A: Maybe before, no, I don't. Go ahead.

20 Q: Okay. I could.

21 ALJ STECURA: Ask the question.

22 Q: It refers to Remy Chlapek's claim to you that he had  
23 lost his keys and he needed someone to enter -- to help him enter  
24 into the building; is that correct?

25 A: Yes.

1 Q: Okay. And you had access to Mr. Ducklith because you  
2 had spoken to him before, correct?

3 A: Yes.

4 Q: Did you follow up with Mr. Ducklith about this claim?

5 A: I'm not sure. I would have to -- it's in the memo. I  
6 wouldn't know what I asked him or didn't ask him at this point.

7 Q: Is there -- okay. Is there another memo after this one?  
8 This one's dated May 27th?

9 A: No.

10 Q: Okay. And this memo, was it written 26 days after you  
11 had this conversation with Mr. Chlapek?

12 A: Yeah, 26 days.

13 Q: Okay. And did you speak to Mr. Chlapek on March 19th?

14 A: Yes, briefly.

15 Q: And what was that conversation about?

16 MS. JOSEPH: Objection, Your Honor. Could the  
17 witness just be referred to his memo with regard to the  
18 question?

19 MR. FAVILUKIS: There is no memo about that  
20 conversation. It happened on the March 19th in --  
21 inspection.

22 MS. JOSEPH: There is -- oh, okay. But that wasn't  
23 made clear, I'm sorry. I didn't know it was the inspection.

24 ALJ STECURA: You can I ask your question.

25 MR. FAVILUKIS: Thank you, Your Honor.

1 Q: And what was that brief conversation about?

2 A: He came out of his room and said, I'm here if you want  
3 to see my room. That was the extent of our conversation.

4 Q: Did you take a look at Mr. Chlapek's room?

5 A: I did.

6 Q: Was there a shower in Mr. Chlapek's room?

7 A: Yes.

8 Q: Okay. Did Mr. Chlapek tell you that he built that  
9 shower?

10 MS. JOSEPH: Objection, Your Honor.

11 MR. FAVILUKIS: I'll withdraw it. One second. I'm  
12 almost done. Actually, I have nothing further.

13 ALJ STECURA: All right. Are you planning to ask  
14 redirect questions?

15 MS. JOSEPH: Yes, Your Honor.

16 ALJ STECURA: All right. Let's take a break.

17 MS. JOSEPH: Okay.

18 ALJ STECURA: Let's just come back at -- at 12:00.  
19 Okay?

20 MS. JOSEPH: Thank you.

21 ALJ STECURA: So it's 11:42 now.

22 [OFF THE RECORD]

23 [ON THE RECORD]

24 ALJ STECURA: Okay. We're back on the record at  
25 12:01 and I'll ask that you bring the witness back.

1 MR. MESTOUSIS: Yes, Your Honor.

2 [OFF MIC CONVERSATION]

3 ALJ STECURA: Okay, thank you. Okay. You may ask  
4 your redirect questions.

5 MR. MESTOUSIS: Thank you, Your Honor. Your Honor,  
6 I'd like to show the witness what is already in evidence as  
7 Exhibit 12.

8 [OFF MIC CONVERSATION]

9 ALJ STECURA: Give me a moment to see if -- I have  
10 a copy. Thank you.

11 [OFF MIC CONVERSATION]

12 **REDIRECT EXAMINATION OF MR. SEQUINOT**

13 **BY MR. MESTOUSIS:**

14 Q: Mr. Sequinot, can you go to picture number 22 in that  
15 exhibit?

16 A: Yes.

17 Q: Can you tell me what we see there?

18 A: A door, unit 4C, with a padlock on it.

19 Q: Okay. And can we go to picture number 23 now, the next  
20 page?

21 A: Yes.

22 Q: Okay. And what do we see there?

23 A: I see another unit door, 4A, with a padlock on it.

24 MR. MESTOUSIS: Okay. Thank you. You could put  
25 that to the side. Okay. Your Honor, I'd like to show the

1 witness Petitioner's 11.

2 ALJ STECURA: Yes, you may

3 Q: You should have it over there.

4 A: Yeah. Give me one second, sir.

5 Q: Okay. Let me know when you're got it.

6 A: Yes, I have it.

7 Q: Can you go to picture number 11, please. Let me know  
8 when you're there.

9 A: 11, yes.

10 Q: Okay. Now, what is the extent of the probing that we  
11 see from the corner over there?

12 MR. FAVILUKIS: Objection, Your Honor. On cross  
13 examination, the witness already testified that he is not an  
14 expert in probing and he's just eyeballing it from project to  
15 project. So to have him continue to testify about what he  
16 eyeballed and how that's appropriate or not appropriate, I  
17 think is, you know, beyond the -- the -- those -- this  
18 particular person's expertise to testify to.

19 ALJ STECURA: What page are you on?

20 MR. MESTOUSIS: I am on page 11, picture number 11.

21 ALJ STECURA: Okay. I'm going to -- can -- and can  
22 you repeat your question?

23 Q: Yes. So what is the extent of the probing from one  
24 corner of the room to the other corner of the room.

25 ALJ STECURA: All right. I'm going to overrule the

1 objection and allow the witness to answer.

2 A: It's total removal of the floor from one end of the room  
3 to the other.

4 Q: Okay. And in your experience, have you observed  
5 flooring -- have you observed probing where the flooring was  
6 completely removed?

7 A: No.

8 MR. MESTOUSIS: Okay. Your Honor -- you could put  
9 that to the side.

10 Q: I want to go now to exhibit number 9 and --

11 A: Hold on.

12 Q: Yeah.

13 A: We have that 9?

14 Q: You should have it there, yes.

15 A: Okay. Got it. Yes.

16 Q: All right. So I want show you picture number 1, which  
17 is the front entrance floor.

18 A: Yes.

19 Q: And I'm just going to group these so we don't waste  
20 time, but -- and then also, can you look at picture number 21  
21 through 23, which are the banisters, and then also picture 27,  
22 which is the roof.

23 A: Okay.

24 Q: Okay. Now, you testified that these conditions were  
25 over several years, could these conditions have further

1 deteriorated from March of '24 until March of '25?

2 MR. GOLDSMITH: Objection, Your Honor. Calls for  
3 speculation on what could have happened.

4 ALJ STECURA: Mr. Mestousis?

5 MR. MESTOUSIS: I can rephrase it.

6 Q: Based on your observations, were these conditions -- how  
7 -- how much further did these conditions deteriorate?

8 MR. GOLDSMITH: Same objection, Your Honor.

9 ALJ STECURA: I'm going to allow it because I gave  
10 Mr. Favilukis great latitude in questioning along the same  
11 manner about the same thing.

12 A: Can you repeat the question, please?

13 Q: Based on your observations, how much further did these  
14 conditions deteriorate from March of '24 until March of '25?

15 A: It would've been a lot. A lot of deterioration.

16 Q: Okay. Now in cross exam you mentioned how this was a  
17 special case. Can you explain what that means?

18 A: Sure. Abnormal cases come in, as I testified earlier,  
19 on a monthly basis. They're assigned; there's a process that goes  
20 through this. This one's already investigated and the certificate  
21 was granted by HPD. So it was a -- it was a rescind, and I felt  
22 strongly that I should take over the case with my experience in  
23 the unit for I was vast than anybody else's, so I took over the  
24 case.

25 Q: Okay. And as far as you know, if you know, what is the

1 period in time that your investigation covered?

2 A: From the -- it would've been from the initial granting  
3 of the CONH going forward.

4 Q: Okay.

5 A: To present.

6 Q: Do you know what the dates are?

7 A: Not exactly. I think it was granted in '04, but don't -  
8 - I don't know when it was originally granted. It would've been  
9 coming '04, so I don't know the exact dates.

10 Q: I'm sorry. Say that.

11 A: I think it was granted in '04, '03. I know the case was  
12 from 023 to -- '23.

13 Q: Okay.

14 A: It was the application. When it was actually granted,  
15 I'm not sure. So it would've been right now from there forward.

16 MR. MESTOUSIS: One second.

17 [OFF MIC CONVERSATION]

18 MR. MESTOUSIS: Your -- Your Honor, I'd like to  
19 show the witness Petitioner's 5, which is already in  
20 evidence.

21 ALJ STECURA: You may.

22 [OFF MIC CONVERSATION]

23 ALJ STECURA: Just give me. Usually, I ask for  
24 binders, but for some reason I didn't and lesson learned for  
25 me. I don't seem to have a copy of 5.

1 MR. MESTOUSIS: Okay.

2 ALJ STECURA: But if -- if you don't have an extra  
3 copy and it's not extensive --

4 MR. MESTOUSIS: It's only -- I've got two  
5 questions, Your Honor.

6 ALJ STECURA: All right. Go ahead.

7 Q: Can you please look at that document and let me know  
8 what is the determination date on that document?

9 A: March 4 --

10 Q: It's towards the bottom.

11 A: March 4, 2024.

12 Q: So was your investigation after that time period?

13 A: Yes.

14 [OFF MIC CONVERSATION]

15 MR. MESTOUSIS: No further questions, Your Honor.

16 ALJ STECURA: All right. Thank you very much for  
17 your time. Your testimony is concluded and you may leave.

18 MR. SEQUINOT: Thank you, Your Honor. Appreciate  
19 it.

20 ALJ STECURA: Thank you.

21 [WITNESS EXCUSED]

22 [OFF THE RECORD]

23 [ON THE RECORD]

24 ALJ STECURA: All right. It is 12:12 here on June  
25 12th, 2025, our next day of trial is July 10th, 2025, we'll

1 start at 9:30. Again, we'll be in person at 100  
2 Church Street. On that date, I'll expect that Petitioner  
3 will rest its case, and Respondent will commence its case.  
4 And as of today, Respondent's counsel has represented that  
5 they expect that they will be able to conclude on that date.  
6 And I'll just put on the record that the parties have agreed  
7 to submit closing arguments in brief rather than to do it  
8 orally. And I will give further instruction on that. But  
9 otherwise, we have -- we are concluded for today. Thank you  
10 very much.

11 MR. FAVILUKIS: Thank you, Your Honor.

12 [END OF TRIAL]  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

## CERTIFICATE OF ACCURACY

I, Derrick Ndilo, certify that the foregoing transcript of Department of Housing Preservation and Department v. Michael Geylik on June 12, 2025 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By

***DN***

Date: June 17, 2025

I, Blanca Martinez, conducted a quality control review of the certified foregoing transcript.

Reviewed By

***BM***

Date: June 17, 2025

LM Language Services, Inc.  
103 Carnegie Center Suite 300,  
Princeton NJ 08540