

**CITY OF NEW YORK
DEPARTMENT OF CONSUMER AFFAIRS**

THEODORE BRIGGS

and

THE DEPARTMENT OF CONSUMER AFFAIRS,

Complainants,

-against-

**TRI-COUNTY CONSTRUCTION CORPORATON,
JOSEPH ARMATO and TRINCHESE
CONSTRUCTION, INC.,**

Respondent.

DECISION AND ORDER

Violation Nos.:

CD500106071

DD500106071

PL001051204

License Nos.:

1190931 (HIC) (Tri-County)

0862330 (HIS) (Armato)

1251449 (HIC) (Trinchese)

Date: September 27, 2010

Findings of Fact

A hearing was scheduled for September 14, 2010. Although duly notified of the time and place of the hearing, the consumer, Theodore Briggs, failed to appear. There were appearances by Matthew Aboulafia, Esq., who appeared on behalf of respondent Tri-County Construction Corporation and Joseph Armato, and by Louie Trichese, who appeared on behalf of Trinchese Construction, Inc. Although Inspector Jackline Aziz appeared on behalf of the Department, it was not prepared to proceed with the matter independently of the consumer.

Order

Upon the consumer's default, the charges contained in the above-captioned Amended Notice of Hearing are **dismissed**.¹

¹ The charges related to PL1051204 also are dismissed given that they are based on the consumer's complaint.

This constitutes the recommendation of the Administrative Law Judge.

Mitchell B. Nisonoff
Administrative Law Judge

DECISION AND ORDER

The recommendation of the Administrative Law Judge is **approved**.

This constitutes the Decision and Order of the Department of Consumer Affairs.

Bruce M. Dennis
Deputy Director of Adjudication

cc: Theodore Briggs (By Fax: (347) 270-2367)

Matthew Aboulaflia, Esq. (by email: matthew@aboulaw.com)

By Fax: (718) 659-6716
Trinchese Construction, Inc.
Louis Trinchese

APPEALS

CONSUMER: You may file an **APPEAL** of this decision **within 30 days of the date of the decision**. You must include with your appeal a check or money order for \$25 payable to DCA. Send your appeal to: Director of Adjudication, Department of Consumer Affairs, 66 John Street, 11th Floor, New York, NY 10038. **Make sure to send a copy of your appeal to each of the respondents** listed in the caption on the Notice of Hearing.

IMPORTANT NOTICE: YOUR APPEAL MAY BE DENIED IF YOU DO NOT INCLUDE SOME INDICATION THAT YOU HAVE SENT A COPY OF IT TO EACH OF THE RESPONDENTS.