NVC		SUMMONS • FOR CIV	VIL PENALTIES ONLY	57050	100 141 101
Consumer Affairs ENTERED BY:	lu V	CLINARA CONC. ALLIRA	BER: 0 543728		2020
		EMENT AGENCY: Dep	artment of Consumer	Affairs	2020
	AGENCY ADDRES	SS AND WEBSITE: 42 Broad	dway, New York, NY 10004	• nyc.gov/dca By	
RESPONDENT: MAILING ADDRESS:	COMS TO	narmacy	DBA: LICENSE NO.:		
	Address Line 1	JUNIO OTICCI	EXPIRATION		
	Address Line 2 (if necessary) City / State / ZIP Code	4 11375	DATE: PHONE:	718-793-0400	Cell
PLACE OF OCCURRENCE: Ocame as Mailing	No. / Direction (NE, SW, etc.) and	Street	DATE OF OCCURRENCE:	03,27,20	20
Address Intersection Landmark	Street 2 (Intersection anly) City / State / ZIP Code		TIME OF /	2:15 DAM to 2:3	AM AM
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VARNING: If you do not i	ronx Brooklyn I Refer to respond, you may be four your ability to keep or ge	ON: Office of Admir Manhattan Qu PHONE: (844 to the Summons Number and automatically responsib	1) 628-4692 above on all communicatible and you may owe large	nd (See reverse side for a	imposed
Record ID No.		☐ Cross Reference No.	Bernaman and Bernaman and American Committee of State of the Committee of State of the Committee of the Comm	Business Category	
74/6 2020 Type: □ PTL	- <u>C</u> HL	CMP GFTR	□ REV □ SUS	Wither 9	810
Attachments: Addition	onal violation pages:		□ Vehicle Seizure Form	79	
No. pag	es:	Respondent is charg		o. vehicles seized:	
(see column 3)		D. TITLE 1 of E. NY GENE F. TITLE 10 G. NYC Hea	of the NY CODES, RULES, an RAL BUSINESS LAW (see co	d REGULATIONS (see column 3) lumn 3) /E CODE, CHAPTER 1 (see column	3)
Start Date of Unlicense		/ H. Other	□ Date of inspection	□ Date of prior settle	ment
☐ You are being charged second, third, or fourth including the maximum	occurrence of the same o penalty. In addition, you e Title 6 of the Rules of th	or a related violation at the may be subject to license	e business location. Recidiv suspension or revocation a	□ Date of contract " "3rd," or "4th" recidivist charge ists are subject to higher penaltie ind/or sealing of your business. So full schedule of potential penaltie	es, up to and ee Penalties
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The number under "Cou	nts" represents the numl	per of individual violations Negrougn + 6	SPIB OY OFFER	r law with which you are being ch 3 HOV 6AIC 90005	arged.
	3rd -3rd -4th	or senices	with an e	cessive price	
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See additional violation	pages, if applicable. If n	ot admitting the charge(s), you MUST APPEAR IN PE		ed on Page 2
I, an employee of the agency n through a review of departmen	amed above, affirm under penal ntal records. False statements m	ty of perjury that I personally obsi	erved the commission of the violates A Misdemeanor pursuant to see		
of R	espondent or Owner		appoyee of suitable age/discre	ons in person on the Respondent by le tion	
Inspector Name (Print)	<u> </u>	Inspector Signature	<u> </u>	Gadge	
received a copy of this sur Eliyah My	nmons on behalf of the Redi	pondent.	Phymaci's+	03,22,200	$\boldsymbol{\varphi}$
Name (Print)	Signature	<u> </u>	Position/Relationship to Res	pondent Date	_

HOW TO RESPOND TO THIS CIVIL SUMMONS

The Department of Consumer Affairs (DCA) has charged you with the violation(s) listed on this summons. You must respond to this summons. You may send an authorized representative to respond for you. Free language help will be provided, if needed. If you do not respond, you may automatically be found responsible, and you may owe larger penalties. If the Environmental Control Board or the Office of Administrative Trials and Hearings orders you to pay a civil penalty, failure to pay that penalty in a timely manner could lead to the denial of an application for a license, permit, or registration, or to the suspension, termination, or revocation of a license, permit, or registration issued to you by a City agency. See the bottom of this page to learn more about penalties.

Option 1: DENY the charge(s)

If you deny the charge(s), you can give an explanation for why you think you are not responsible to a hearing officer, who will make a decision. If you are found responsible, you will still need to pay the penalty and may face higher penalties for future charges. To deny:

- Go to the Hearing Center in the borough checked on the first page of this summons at the date and time listed.
- Bring this summons and any evidence you may have that shows you are not responsible for the charge(s).
- Call 1-844-628-4692 if you have a disability and require a reasonable accommodation for the hearing.

Option 2: ADMIT to the charge(s)

You may get an Offer of Settlement in the mail with information on how to settle and/or cure the charge(s). If you settle or cure by mail, online, or in person, you may no longer need to attend your hearing. If you settle or cure, you are admitting to the charge(s) and may face higher penalties for future charges. See the first page of this summons for your Hearing Date.

Settle: Admit to the charge(s) and pay a penalty

- Your Offer of Settlement will tell you how much you need to pay. If you would like to settle, follow the instructions in the letter. You must settle before your hearing.
- If you do not receive an Offer of Settlement in the mail, you may still be able to settle. Visit DCA's Settlement Unit at 42 Broadway, 5th Floor, New York, NY 10004 or send an email or a text to LegalSettlements@dca.nyc.gov before your hearing to see if settlement is an option.

Cure: Admit to the charge(s) without paying a penalty (only for certain first-time charges)

Not all charges are curable. If you received a charge that is curable, you may be able to correct it without paying a penalty. Follow the steps below.

- Your Offer of Settlement will include information about which charge(s) you can cure and how to admit the charge(s) and submit a certification that you cured the charge(s) by mail, online, or in person. You must submit the Cure Certification within 30 days from the date the summons is issued and before your hearing.
- If you do not receive an Offer of Settlement in the mail, you may still be able to cure. Visit DCA's Settlement Unit at 42 Broadway, 5th
 Floor, New York, NY 10004 or send an email or a text to LegalSettlements@dca.nyc.gov before your hearing to see if curing is an
 option.
- Go to nyc.gov/dca for more information about curing a DCA charge.

Unlicensed Activity Charges

If you are charged with unlicensed activity, you must deny the charge(s) or admit the charge(s) as described above. You should also:

- 1. Stop the unlicensed activity.
- 2. Go to 42 Broadway, 5th Floor, New York, NY 10004 and meet with a DCA Settlement Officer or send an email or a text to LegalSettlements@dca.nyc.gov.
- 3. Apply for a license online at **nyc.gov/BusinessToolbox** or in person at the DCA Licensing Center (42 Broadway, Lobby, New York, NY 10004) or the NYC Small Business Support Center (90-27 Sutphin Blvd., 4th Floor, Jamaica, NY 11435).
- 4. If your vehicle was seized, be sure to read the back of the Vehicle Seizure Form.

Penalties

You have the right to be informed of the maximum penalty. If no maximum penalty is shown on the first page of this summons, ask in person at any OATH Hearing Center location below or call 1-844-628-4692. See below for additional information. Higher penalties may be imposed for each repeated violation up to the maximum penalty allowed by law or rule.

 Maximum penalties for the violation(s) in this summons may include a fine of as much as \$15,000 for each violation; revocation or suspension of your DCA license; the sealing of your business premises; and/or the removal of your property. Copies of the laws and rules, which include the maximum penalties for specific violations, are available on the DCA website: nyc.gov/dca.

Unlicensed Activity Penalties: In most cases, the penalty for unlicensed activity is \$100 per violation per day. See the first page of this summons for the "Start Date of Unlicensed Activity" under the "Key to Violations" section, which is the date this penalty would begin. Pursuant to Section 1-19 of Title 6 of the Rules of the City of New York, you will be presumed to have engaged in the unlicensed activity every day from the "Start Date of Unlicensed Activity" through the Hearing Date.

Sidewalk Café Penalties: Your Sidewalk Café license may be suspended or revoked, and your sidewalk café and restaurant sealed for up to 30 days for a third violation of the Sidewalk Café Law or Rules. Your sidewalk café and restaurant may also be sealed for up to 30 days for a second violation for operating an unlicensed sidewalk café.

Sale of Toy or Imitation Firearms Penalties: If you are found to have offered to sell or sold a toy or imitation firearm on three (3) or more occasions within a two-year period, the premises where the violations occurred may be sealed for up to five (5) days. See Administrative Code Section 10-131(g) (1) for more details.

DCA encourages business owners to view the Business Owner's Bill of Rights, available at nyc.gov/bizrights

Questions?

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Kesyon?

Вопросы?

¿Preguntas?

질문 있으세요? .**কালো 21 আছে কি?**

www.nyc.gov/oath 844-OATH-NYC (844-628-4692)

OATH Hearing Center Locations

Manhattan: 66 John Street, 11th Floor, New York, NY 10038 **Brooklyn:** 9 Bond Street, 7th Floor, Brooklyn, NY 11201

Bronx: 3030 3rd Avenue, Room 250, Bronx, NY 10455 **Queens:** 31-00 47th Avenue, 4th Floor, Long Island City, NY 11101

Staten Island: 350 St. Mark's Place, Staten Island, NY 10301



SUMMONS • FOR CIVIL PENALTIES ONLY

SUMMONS NUMBER: 05437286

Page 2

Key	to	Vio	lations	

A. TITLE 20 of the NYC ADMINISTRATIVE CODE

(see columns 1, 2, and 3)

B. TITLE 6 of the RULES OF THE CITY OF NEW YORK (see column 3)

C. NY AGRICULTURE & MARKETS LAW (see column 3)

D. TITLE 1 of the NY CODES, RULES, and REGULATIONS (see column 3)

E. NY GENERAL BUSINESS LAW (see column 3)

F. TITLE 10 of the NYC ADMINISTRATIVE CODE, CHAPTER 1

(see column 3)

G. NYC Health Code (see column 3)

H. Other_

Respondent is charged with violating: Start Date of Unlicensed Activity:										
Start Date of ((if applicable)		ised Act	ivity:		☐ Date of inspection ☐ Date of prior settlement☐ ☐ Date of prior decision ☐ Date of contract					
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SUMMONS • FOR CIVIL PENALTIES ONLY

SUMMONS NUMBER: **0**5437286

ENFORCEMENT AGENCY: Department of Consumer Affairs **AGENCY ADDRESS AND WEBSITE:** 42 Broadway, New York, NY 10004 • nyc.gov/dca

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SUMMONS • FOR CIVIL PENALTIES ONLY

SUMMONS NUMBER: 05437286

Page 2

Key to Violations	าร	ioi	ti	la	Vio	to	ev	K
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(see columns 1, 2, and 3)

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D. TITLE 1 of the NY CODES, RULES, and REGULATIONS (see column 3)

H. Other_

Respondent is charged with violating: Start Date of Unlicensed Activity: ☐ Date of inspection □ Date of prior settlement (if applicable) □ Date of prior decision $\hfill\square$ Date of contract □ You are being charged as a "recidivist" or repeat violator. See below for recidivist charge(s). A "2nd," "3rd," or "4th" recidivist charge means a second, third, or fourth occurrence of the same or a related violation at the business location. Recidivists are subject to higher penalties, up to and including the maximum penalty. In addition, you may be subject to license suspension or revocation and/or sealing of your business. See Penalties section on the back of Page 1. Also see Title 6 of the Rules of the City of New York, beginning at Section 6-10, for a full schedule of potential penalties, which are available on the DCA website: nyc.gov/dca. A-H 1 2 3 OATH Recidivist Nature/Description of Violation Counts CH. SUB SEC. Code Charge CH. The number under "Counts" represents the number of individual violations of the Code, Rule, or other law with which you are being charged. ☐ 2nd □ 3rd ☐ 4th ☐ 2nd □ 3rd ☐ 4th ☐ 2nd □ 3rd ☐ 4th □ 2nd ☐ 3rd □ 4th □ 2nd □ 3rd ☐ 4th □ 2nd □ 3rd ☐ 4th □ 2nd ☐ 3rd ☐ 4th □ 2nd □ 3rd □ 4th ☐ 2nd □ 3rd □ 4th □ 2nd □ 3rd ☐ 4th □ 2nd □ 3rd ☐ 4th □ 2r.d □ 3rd □ 4th □ 2nd □ 3rd □ 4th □ 2nd ☐ 3rd ☐ 4th 2nd ☐ 3rd ☐ 4th ☐ 2nd □ 3rd ☐ 4th

□ continued on Page 3



March 27, 2020

Lorelei Salas Commissioner

42 Broadway New York, NY 10004

Dial 311 (212-NEW-YORK)

nyc.gov/dca



Re: Case Number: 7416-2020-CMPL - BURNS PHARMACY

Regarding your complaint against BURNS PHARMACY

Thank you for contacting the NYC Department of Consumer Affairs (DCA). We have carefully reviewed your complaint against BURNS PHARMACY and are investigating further. We will notify you of the results. Please allow up to six weeks.

If you do not hear from us after that time, you can call the Consumer Services Division at +1 212 487-4110.

7416-2020-CMPL