



SUMMONS • FOR CIVIL PENALTIES ONLY

SUMMONS NUMBER: 25M02489

ENFORCEMENT AGENCY: Department of Consumer and Worker Protection

Agency Address and Website: 42 Broadway, New York, NY 10004 • nyc.gov/dcwp

RESPONDENT:	METRO CAFE & GRILL CORP.	DBA:	LICENSE NO.:
MAILING ADDRESS:	1955 1ST AVE, NEW YORK, NY 10029		PHONE: (646) 726-4144
DATE OF OCCURRENCE:	TIME OF INSPECTION:		INSPECTION ID NO.
7/23/2025	Start Time: 9:00 AM End Time: 10:11 AM		INS-000871549
PLACE OF OCCURRENCE:	Building No./Direction (NE, SW, etc.): 1955	Street 1: 1ST AVE	Street 2 (intersection only):
	Apartment/Suite/Other:	ZIP Code: 10029	Borough: Manhattan

You must respond to this summons. If you wish to deny a violation, you must contact the Office of Administrative Trials and Hearings (OATH) to schedule a hearing. For more information on how to respond, see the last page of this summons.

Refer to the Summons Number above on all communications.

HEARING DATE AND TIME: 9/8/2025 10:30 AM

HEARING LOCATION: You must schedule an in-person or telephone hearing

Warning: If you do not respond, you may be found automatically responsible and you may owe larger penalties. If you do not pay any imposed penalties, you may lose your ability to keep or get a City license, permit, or registration. The City might also take further legal action against you. See the last page of this summons for more information.

Respondent is charged with violating:

Note: "NYC Admin Code" refers to the Administrative Code of the City of New York; "RCNY" refers to the Rules of the City of New York with Title number, e.g., "6 RCNY"; "NY Agri & Mkts" refers to the New York State Agriculture & Markets Law; "NYCRR" refers to the New York State Codes, Rules and Regulations, with Title number, e.g., "1 NYCRR"; "GBL" refers to the New York State General Business Law. The section symbol (§) is used to refer to specific sections of applicable laws or rules)

The number under "Counts" represents the number of individual violations of the Code, Rule, or other law with which you are being charged.

LINE ITEM	PROVISION OF LAW VIOLATED AND NATURE/DESCRIPTION OF VIOLATION	COUNTS
1	NYC Admin Code § 16-401(c)(3) Food service establishment fails to display sign that states "Plastic straws available upon request" in a size of at least 2 inches by 7 inches in font size 20 point or larger. At time of inspection the business's self service station did not have the required sign regarding the availability of plastic straws posted.	1
2	NYC Admin Code § 16-401(b) Food service establishment providing single-use beverage stirrer or single-use beverage splash stick made of plastic. At time of inspection inspector observed that the business's self service station had plastic beverage stirrers available to customers.	1

See additional violation pages, if applicable. If not admitting the charge(s), you MUST ATTEND THE HEARING.

NYC Charter Sections 1048 and 1049-a and the Rules of the City of New York authorize the NYC OATH to hold hearings. For hearing options, see the last page of this summons.

I, an employee of the agency named above, affirm under penalty of perjury that I personally observed the commission of the violation(s) charged above and/or verified their existence through a review of departmental records. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law.

Method of Service: ☒ I/we affirm under penalty of perjury that on the Date of Occurrence, I/we served a copy of this summons in person on the Respondent by leaving a copy with a person or employee of suitable age and discretion.

☐ To be served on a later date (see Affidavit/Affirmation of Service.)

E. Perez

760

Inspector Name (Print)

Inspector Signature

Badge

Inspector Name (Print)

Inspector Signature

Badge



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LINE ITEM	PROVISION OF LAW VIOLATED AND NATURE/DESCRIPTION OF VIOLATION		COUNTS
3	NYC Admin Code § 20-708 The store did not conspicuously display the total selling price, at point of display, for the following group of identical items below: Inspector observed that the items inc cream refrigerator were not price. Hagen Dazs rum raisin 14oz container was not priced nor was the Irish Cream Brownny 14 oz.		2
	Item: Hagen Dazs	rum raisin 14oz ice cream	
	Item: Hagen Dazs nice cream.	Irish Cream Brownny 14 oz.	
4	6 RCNY § 5-37 Refund policy is not conspicuously posted. At time of inspection the required refund policy was not posted in the store.		1

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Method of Service: ☒ I/we affirm under penalty of perjury that on the Date of Occurrence, I/we served a copy of this summons in person on the Respondent by leaving a copy with a person or employee of suitable age and discretion.

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E. Perez**760**

Inspector Name (Print)

Inspector Signature

Badge

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HOW TO RESPOND TO THIS CIVIL SUMMONS

The Department of Consumer and Worker Protection (DCWP) 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. This summons includes additional information 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:

- **By Phone:** Request a phone hearing at least 3 business days before the hearing date listed on the first page of this summons. To request and schedule go to nyc.gov/oathphone
- **In Person:** Request an in person hearing at least 5 business days before the hearing date listed on the first page of this summons. To request and schedule email livehearings@oath.nyc.gov
- Call 1-844-628-4692 if you have a disability and require a reasonable accommodation for the hearing.



To help avoid missing your hearing you can receive text message reminders about your case. To opt-in text "OATHreminder" to (917) 451-8829.

Option 2: ADMIT to the charge(s)

You may get an Offer of Settlement with information on how to settle and/or cure the charges(s). If you settle or cure all curable charges, 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.**

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

- If you receive an Offer of Settlement, follow the instructions. The Offer of Settlement will tell you how much you need to pay.
- If you do not receive an Offer of Settlement, you may still be able to settle. **Send an email or text to LegalSettlements@dcwp.nyc.gov** and include your Summons Number. If settlement is an option, DCWP will email or text an Offer of Settlement to you. **Settlement is only available before your hearing.**

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

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

- If you receive an Offer of Settlement it will include information about which charge(s) you can cure. Follow the instructions about how to admit the charge(s) and submit a certification. **You must submit the Cure Certification within 30 days of the date the summons is issued and before your hearing.**
- If you do not receive an Offer of Settlement, you may still be able to cure. **Send an email or text to LegalSettlements@dcwp.nyc.gov** and include your Summons Number. If cure is an option, DCWP will email or text an Offer of Settlement to you.
- Go to nyc.gov/dcw and type "cure" in the Search tool for more information about curing a DCWP charge. **Cure is only available before your hearing.**



GET HELP: If you do not have a lawyer or a representative, you can schedule a free consultation with the OATH Help Center before your hearing date. Go to nyc.gov/oath/helpcenter

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, see DCWP's penalty schedules in the Rules of the City of New York, Title 6, Chapter 6, Subchapter B, beginning at Section 6-10, available at nyc.gov/DCWPPenalties. See below for additional information. Higher penalties may be imposed for each repeated violation up to the maximum penalty allowed by law or rule.

- Except for unlicensed activity, 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 DCWP 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 DCWP website: nyc.gov/DCWPPenalties.

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 NYC Admin Code Section 10-131(g) (1) for more details.

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



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Questions?

¿Preguntas?	أسئلة؟	কোনো প্রশ্ন আছে কি?	任何疑問	Questionne?
Kesyon?	질문 있으세요?	Pytania?	Вопросы?	سوالات؟

Contact OATH:

Scan: 	Visit: nyc.gov/oath	Call: 844-OATH-NYC (844-628-4692)
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