



Alba Pico  
First Deputy Commissioner

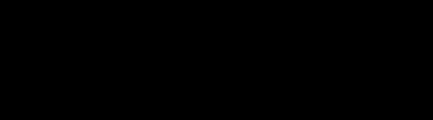
42 Broadway  
9th Floor  
New York, NY 10004

[nyc.gov/consumers](http://nyc.gov/consumers)

**February 26, 2016**

BY E-MAIL, FIRST-CLASS AND CERTIFIED MAIL

Hakeem Jamal



RE: Denial of Application No. 1306-2016-RPSI

Dear Mr. Jamal:

You submitted to the Department of Consumer Affairs (the "Department" or "DCA") an application to renew individual Process Server License Number 1304067. This letter is to inform you that **the Department denies your application**. As explained below, the denial is based on the Department's determination that you are not fit to be licensed, pursuant to New York City Administrative Code ("Code") § 20-101, due to your failure to maintain standards of integrity, honesty, and fair dealing required of licensees.

**Sewer Service/False Affidavits of Service**

6 RCNY § 2-234 requires licensed process servers to "at all times strictly and promptly conform to all laws, rules, regulations and requirements of the federal, state and municipal authorities relating to the conduct of licensees and the service of process in the State of New York and the preparation, notarization and filing of affidavits of service and other documents now in force or hereafter adopted during any license period."

6 RCNY § 2-233b(2)(i) requires that "[o]n every occasion that a process server attempts or effects service of process, the process server must ensure that the mobile device makes an electronic record of the GPS location, time and date of the attempted or effected service immediately after attempting or effecting service."

**August 1, 2014 Sewer Services**

(1) You violated 6 RCNY § 2-234 by failing to serve process in compliance with Section 308 of the New York Civil Practice Law and Rules ("CPLR") in the matter of *Comm'r of the Dep't of Bldgs. of the City of New York*



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v. *Keng Bey* (Index No. 34865764Y, NYC Evtl. Control Bd.) and swearing falsely in an affidavit of service in that matter that you delivered papers to “John Doe” at [REDACTED] Queens, New York on August 1, 2014 at 12:44 p.m. Your GPS records show that you were in Manhattan, not Queens, from 11:53 a.m. to 12:45 p.m. on that date. In fact, you did not create a single GPS record in Queens on August 1, 2014. You also signed an affidavit of service in another matter (*Archstone Chelsea LP v. John Thomas*) swearing that you served papers at [REDACTED] New York, New York on August 1, 2014 at 12:45 p.m. That location is approximately thirteen miles from the Queens location where you allegedly made service only one minute earlier, so you could not have performed both of the services at the times that you claimed. Moreover, you recorded in your log book the Manhattan service, but not the Queens service, and your log book shows that you served papers in Manhattan continually from 9:00 a.m. to 12:59 p.m. on August 1, 2014.

(2) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Dep’t of Hous. Pres. and Dev. in the City of New York v. Dyckman 101 LLC, et al.* (Index No. 1281/14, NY Civ. Ct.) and swearing falsely in an affidavit of service in that matter that you delivered papers to [REDACTED] at [REDACTED] Queens, New York on August 1, 2014 at 12:32 p.m. Your GPS records show that you were in Manhattan, not Queens, from 11:53 a.m. to 12:45 p.m. on that date. In fact, you did not create a single GPS record in Queens on August 1, 2014. You also signed an affidavit of service in another matter (*EQR-Beatrice A, LLC, et al. v. Muir Palmer*) swearing that you served papers at [REDACTED] New York, New York on August 1, 2014 at 12:40 p.m. That location is approximately thirteen miles from the Queens location where you allegedly made service only eight minutes earlier, so you could not have performed both of the services at the times that you claimed. Moreover, you recorded in your log book the Manhattan service, but not the Queens service, and your log book shows that you served papers in Manhattan continually from 9:00 a.m. to 12:59 p.m. on August 1, 2014.

(3) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Dep’t of Hous. Pres. and Dev. in the City of New York v. Housing:2000 LP, et al.* (Index No. 1286/14, NY Civ. Ct.) and swearing falsely in an affidavit of service in that matter that you delivered papers to [REDACTED] at [REDACTED] Queens, New York on August 1, 2014 at 12:04 p.m. Your GPS records show that you were in Manhattan, not Queens, from 11:53 a.m. to 12:45 p.m. on that date. In fact, you did not create a single GPS record in Queens on August 1, 2014. You also signed an affidavit of service in another matter (*Bedford Equities, LLC v. Christopher Gosney*) swearing that you served papers at [REDACTED] New York, New York on August 1, 2014 at 11:54 a.m. That location is approximately sixteen miles from the Queens location where you allegedly made service only ten minutes later, so you could not have performed both of the services at the times that you claimed. Moreover, you recorded in your log book the Manhattan service, but not the Queens service, and your log book shows that you served papers in Manhattan continually from 9:00 a.m. to 12:59 p.m. on August 1, 2014.

(4) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Comm’r of the Dep’t of Bldgs. of the City of New York v. Satyug Foundation* (Index No.



35072110L, NYC Env'tl. Control Bd.) and swearing falsely in an affidavit of service in that matter that you delivered papers to "Jane Doe" at [REDACTED] New York on August 1, 2014 at 11:44 a.m. Your GPS records show that only nine minutes later, you were approximately twelve miles away and in Manhattan, so you could not have actually performed the Queens service at 11:44 a.m. In fact, you did not create a single GPS record in Queens on August 1, 2014. You also signed an affidavit of service in another matter (*Archstone 101 West End Avenue, LP v. Jessica Knight*) swearing that you served papers at [REDACTED] New York, New York on August 1, 2014 at 11:43 a.m. That location is approximately fourteen miles from the Queens location where you allegedly made service only one minute later, so you could not have performed both of the services at the times that you claimed. Moreover, you recorded in your log book the Manhattan service, but not the Queens service, and your log book shows that you served papers in Manhattan continually from 9:00 a.m. to 12:59 p.m. on August 1, 2014.

(5) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Comm'r of the Dep't of Bldgs. of the City of New York v. Black Star Realty Services Inc.* (Index No. 35072111N, NYC Env'tl. Control Bd.) and swearing falsely in an affidavit of service in that matter that you delivered papers to "Jane Doe" at [REDACTED] Queens, New York on August 1, 2014 at 11:40 a.m. You signed an affidavit of service in another matter (*Archstone 101 West End Avenue LP v. Samira Mahboubain*) swearing that you served papers at [REDACTED] New York, New York **at the exact same time**. That location is approximately fourteen miles from the Queens location where you allegedly made service **at the exact same time**, so you could not have performed both of the services at the times that you claimed. In addition, you recorded in your log book the Manhattan service, but not the Queens service, and your log book shows that you served papers in Manhattan continually from 9:00 a.m. to 12:59 p.m. on August 1, 2014. You also did not create a single GPS record in Queens on August 1, 2014 and your GPS records show that you were in Manhattan, not Queens, prior to the alleged service, at 10:52 a.m. and after the alleged service, at 11:53 a.m.

(6) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Comm'r of the Dep't of Bldgs. of the City of New York v. Rodney Doyle* (Index No. 35072119H, NYC Env'tl. Control Bd.) and swearing falsely in an affidavit of service in that matter that you delivered papers to "John Doe" at [REDACTED] Queens, New York on August 1, 2014 at 11:28 a.m. You signed an affidavit of service in another matter (*El-Jo Co. v. Douglas Mancini*) swearing that you served papers at [REDACTED] New York, New York on August 1, 2014 at 11:30 a.m. That location is approximately eighteen miles from the Queens location where you allegedly made service two minutes earlier, so you could not have performed both of the services at the times that you claimed. In addition, you recorded in your log book the Manhattan service, but not the Queens service, and your log book shows that you served papers in Manhattan continually from 9:00 a.m. to 12:59 p.m. on August 1, 2014. You also did not create a single GPS record in Queens on August 1, 2014 and your GPS records show that you were in Manhattan, not Queens, prior to the alleged service, at 10:52 a.m. and after the alleged service, at 11:53 a.m.



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(7) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Comm'r of the Dep't of Bldgs. of the City of New York v. Thomas Roberts* (Index No. 35072117Y, NYC Env'tl. Control Bd.) and swearing falsely in an affidavit of service in that matter that you delivered papers to "John Doe" at [REDACTED] Queens, New York on August 1, 2014 at 11:16 a.m. You signed an affidavit of service in another matter (*Hudson Park NY LLC v. John Drohan, et al.*) swearing that you served papers at [REDACTED] New York, New York on August 1, 2014 at 11:21 a.m. That location is approximately twenty miles away from the Queens location where you allegedly made service five minutes earlier, so you could not have performed both of the services at the times that you claimed. In addition, you recorded in your log book the Manhattan service, but not the Queens service, and your log book shows that you served papers in Manhattan continually from 9:00 a.m. to 12:59 p.m. on August 1, 2014. You also did not create a single GPS record in Queens on August 1, 2014 and your GPS records show that you were in Manhattan, not Queens, prior to the alleged service, at 10:52 a.m. and after the alleged service, at 11:53 a.m.

(8) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Comm'r of the Dep't of Bldgs. of the City of New York v. Mohammad Soroush* (Index No. 35072112P, NYC Env'tl. Control Bd.) and swearing falsely in an affidavit of service in that matter that you delivered papers to [REDACTED] at [REDACTED] Queens, New York on August 1, 2014 at 11:07 a.m. However, your GPS records show that only fifteen minutes earlier, you were approximately twenty miles away and in Manhattan, so you could not have actually performed the Queens service at 11:07 a.m. In fact, you did not create a single GPS record in Queens on August 1, 2014. You also signed an affidavit of service in another matter (*8693 Bay Parkway LLC v. Anna Rosario*) swearing that you served papers at [REDACTED] New York, New York on August 1, 2014 at 10:55 a.m. That location is approximately twenty miles from the Queens location where you allegedly made service only twelve minutes later, so you could not have performed both of the services at the times that you claimed. Moreover, you recorded in your log book the Manhattan service, but not the Queens service, and your log book shows that you served papers in Manhattan continually from 9:00 a.m. to 12:59 p.m. on August 1, 2014.

(9) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Comm'r of the Dep't of Bldgs. of the City of New York v. Rudy Troy Guinness* (Index No. 35072113R, NYC Env'tl. Control Bd.) and swearing falsely in an affidavit of service in that matter that you delivered papers to [REDACTED] at [REDACTED] Queens, New York on August 1, 2014 at 10:46 a.m. However, your GPS records show that you were in Manhattan, not Queens, from 10:23 a.m. to 10:52 a.m. on that date. In fact, you did not create a single GPS record in Queens on August 1, 2014. You also signed an affidavit of service in another matter (*8693 Bay Parkway LLC v. Yira Martinez*) swearing that you served papers at [REDACTED] New York, New York on August 1, 2014 at 10:48 a.m. That location is approximately seventeen miles away from the Queens location where you allegedly made service only two minutes earlier, so you could not have performed both of the services at the times that you claimed. Moreover, you recorded in your log book the Manhattan service, but not the Queens service, and



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your log book shows that you served papers in Manhattan continually from 9:00 a.m. to 12:59 p.m. on August 1, 2014.

(10) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Comm'r of the Dep't of Bldgs. of the City of New York v. v. John Fernandez* (Index No. 34866415K, NYC Envtl. Control Bd.) and swearing falsely in an affidavit of service in that matter that you delivered papers to "John Doe" at [REDACTED] Queens, New York on August 1, 2014 at 10:39 a.m. However, your GPS records show that you were in Manhattan, not Queens, from 10:23 a.m. to 10:52 a.m. on that date. In fact, you did not create a single GPS record in Queens on August 1, 2014. You also signed an affidavit of service in another matter (*Dunbar Owner LLC v. Vincent Yeats*) swearing that you served papers at [REDACTED] New York, New York on August 1, 2014 at 10:38 a.m. That location is approximately seventeen miles away from the Queens location where you allegedly made service only one minutes later, so you could not have performed both of the services at the times that you claimed. Moreover, you recorded in your log book the Manhattan service, but not the Queens service, and your log book shows that you served papers in Manhattan continually from 9:00 a.m. to 12:59 p.m. on August 1, 2014.

(11) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Comm'r of the Dep't of Bldgs. of the City of New York v. v. Kuok Keong Wu* (Index No. 35072109Y, NYC Envtl. Control Bd.) and swearing falsely in an affidavit of service in that matter that you delivered papers to "John Doe" at [REDACTED] Queens, New York on August 1, 2014 at 10:28 a.m. However, your GPS records show that you were in Manhattan, not Queens, from 10:23 a.m. to 10:52 a.m. on that date. In fact, you did not create a single GPS record in Queens on August 1, 2014. You also signed an affidavit of service in another matter (*2445 Manhattan LLC v. Julio Carbajal Luna*) swearing that you served papers at [REDACTED] New York, New York on August 1, 2014 at 10:24 a.m. That location is approximately twelve miles away from the Queens location where you allegedly made service only four minutes later, so you could not have performed both of the services at the times that you claimed. Moreover, you recorded in your log book the Manhattan service, but not the Queens service, and your log book shows that you served papers in Manhattan continually from 9:00 a.m. to 12:59 p.m. on August 1, 2014.

(12) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *In the Matter of the Application of the Dep't of Hous. Pres. And Dev. Of the City of New York v. Louis Nine Realty, LLC, et al.* (Index No. 42649/14, NY Civ. Ct.) and swearing falsely in an affidavit of service in that matter that you delivered papers to [REDACTED] at [REDACTED] Queens, New York on August 1, 2014 at 10:12 a.m. However, your GPS records show that only eleven minutes later, you were approximately twelve miles away and in Manhattan, so you could not have actually performed the Queens service at 10:12 a.m. In fact, you did not create a single GPS record in Queens on August 1, 2014. You also signed an affidavit of service in another matter (*166 West 129th St Realty Corp. v. Lipscomb Carrie*) swearing that you served papers at [REDACTED] New York, New York on August 1, 2014 **at the exact same time**. That location is approximately fourteen miles away from the Queens location

where you allegedly made service **at the exact same time**, so you could not have performed both of the services at the times that you claimed. Moreover, you recorded in your log book the Manhattan service, but not the Queens service, and your log book shows that you served papers in Manhattan continually from 9:00 a.m. to 12:59 p.m. on August 1, 2014.

(13) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Comm'r of the Dep't of Bldgs. of the City of New York v. v. Ku Lu Hsieh* (Index No. 35072114Z, NYC Env'tl. Control Bd.) and swearing falsely in an affidavit of service in that matter that you delivered papers to "Jane Doe" at [REDACTED] Queens, New York on August 1, 2014 at 10:01 a.m. However, you signed an affidavit of service in another matter (*318 East 126th Street v. Rubin Vasquez, et al.*) swearing that you served papers at [REDACTED] New York, New York on August 1, 2014 at 10:02 a.m. That location is approximately eleven miles away from the Queens location where you allegedly made service one minute earlier, so you could not have performed both of the services at the times that you claimed. In addition, you recorded in your log book the Manhattan service, but not the Queens service,. You also did not create a single GPS record in Queens on August 1, 2014 and your log book shows that you served papers in Manhattan continually from 9:00 a.m. to 12:59 p.m. on that date.

(14) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Comm'r of the Dep't of Bldgs. of the City of New York v. v. Patience Nwosu* (Index No. 35070332H, NYC Env'tl. Control Bd.) and swearing falsely in an affidavit of service in that matter that you delivered papers to "John Doe" at [REDACTED] Queens, New York on August 1, 2014 at 9:45 a.m. However, you signed an affidavit of service in another matter (*124 West 112th Street v. Debra Smith*) swearing that you served papers at [REDACTED] New York, New York on August 1, 2014 at 9:46 a.m. That location is approximately nine miles away from the Queens location where you allegedly made service one minute earlier, so you could not have performed both of the services at the times that you claimed. In addition, you recorded in your log book the Manhattan service, but not the Queens service,. You also did not create a single GPS record in Queens on August 1, 2014 and your log book shows that you served papers in Manhattan continually from 9:00 a.m. to 12:59 p.m. on that date.

(15) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Comm'r of the Dep't of Bldgs. of the City of New York v. v. Shadat Hussain* (Index No. 35072115K, NYC Env'tl. Control Bd.) and swearing falsely in an affidavit of service in that matter that you delivered papers to [REDACTED] at [REDACTED] Queens, New York on August 1, 2014 at 9:31 a.m. However, you signed an affidavit of service in another matter (*1685 Third, LLC v. Nicole Lyons*) swearing that you served papers at [REDACTED] New York, New York on August 1, 2014 at 9:27 a.m. That location is approximately seven miles away from the Queens location where you allegedly made service four minutes later, so you could not have performed both of the services at the times that you claimed. In addition, you recorded in your log book the Manhattan service, but not the Queens service,. You also did not create a single GPS record in Queens on August 1, 2014 and your log book shows that you served papers in Manhattan continually from 9:00 a.m. to 12:59 p.m. on that date.



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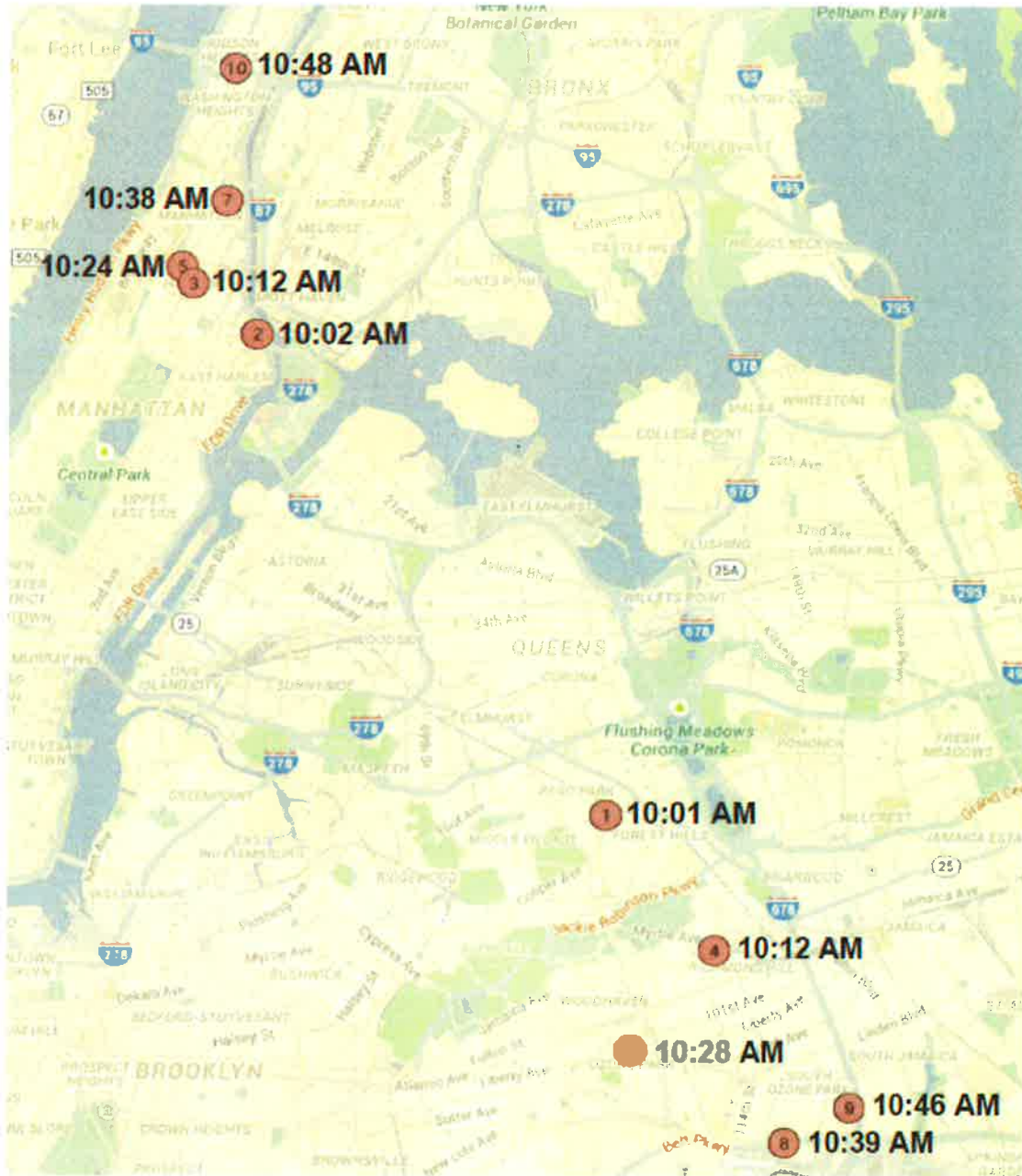
(16) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Comm'r of the Dep't of Bldgs. of the City of New York v. v. Ronald Green* (Index No. 35072118X, NYC Env'tl. Control Bd.) and swearing falsely in an affidavit of service in that matter that you delivered papers to [REDACTED] at [REDACTED] Queens, New York on August 1, 2014 at 9:19 a.m. However, you signed an affidavit of service in another matter (*Archstone Camargue I, LLC, et al. v. Jeffrey Weiner, et al.*) swearing that you served papers at [REDACTED] New York, New York on August 1, 2014 at 9:20 a.m. That location is approximately seven miles away from the Queens location where you allegedly made service one minute earlier, so you could not have performed both of the services at the times that you claimed. In addition, you recorded in your log book the Manhattan service, but not the Queens service. You also did not create a single GPS record in Queens on August 1, 2014 and your log book shows that you served papers in Manhattan continually from 9:00 a.m. to 12:59 p.m. on that date.

(17) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Comm'r of the Dep't of Bldgs. of the City of New York v. v. 148<sup>th</sup> Street Realty Corp., et al.* (Index No. 42644/14, NY Civ. Ct.) and swearing falsely in an affidavit of service in that matter that you delivered papers to "John Doe" at [REDACTED] Queens, New York on August 1, 2014 at 9:04 a.m. However, you signed an affidavit of service in another matter (*RCP – East LLC v. Timothy Vartanian*) swearing that you served papers at [REDACTED] New York, New York **at the exact same time**. That location is approximately four miles away from the Queens location where you allegedly made service **at the exact same time**, so you could not have performed both of the services at the times that you claimed. In addition, you recorded in your log book the Manhattan service, but not the Queens service,. You also did not create a single GPS record in Queens on August 1, 2014 and your log book shows that you served papers in Manhattan continually from 9:00 a.m. to 12:59 p.m. on that date.

(18) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *In the Matter of the Application of the Dep't of Hous. Pres. And Dev. Of the City of New York v. Davidson Gold, LLC, et al.* (Index No. 42652/14, NY Civ. Ct.) and swearing falsely in an affidavit of service in that matter that you delivered papers to [REDACTED] at [REDACTED] Queens, New York on August 1, 2014 at 8:56 a.m. However, you signed an affidavit of service in another matter (*335 E. 70th Realty Inc. v. Susana Dareau*) swearing that you served papers at [REDACTED] New York, New York on August 1, 2014 at 9:00 a.m. That location is approximately five miles away from the Queens location where you allegedly made service four minutes earlier, so you could not have performed both of the services at the times that you claimed. In addition, you recorded in your log book the Manhattan service, but not the Queens service,. You also did not create a single GPS record in Queens on August 1, 2014 and your log book shows that you served papers in Manhattan continually from 9:00 a.m. to 12:59 p.m. on that date.

As further evidence of your malfeasance, the map on the next page illustrates ten of the places that you claimed, in affidavits of service, to have effectuated services on August 1, 2014, and the times that you allegedly performed the services. The map also displays the order of your services (numbered 1 through 10). Thus, according to your affidavits of service, you claimed to be in Queens at 10:01 a.m., Manhattan at

10:02 a.m., Manhattan and Queens at 10:12 a.m., Manhattan at 10:24 a.m., Queens at 10:28 a.m., Manhattan at 10:38 a.m., Queens at 10:39 a.m., Queens at 10:46 a.m. and Manhattan at 10:48 a.m. As is clear, you could not have possibly performed all of the services at the times claimed.







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(19) You swore in an affidavit of service that you served papers at [REDACTED] in Astoria, New York on June 21, 2014 at 9:48 p.m. You swore in a separate affidavit of service that two minutes later, you served papers at [REDACTED] in Hollis, New York. These two locations are approximately eleven miles from each other, so you could not have performed both of the services at the times you claimed. You, therefore, violated 6 RCNY § 2-234 by swearing falsely in at least one affidavit of service and, in the same matter, failing to serve process in compliance with CPLR § 308.

(20) You swore in an affidavit of service that you served papers at [REDACTED] in Elmhurst, New York on June 21, 2014 at 9:27 p.m. You swore in a separate affidavit of service that two minutes later, you served papers at [REDACTED] in Brooklyn, New York. These two locations are approximately six miles from each other, so you could not have performed both of the services at the times you claimed. You, therefore, violated 6 RCNY § 2-234 by swearing falsely in at least one affidavit of service and, in the same matter, failing to serve process in compliance with CPLR § 308.

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(21) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Comm'r of the Dep't of Bldgs. of the City of New York v. Simone Nurse* (Index No. 34865851M, NYC Env'tl. Control Bd.) and swearing falsely in an affidavit of service in that matter that you served defendant Simone Nurse with a Notice of Violation and Hearing by delivering the papers to [REDACTED] at [REDACTED] in Brooklyn, New York on June 10, 2014 at 10:40 p.m. In fact, you did not deliver papers to anyone at [REDACTED] on June 10, 2014. No one who lived at [REDACTED] on June 10, 2014 matches the physical description contained in your affidavit of service and Mr. Nurse never received the papers you allegedly served on him. Moreover, you created your GPS record for this alleged service almost an hour prior to the alleged service time<sup>1</sup> and approximately six miles from [REDACTED].

(22) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Comm'r of the Dep't of Bldgs. of the City of New York v. Rose S. Stein* (Index No. 34865878M, NYC Env'tl. Control Bd.) and swearing falsely in an affidavit of service in that matter that you served defendant Rose S. Stein with a Notice of Violation and Hearing by delivering the papers to [REDACTED] at [REDACTED] in Brooklyn, New York on June 10, 2014 at 9:43 p.m. In fact, you did not deliver papers to anyone at [REDACTED] on June 10, 2014. Ms. Stein had already been deceased for several years, which you would have learned if you had delivered papers to anyone at [REDACTED]. In addition, no one who lived at [REDACTED] on June 10, 2014 matches the physical description contained in your affidavit of service.

<sup>1</sup> As stated above, 6 RCNY § 2-233b(2)(i) requires process servers to create GPS records "immediately after attempting or effecting service."



(23) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Comm'r of the Dep't of Bldgs. of the City of New York v. James Leung* (Index No. 34865833Z, NYC Envtl. Control Bd.) and swearing falsely in an affidavit of service in that matter that you served Mr. Leung with a Notice of Violation and Hearing by delivering the papers to "John Doe" at [REDACTED] in Brooklyn, New York on June 10, 2014 at 9:00 p.m. In fact, you did not deliver papers to anyone at [REDACTED] on June 10, 2014. No one who lived at [REDACTED] on June 10, 2014 matches the physical description contained in your affidavit of service and no one living with Mr. Leung ever gave the papers you allegedly served to him.

(24) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Comm'r of the Dep't of Bldgs. of the City of New York v. Dorce McConnell* (Index No. 34866425Y, NYC Envtl. Control Bd.) and swearing falsely in an affidavit of service in that matter that you served Mr. McConnell with a Notice of Violation and Hearing by delivering the papers to "John Doe" at [REDACTED] in Brooklyn, New York on June 10, 2014 at 8:13 p.m. In fact, you did not deliver papers to anyone at [REDACTED] on June 10, 2014. No one who lived at [REDACTED] on June 10, 2014 matches the physical description contained in your affidavit of service and no one living with Mr. McConnell ever gave the papers you allegedly served to him.

(25) You violated 6 RCNY § 2-234 by failing to serve process in compliance with CPLR § 308 in the matter of *Comm'r of the Dep't of Bldgs. of the City of New York v. Jean E. Squffant* (Index No. 34865888X, NYC Envtl. Control Bd.) and swearing falsely in an affidavit of service in that matter that you served Mr. Squffant<sup>2</sup> with a Notice of Violation and Hearing by delivering the papers to "John Doe" at [REDACTED] in Brooklyn, New York on June 10, 2014 at 7:50 p.m. In fact, you did not deliver papers to anyone at [REDACTED] on June 10, 2014. No one who lived at [REDACTED] on June 10, 2014 matches the physical description contained in your affidavit of service and no one living with Mr. Souffrant ever gave the papers you allegedly served to him.

### **Failure to Create GPS Records**

You violated 6 RCNY § 2-233b(a)(2)(i) by failing to create a GPS record for every service and attempted service that you performed, including for the following services for which you signed affidavits of service:

- a. 6/9/14 @ 18:19 (*Patricia J. Trejo-Uscanga v. Christopher L. Payton*, Index No. U-00224-14, NYC Family Court);
- b. 6/9/14 @ 18:26 (*Nelsie Lopez v. Derrick Lamont Short*, Index No. U-10540-14, NYC Family Court);
- c. 6/9/14 @ 18:40 (*Melissa J. Mercey v. Mahmond Miah*, Index No. U-35767-13, NYC Family Court);

<sup>2</sup> The defendant's actual name is Jean E. Souffrant.



- d. 6/9/14 @ 18:53 (*Celestine Christie v. Marquella Martin*, Index No. U-16362-13, NYC Family Court);
- e. 6/10/14 @ 21:44 (*NYC Dep't of Bldgs v. Spira Binyomin*, Index No. 34866431K, NYC Envtl. Control Bd.);
- f. 6/21/14 @ 21:27 (*NYC Dep't of Bldgs v. 41-40 Denman Street Co.*, Index No. 35070286X, NYC Envtl. Control Bd.);
- g. 6/21/14 @ 21:29 (*NYC Dep't of Bldgs v. Urena Rufino*, Index No. 34866471P, NYC Envtl. Control Bd.);
- h. 6/21/14 @ 21:48 (*NYC Dep't of Bldgs v. Flavi Corp.*, Index No. 34865909X, NYC Envtl. Control Bd.);
- i. 6/21/14 @ 21:50 (*NYC Dep't of Bldgs v. Z+K Realty Mgmt. Inc.*, Index No. 34865941X, NYC Envtl. Control Bd.); and
- j. 6/21/14 @ 22:10 (*NYC Dep't of Bldgs v. Muriel Cervone*, Index No. 35070285Y, NYC Envtl. Control Bd.).

### **Recordkeeping Violations**

6 RCNY § 2-233(b)(4) requires that “[i]f service is effected pursuant to CPLR §308(4) or RPAPL §735(1), the [process server’s log book] entry shall include a description of the area adjacent to the door to which process is affixed including the color and composition of hallway walls, color and composition of hallway floor or doorstep, and location of premises in relation to stairs, elevator or entranceway.” You violated 6 RCNY § 2-233(b)(4) by failing to record the description of the area adjacent to the doors to which you affixed process in some of your log book entries, including five entries on August 12, 2015, five entries on July 8, 2015, five entries on June 9, 2015, and five entries on May 15, 2015.

6 RCNY § 2-233(b)(4) requires that log book entries “include the name and license number of the process server organization from whom the process served was received. . . .” You violated 6 RCNY § 2-233(b)(6) by failing to record in some of your log book entries the license number of the process serving agency that distributed process to you for service in New York City, including five entries on August 3, 2015, five entries on July 2, 2015, five entries on June 4, 2015, and five entries on May 4, 2015.

6 RCNY § 2-233(b)(8) requires that corrections in log books “shall be made only by drawing a straight line through the inaccurate entry and clearly printing the accurate information directly above the inaccurate entry. You violated 6 RCNY § 2-233(b)(8) by writing over a log book entry on July 1, 2015 at 6:49 p.m. (*Maggio v. Ronald Kinnard*), instead of drawing a straight line through the inaccurate entry and printing the correct information directly above.



**Department of  
Consumer Affairs**

**Fitness to Hold a Process Server License**

Based on the foregoing, you fail to maintain standards of integrity, honesty and fair dealing and, pursuant to section 20-101 of the Code, the Department determines that you are not fit to hold any Department license and denies your application for a process server license.

Sincerely,



Senior Staff Attorney  
Legal Division