

STATE OF NEW YORK
DEPARTMENT OF STATE
OFFICE OF ADMINISTRATIVE HEARINGS

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In the Matter of the Complaint of

DEPARTMENT OF STATE
DIVISION OF LICENSING SERVICES,

Complainant,

DECISION

-against-

DANIEL J. YAGOS and DJY INVESTIGATIONS
SECURITY SERVICES INC.,

&

Respondents.

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The above noted matter came on for hearing before the undersigned, Roger Schneier, on September 22, 1997 at the office of the Department of State located at 270 Broadway, New York, New York.

The respondents, of 400 St. Marks Place, Staten Island, New York 10301, did not appear.

The complainant was represented by Supervising License Investigator William Schmitz.

COMPLAINT

The complaint alleges that the respondents employed eight security guards who where not properly registered.

FINDINGS OF FACT

1) Notice of hearing together with a copy of the complaint was served on the respondents by certified mail delivered on September 9, 1997 (State's Ex. 1).

2) DJY Investigations & Security Services Inc. is a duly licensed private investigator pursuant to a license which will expire on November 5, 1997. Daniel J. Yagos is the corporation's president and qualifying officer (State's Ex. 4).

OPINION AND CONCLUSIONS OF LAW

Pursuant to General Business Law §79[2], notice of the charges in a proceeding in which the Department of State seeks to impose disciplinary sanctions on a licensed private investigator must be served at least fifteen days prior to the date set for the hearing. The

respondents here received notice only thirteen days prior to the hearing. Accordingly, the proceeding has not been properly commenced.

DETERMINATION

WHEREFORE, IT IS HEREBY DETERMINED THAT the complaint is dismissed without prejudice.

Roger Schneier
Administrative Law Judge

Dated: September 22, 1997