

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

D27161  
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\_\_\_\_\_AD3d\_\_\_\_\_

Submitted - March 23, 2010

REINALDO E. RIVERA, J.P.  
MARK C. DILLON  
ANITA R. FLORIO  
RUTH C. BALKIN, JJ.

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2009-04815

DECISION & JUDGMENT

In the Matter of Garo Alexanian, appellant, v  
City of New York, et al., respondents.

(Index No. 24883/08)

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Garo Alexanian, Bayside, N.Y., appellant pro se.

Michael A. Cardozo, Corporation Counsel, New York, N.Y. (Edward F. X. Hart,  
Scott Glotzer, and Marta Ross of counsel), for respondents.

Proceeding pursuant to CPLR article 78 to review a determination of the New York City Department of Health and Mental Hygiene, dated July 30, 2008, which, after a hearing, confirmed a determination of a hearing officer dated March 3, 2008, made after a hearing, finding the petitioner guilty of violating 24 RCNY Health Code § 11.29 (former 24 RCNY Health Code 11.66), by failing to show to a health inspector, upon request, proof that his dog had been vaccinated for rabies, and fining him \$500.

ADJUDGED that the determination is confirmed, the petition is denied, and the proceeding is dismissed on the merits, with costs.

Judicial review of a determination rendered by an administrative body after a hearing is limited to whether the determination is supported by substantial evidence (*see Matter of Purdy v Kreisberg*, 47 NY2d 354, 358; *Matter of Sands v Daines*, 69 AD3d 862, *lv denied* \_\_\_\_\_ NY3d \_\_\_\_\_, 2010 NY Slip Op 67569 [2010]). Here, the determination of the New York City Department of Health and Mental Hygiene was supported by substantial evidence in the record. The petitioner

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admitted that he failed to produce the required vaccination certificate for the subject dog either during the home inspection or at the hearing before the hearing examiner.

The petitioner's remaining contentions are either not properly before this Court or without merit.

RIVERA, J.P., DILLON, FLORIO and BALKIN, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer  
Clerk of the Court