STATE OF NEW YORK
DEPARTMENT OF STATE
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KATHY HOCHUL
GOVERNOR

WALTER T. MOSLEY
SECRETARY OF STATE

Notice of Determination of Discontinuance

September 16, 2026

Mayor Timothy C. Knight
309 Main St
Middleburgh, NY 12122
mayor.knight@villageofmiddleburgh.gov

Re: Case 6961

Dear Mayor Timothy C. Knight

The Oversight Unit of the New York State, Department of State, Division of Building Standards and Codes (DBSC), received a complaint dated July 15, 2020.

The DBSC is authorized by Executive Law 381 and Subpart 1208-6 of Title 19 of the Official Compilation of Codes, Rules, and Regulations of the State of New York (NYCRR) to investigate complaints alleging that an Authority Having Jurisdiction (AHJ), a Certified Code Enforcement Official (CEO) or Building Safety Inspector (BSI) has materially failed to uphold code enforcement duties.

The specific complaint alleges the following:

(1) The Code Enforcement Official is not citing code sections on reports for fire inspections.

Please note that the address identified in the complaint indicates that the properties in question are single- occupancy residential dwellings. Pursuant to 19 NYCRR 1203.3(h)(1), Fire Safety Property Maintenance inspections are not required for single occupancy residential dwellings. Accordingly, where such inspections are not required to be conducted, inspection reports and associated documentation would not be generated.

(2) The Code Enforcement Official fails to keep appropriate record for fire inspections.

As noted above, because the properties identified in the complaint are single occupancy residential dwellings for which Fire Safety Property Maintenance Inspections are not required under 19 NYCRR 1203.3(h)(1), records of such inspections would not be expected to exist.

Based upon the completion of the investigation conducted by the Department, including but not limited to, the review of the information provided by the Village of Middleburgh's Code Enforcement Office, the Department has determined that there is insufficient evidence to warrant referral of this matter to the Office of Administrative Hearings pursuant to 19 NYCRR Section 1208-6.5. Therefore, the Department is hereby discontinuing this matter, without prejudice.

Sincerely,
New York State Department of State
Division of Building Standards and Codes,
Oversight Unit
VG