



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000821872N et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- CERTIFIED LUMBER Hearing Date: 05/26/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000821872N	Dismissed	06/20/2023	INTERSECTION OF FRONT STREET AND GOLD STREET Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1F	24 -163	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

CERTIFIED LUMBER

000821872N

Respondent is charged with a 3rd-offense violation under NYC AC 24-163.

Leah Smith appeared on behalf of Petitioner. Ilma Babu (authorized representative) appeared on behalf of Respondent.

Ms. Smith submitted photos, the relevant citizen complaint, and a video, which was viewed by all parties but could not be uploaded due to technical limitations.

Ms. Babu stated Respondent does not contest the referenced prior violations. She then made a motion to dismiss the summons, arguing it is duplicative of summons 000821871L, to which Respondent offered no defense. She said Petitioner presented the same video for both of these summonses.

Ms. Smith submitted the video for summons 000821871L, which all parties viewed as well.

First, the two relevant summonses were issued 22 minutes apart and cite different places of occurrence, with 000821871L citing a specific street number address and the instant summons citing an intersection. Clearly, the instant summons is not duplicative of summons 000821871L.

However, after viewing the video for the instant summons, which, I note is not the same video as that submitted for summons 000821871L, I find it shows the cited truck to be stopped in a street segment and not in an intersection. As such, I find there is no violation at the cited place of occurrence.

Therefore, the summons is DISMISSED.

Susan Brand

06/08/2026

06/08/2026

Susan Brand, Judicial Hearing Officer

Date