OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC 592 PACIFIC STREET BROOKLYN,NY 11217	Summons# : 000882765R et al. (1 summonses) DEPT OF ENVIRONMENTAL PROTECTION, -against- ON PENSKE TRUCK LEASING CORPORATION Hearing Date : 9/9/2026 Hearing Location : Remote Type of Hearing : By Telephone

Total Penalty Amount : 350.00	**Community Service(Hr):** Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000882765R	Sustained	06/19/2024	43-40 57 AVENUE, Queens

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA51	24 -163	Sustained	350.00

Total Penalty for Summons: 350.00

Findings of Facts & Conclusions of Law

Tiffany Irizzary, for Respondent, ON PENSKE TRUCK LEASING CORPORATION appeared for a hearing by telephone on September 9, 2026. Petitioner, Department of Environmental Protection waived their appearance.

Respondent is charged with a violation of the New York City Administrative Code Section 24-163 for causing or permitting to cause the idling of a motor vehicle for longer than 3 minutes.

At the hearing, Respondent's representative states that she has received and reviewed Petitioner's evidence. Upon review, the Respondent denies the violation and states that there are a number of different trucks in the area and it is not possible to tell which one is idling.

I credit the summons and find it sufficient to establish the charge. Respondent does not present a valid defense to the charge. Therefore, the violation is sustained, and the standard penalty of $350 is imposed.



09/15/2026 **09/15/2026**

Amita Rodriguez, Hearing Officer **Date**