OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC 592 PACIFIC STREET BROOKLYN,NY 11217	Summons# : 000963054P et al. (1 summonses) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE LEASING & RENTAL CO Hearing Date : 10/6/2026 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
000963054P	Sustained	05/19/2025	ON TRINITY PL BETWEEN EDGAR ST, Manhattan

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

The sworn-to-summons alleges a violation of Administrative Code (Code) § 24-163 for idling of motor vehicle engine more than three minutes.

Authorized representative, Tiffany Irizarry, for Respondent, Penske Leasing & Rental, was present. Petitioner, Department of Environmental Protection (DEP), did not appear. Respondent's representative waived the right to have an attorney present.

Respondent's representative denied the allegations with no rebuttal.

I credit the sworn-to-summon. I find that the summons as alleged is legally sufficient to establish the violation charged. I find that the Respondent did not present a valid legal defense. Respondent failed to provide credible evidence to rebut the allegations. Accordingly, the summons is sustained, and a $350.00 violation penalty is imposed.



10/20/2026 **10/20/2026**

Paul Mendez, Hearing Officer **Date**