OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC 592 PACIFIC STREET BROOKLYN,NY 11217	Summons# : 000965367P et al. (1 summonses) DEPT OF ENVIRONMENTAL PROTECTION, -against- ON PENSKE TRUCK LEASING CORPORATI 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
000965367P	Sustained	10/08/2024	ON WEST 18TH STREET BETWEEN 7TH, 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 Truck Leasing, 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**