



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC 592 PACIFIC STREET BROOKLYN, NY 11217	Summons No: 000999739M et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE LEASING AND RENTAL COMPANY Hearing Date: 07/17/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$440.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000999739M	Sustained	03/12/2025	445 LAFAYETTE STREET Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1E	24 -163	Sustained	\$440.00

Findings of Fact & Conclusions of Law

The hearing on summons number 000999739M was conducted by telephone conference call on July 17, 2026.

Petitioner Department of Environmental Protection appeared at the hearing through Senior Inspector Dantney Parks. Respondent PENSKE LEASING & RENTAL COMPANY appeared at the hearing through authorized representative Tiffany Irizarry.

The Issuing Officer alleges in the summons that Respondent violated New York City Administrative Code 24-163 for idling a motor vehicle engine for more than three minutes. It is indicated as a second offense.

Petitioner reiterates the sworn statements contained in the summons and submits an evidence packet containing photographs of the vehicle, registration information, a redacted idling complaint form, and a link to a video of the alleged idling vehicle . Petitioner acknowledges that the vehicle has lift gate but notes that it does not appear to be in use.

Respondent states that the lift gate appears to be down and workers appear to be actively working.

I credit the statements contained in the summons and the evidence put forth by Petitioner and find a second violation of 24-163 as alleged. I also find that Respondent has not established a defense. Respondent did not provide any credible evidence that the lift gate was in use at the time of the violation. Accordingly, the summons is sustained, and the second violation penalty imposed.



07/21/2026

07/21/2026

Alexandra Saker, Judicial Hearing Officer

Date