



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC 592 PACIFIC STREET BROOKLYN,NY 11217	Summons No: 001008716X et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PANE EXTRAVAGANZA INC Hearing Date: 08/07/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount:\$350.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
001008716X	Sustained	02/26/2025	8124 18 AVENUE Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1I	24-163 (F)	Sustained	\$350.00

Findings of Fact & Conclusions of Law

On August 7, 2026, Tiffany Irizarry, a registered representative, appeared on behalf of Respondent, Pane Extravaganza, Inc., for a remote hearing by telephone. Antwan Gibbs, appeared for Petitioner and relied on the Issuing Officer's affirmed statements in the summons.

Respondent was charged with violation of §24-163(f) of the Administrative Code of the City of New York for idling of motor vehicle engine for more than one minute while adjacent to school or park.

The Issuing Officer affirmed in the summons that on February 26, 2025, "Respondent caused or permitted the idling of a motor

vehicle parked, standing or stopped while adjacent to Milestone Park. As per DEP records, citizen observed VAN with NY License Plate # 50337NE idling for longer than one minute from 2/26/2025 11:21:10 PM to 2/26/2025 11:24:14 PM at 8124 18th Ave."

Petitioner submitted the redacted complaint form (marked as P1), photos (marked as P2), DMV information (marked as P3, and a video (marked as P4) 3:06 long.

Respondent's representative claimed that there were wind and other noise but no engine noise in the video.

Petitioner countered, contending that the engine noise is audible.

I credit the Issuing Officer's statements in the summons, which establish that the vehicle's engine had been idling for longer than one minute while adjacent to a park in violation of Code § 24-163(f). Respondent submitted no credible evidence to refute the charge. Respondent submitted no evidence to establish that the ambient noise in the area at the time was a low and constant humming noise sounding like a running engine.

Based upon the foregoing hereinabove, the preponderance of the evidence establishes that the vehicle's engine had been idling impermissibly for more than three minutes, and I impose a standard first offense penalty of \$350.00.

Wherefore, the summons is hereby sustained accordingly.



08/28/2026

08/28/2026

Sooyung Lee, Judicial Hearing Officer

Date



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC
592 PACIFIC STREET
BROOKLYN, NY 11217

Summons# : 001008670J et al. (1 summonses)

DEPT OF ENVIRONMENTAL PROTECTION,

-against-

PANE EXTRAVAGANZA INC

Hearing Date : 8/7/2026

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
001008670J	Sustained	02/26/2025	ON 18TH AVE BETWEEN 81 ST AND 82, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1I	24-163 (F)	Sustained	350.00

Total Penalty for Summons: 350.00

Findings of Facts & Conclusions of Law

On August 7, 2025, Tiffany Irizarry, a registered representative, appeared on behalf of Respondent, Pane Extravaganza, Inc., for a remote hearing by telephone. Petitioner did not appear, relying on the Issuing Officer's affirmed statements in the summons.

Respondent was charged with violation of §24-163(f) of the Administrative Code of the City of New York for idling of motor vehicle engine for more than one minute while adjacent to school or park.

The Issuing Officer affirmed in the summons that on February 26, 2025, "Respondent caused or permitted the idling of a motor vehicle parked, standing or stopped while adjacent to Milestone Park. As per DEP records, citizen observed VAN with NY License Plate # 29362NE idling for longer than one minute from 2/26/2025 11:40:04 PM to 2/26/2025 11:45:38 PM at on 18th Ave between 81 St and 82 St."

Respondent's representative denied the charge without rebuttal.

I credit the Issuing Officer's statements in the summons, which establish that the vehicle's engine had been idling for longer than one minute while adjacent to a park in violation of Code § 24-163(f). Respondent submitted no credible evidence to refute the charge or provide a defense.

Based upon the foregoing hereinabove, the preponderance of the evidence establishes that the vehicle's engine had been idling impermissibly for more than one minute while adjacent to a park, and I impose a standard penalty of \$350.00.

Wherefore, the summons is hereby sustained accordingly.



08/28/2026

08/28/2026

Sooyung Lee, Hearing Officer

Date