OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

DECISION

TIFFANY IRIZARRY - NACMIAS LAW FIRM, PLLC 592 PACIFIC STREET BROOKLYN,NY 11217	**Summons No:** 001028577N et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- CHARLTON CABINETRY INC **Hearing Date:** 10/09/2026 **Hearing Location:** Remote **Type of Hearing:** By Telephone

Total Penalty Amount:**$600.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
001028577N	Sustained	06/16/2025	30-05 STRATTON STREET Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1F	24 -163	Sustained	$600.00

Findings of Fact & Conclusions of Law

On October 9, 2026, Tiffany Irizarry, a registered representative, appeared on behalf of Respondent, Charlton Cabinetry, 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 of the Administrative Code of the City of New York for idling of motor vehicle engine for more than three minutes.

The Issuing Officer affirmed in the summons that on June 16, 2025, "Respondent caused or permitted the idling of a motor

vehicle while parked, standing or stopped. As per DEP records, citizen observed TRUCK with NY license plate # 14616NC idling for longer than three minutes from 6/16/2025 12:31:50 PM to 6/16/2025 12:35:36 PM at 30-05 Stratton Street." This was charged as a third subsequent violation based upon prior summonses 000735620X and 000763121J.

Respondent's representative did not dispute the prior violations and 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 three minutes in violation of §24-163 and that two prior summonses had been previously issued for the same charge. Respondent submitted no credible evidence to refute the charge.

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, that this was a third subsequent violation of the same section of law §24-163, and I impose a third subsequent penalty of $600.00.

Wherefore, the summons is hereby sustained accordingly.



10/27/2026 **10/27/2026**

Sooyung Lee, Judicial Hearing Officer **Date**