OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

DECISION

NORA BROWN - NACMIAS LAW FIRM PPLC 592 PACIFIC STREET Brooklyn,NY 11217	**Summons No:** 049438513H et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- JOSEPH PECE **Hearing Date:** 10/15/2026 **Hearing Location:** Remote **Type of Hearing:** By Telephone

Total Penalty Amount:**$0.00**

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

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
049438513H	Dismissed	03/29/2026	On N/S of BERGEN AVENUE b/w AVENUE V & AVENUE W Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AS14	16-119 .	Dismissed	$0.00

Findings of Fact & Conclusions of Law

Steven Stroble appeared under oath at the hearing as the authorized representative of the Petitioner the New York City Department of Sanitation. The issuing officer did not appear at the hearing.

Officer Stroble testified that he did not write the Summons, but he observed the video and determined based upon the video that the cited 2018 Dodge Caravan, NY license plate # LAH7715. He submits DMV printout, a series of photographs and a video, marked collectively as exhibit "1", and relied on the issuing inspectors class 1 designation and recommended the minimum penalty.

Nora Brown appeared under oath as the authorized representative of the respondent. She made a motion to dismiss because the respondent as the registered owner of the cited vehicle, and did not authorized Mr. DiPalma, the alleged driver of the cited vehicle to place or dump any garbage, and only allowed the car to be used for the limited purpose of running errands, drtving him to medical appointments and taking care of his dog She submits 4 affidavits highlighting the authorization and use of the vehicle and character support. The affidavits are marked as Exhibit "A".

Respondent is charged with being registered owner, who allowed the occupant of the cited 2018 white Dodge Caravan, NY license plate # LAH7715, unlawfully dumping approximately 1 cubic yard of boxes with sheetrock and miscellaneous trash from the driver side and rear of the vehicle onto the ground at the specified location, without permits, which was captured by DSNY surveillance camera (Serial # DSNY-BKS18-046, under Code 16-119.

I grant Ms. Brown's motion to dismiss and find that the respondent has credibly established that through the Affidavit's submitted that the borrower's use of the vehicle was specifically restricted to running household errands and caring for the dog, and did not give the respondent express or implied permission to use the vehicle for illegal dumping. See NYC v. Gurcharu Kaurp, Appeal No. 39113 (January 18, 2007); and DSNY v. Aref Saleh Appeal No. 2600894), August 27, 2026

Based upon the above I dismiss this summons.

10/22/2026 **10/22/2026**

Keith J. Ludwiczak, Judicial Hearing Officer **Date**