



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000818976K et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- CERTIFIED LUMBER CORPORATION Hearing Date: 03/31/2026 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
000818976K	Sustained	11/29/2023	Intersection of Park Av & Emerson PI Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA51	24 -163	Sustained	\$350.00

Findings of Fact & Conclusions of Law

On March 31, 2026, Ilma Babu, a registered representative, appeared on behalf of Respondent, Certified Lumber Corporation, for a remote hearing by telephone. Inspector Monica Dorson appeared for Petitioner and relied 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 November 29, 2023, "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 34811PF idling for longer than three minutes from 11/29/2023 10:11:00 AM to 11/29/2023 10:14:10 AM at intersection of P Avenue and Emerson Place."

Respondent's counsel denied the charge without rebuttal.

I credit the Issuing Officer's affirmed statements in the summons, which establish that the vehicle's engine had been idling for longer than three minutes. 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 three minutes in violation of §24-163, and I impose a standard penalty of \$350.00.

Wherefore, the summons is hereby sustained accordingly.



04/07/2026

04/07/2026

Sooyung Lee, Judicial Hearing Officer

Date