



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Matthew Whitening - NACMIAS LAW FIRM PLLC 592 Pacific Street - 1st Floor Brooklyn, NY 11217	Summons No: 000731636M et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- XNYNC EXPRESS INC Hearing Date: 01/06/2025 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
000731636M	Sustained	08/29/2022	136-77 Roosevelt Avenue Queens

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

Findings of Fact & Conclusions of Law

The summons was issued by the NYC Department of Environmental Protection for idling of motor vehicle engine for more than three minutes as a first offense.

Petitioner, DEP, appeared by Dantey Parks.

Respondent appeared by Matthew Whitening, authorized representative.

Mr. Whitening received the evidence from the Petitioner prior to the hearing and had no objection to its entry into the record.

Respondent denied the violation but offered no rebuttal to the record.

As such, based on the record before me, the violation is sustained and the standard penalty is hereby imposed.



01/17/2025

01/17/2025

John Ciafone, Hearing Officer

Date