



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 000874195Y et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- DELP INC. Hearing Date: 11/14/2025 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
000874195Y	Sustained	07/12/2024	ON 83RD STBETWEEN 45TH AVE & Queens

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

Findings of Fact & Conclusions of Law

Petitioner, NYC Department of Environmental Protection, issued a summons to Respondent, Delp Inc., for violating NYC Administrative Code Section 24-163, Idling of motor vehicle engine for more than 3 minutes – 1st offense. The Issuing Officer indicated on the summons that a Truck with CA Plate # 41397PF was observed idling on July 12, 2024, from 1:42 p.m. to 1:46 p.m., on 83rd Street between 45th Avenue and Whitney Avenue, in Queens, New York.

Section 24-163 states that "No person shall or permit the engine of a motor vehicle...to idle for longer than three minutes..." Section 24-163 (f) provides for exceptions when the engine is used to operate a processing device, for mechanical work, or to maintain appropriate temperature for passenger comfort.

At the hearing, Inspector Leah Smith appeared for Petitioner, Department of Environmental Protection. Ilma Babu from the Law Office of Michael Nacmias appeared on behalf of Respondent, Delp Inc., as its authorized representative.

At the of the hearing, Ms. Babu stated that Respondent denies the violation and offered no rebuttal evidence or defense.

Accordingly, this summons is Sustained.



11/14/2025

11/14/2025

Eva Marie Russo-Lane, Judicial Hearing Officer

Date