



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000964570X et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- ACE TRAVEL INC Hearing Date: 04/08/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$600.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000964570X	Sustained	11/08/2024	300 WEST 31 STREET Manhattan

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

Findings of Fact & Conclusions of Law

The Department of Environmental Protection (DEP), the petitioner here, declined to appear at the hearing, relying instead upon the allegations contained within the four corners of the summons. ILMA BABU appeared for the respondent. The summons alleges that respondent caused or permitted the idling of its motor vehicle while parked, standing or stopped for longer than 3 minutes at the above referenced location. The vehicle is identified as a Bus bearing NC License Plate No. LA30136. The summons also seeks enhanced penalty as a third offense given that respondent had been found liable for two prior summonses of the same species in the past 24 months.

Appearing under oath, respondent's representative waived the latter's right to counsel, and informed that respondent had

reviously received the evidence that petitioner secured at the time of idling, and that upon analysis of the evidence it had determined that factual and legal circumstances of the summons were irrefutable. Respondent had raised no issue with respect to the issuance. Accordingly, respondent's representative conceded that while respondent denies liability at this hearing as a formality, she possesses no information, factual or legal, that can rebut the allegations contained within the four corners of the summons.

In light of the foregoing, I find that respondent has failed to establish a valid defense. I find respondent in violation and I impose the applicable penalty for a third offense.

The summons is sustained.



04/10/2026

04/10/2026

Date

Velly Polycarpe, Judicial Hearing Officer