



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000963473J et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- ACE TRAVEL INC Hearing Date: 04/03/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000963473J	Dismissed	11/04/2024	300 W 31ST ST Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1F	24 -163	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

DANTNEY PARKS appeared for the Department of Environmental Protection, the petitioner here. ILMA BABU appeared for the respondent. The summons alleges that respondent permitted or caused a motor vehicle parked, standing or stopped at the above referenced address to idle at a terminal point for longer than one minute. The vehicle was identified as BUS bearing NC License Plate No. LA29946. The summons alleges a violation of section 24-163 of the NYC Administrative Code.

Appearing under oath, petitioner's representative and inspector rested on the allegations contained within the four corners of the summons and the supporting photographic, videographic, and documentary evidence. She asserted that the evidence supports the conclusion that the vehicle was idling, with no process equipment in use.

Appearing under oath, ILMA BABU, respondent's representative, waived respondent's right to counsel and denied that the vehicle was idling and liability for the summons. She pointed out correctly that there were several buses (at least 3) visible in the videographic evidence, and that there was no definitive evidence that there was any idling ongoing, particularly with respect to the bus cited. She explained, and it is clear, that the citizen complainant was separated from the actual terminal point by a physical barrier which prevented them from entering upon the area to determine conclusively whether there was idling.

I find respondent's argument meritorious. I find that respondent has established a valid defense. I find that respondent is not in violation.

The summons is dismissed.

	
04/22/2026	04/22/2026
Velly Polycarpe, Judicial Hearing Officer	Date