



Office of Administrative Trials and Hearings
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000959850Y et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- ACE TRAVEL INC Hearing Date: 03/26/2026 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
000959850Y	Sustained	10/11/2024	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 Respondent, ACE TRAVEL INC., appeared by its registered representative, ILMA BABU. Petitioner's appearance was excused.

The summons charges a 3rd offense for the idling of a motor vehicle engine for more than three minutes. The issuing officer (IO) affirmed per Department of Environmental Protection records that a citizen observed the vehicle identified in the summons idling for longer than three minutes at the date, time, and location specified in the summons. The summons refers to 2 predicate summonses that formed the basis for the repeat violation.

Ms. Babu denied the allegations of the summons and offered no rebuttal.

Code § 24-163(a) prohibits the idling of a motor vehicle engine in excess of three minutes while parked, standing, or stopped. Per § 6-12(b) of Title 48 of the Rules of the City of New York (RCNY), a summons affirmed under penalty of perjury will be admitted as prima facie evidence of the facts stated therein. See DEP v. Citnalta Construction Corp., Appeal No. 2201191 (February 23, 2023); DEP v. TM & T Service Station Inc., Appeal No. 1901827 (March 19, 2020).

I credit the affirmed statements in the summons and find that the summons established Petitioner's prima facie case. Respondent's denial is insufficient to rebut Petitioner's prima facie case.

The summons is sustained.



03/27/2026

03/27/2026

Janet Pitter, Judicial Hearing Officer

Date