



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

Decision

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET Brooklyn, NY 11217	Summons# : 000788825Z et al. (1 summonses) DEPT OF ENVIRONMENTAL PROTECTION, -against- NORTHEAST SERVICE INTERIORS LLC Hearing Date : 12/30/2024 Hearing Location : Remote Type of Hearing : By Telephone
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Total Penalty Amount : 600.00	Community Service(Hr): Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000788825Z	Sustained	06/30/2023	W. 25th St. btwn Broadway & 6th Ave., Manhattan

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

Total Penalty for Summons: 600.00

Findings of Facts & Conclusions of Law

This telephone hearing was held on December 30, 2024. Petitioner, NYCDEP, appeared by Representative Leah Smith. Respondent, Northeast Service Interiors LLC, appeared by Lance Chebin, Authorized Representative, He waived translation services, counsel and the appearance of the Issuing Officer (IO).

This summons alleges a third violation of NYC Administrative Code §24-163 (Idling of motor vehicle). The prior violations were for Summonses Nos. 000741502X and 000733606K. In the Summons, the Issuing Officer (IO) affirmed, as verified by a review of DEP records, that on June 30, 2023, at W. 25th St. between Broadway & 6th Ave., a citizen-complainant observed a truck with NY License Plate #14599MP idling for longer than three minutes from 9:21:16 am to 9:24:47 am.

Ms. Smith relied on the affirmed statements of the IO in the summons.

Mr. Chebin did not deny the prior violations. He stated that Respondent denied the allegations in the summons. He did not provide any testimony or evidence to rebut this charge.

I credit the Issuing Officer's affirmed statements in the summons regarding the citizen's complaint concerning the third offense of the idling of Respondent's truck's engine. I find that Respondent permitted the idling of its truck's engine for more than three minutes while parked, standing or stopped. I further find that Respondent did not establish any defense to this charge. This third offense violation is sustained and a penalty of \$600 is imposed.

Barbara Halper

12/30/2024

12/30/2024

Barbara Halper, Hearing Officer

Date