



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: 000916032M et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- MICHAEL DAVIS Hearing Date: 08/05/2025 Hearing Location: Remote Type of Hearing: By Telephone
---	--

Total Penalty Amount: \$350.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000916032M	Sustained	07/17/2024	ON LAWRENCE ST BETWEEN FULTON ST & WILLOUGHBY ST. Brooklyn

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

Findings of Fact & Conclusions of Law

The hearing was conducted on August 5, 2025, by Court Call. Petitioner appeared through Senior Inspector Monica Dorson. Respondent, Michael Davis, appeared through counsel, Michael Nacmias, Esq. of Nacmias Law.

The summons charges a violation of 24-163 of the Administrative Code in that Respondent caused or permitted the idling of a motor vehicle while parked, standing, or stopped for more than three minutes. The issuing officer states that, as per DEP records, a citizen observed a Truck with MO license plate no. 97KS9C idling for longer than three minutes from 7/17/2024 6:58:21 AM to 7/17/2024 7:02:50 AM on Lawrence Street between Fulton Street and Willoughby Street in Brooklyn.

Mr. Nacmias State that Respondent hs no response to the merits of the complaint but challenges Respondent's connection to the cited vehicle as Respondent's name does not appear on the vehicle.

Petitioner provides a screenshot of the vehicle registration information as mantained by BPS, which has been marked as Exhibit 1.

Respondent has not further response.

I credit the issuing officer. The summons presents a prima facie case.

Accordingly, the summons is sustained.



08/22/2025

08/22/2025

Antonio Cavallaro, Hearing Officer

Date