



Office of Administrative Trials and Hearings
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592PACIFIC STREET Brooklyn, NY 11217	Summons No: 000925088X et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- EZ RENTAL Hearing Date: 03/03/2026 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
000925088X	Sustained	10/28/2024	65 JAY STREET Brooklyn

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

Findings of Fact & Conclusions of Law

DEP Waived Appearance

Ilma Babu for Respondent

The summons alleges unlawful idling, as a third offense, and it carries a \$600 fine. Respondent did not challenge the repeat nature of the violation, Respondent denied the violation because the video, submitted by Respondent, showed workers unloading the van. This is not a valid defense as no processing device was in use. Respondent also stated that the engine had to be on because the car was on a narrow street and may be needed to be moved. Respondent presented no supporting

evidence and I take judicial notice that Jay Street is not a narrow street. In any event, that is also not a valid defense . Respondent failed to rebut the summons. Therefore, a \$600 fine is imposed.

	
03/03/2026	03/03/2026
Mitchell Rubinstein, Judicial Hearing Officer	Date