



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000925125X 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
000925125X	Sustained	10/28/2024	160 FRONT STREET Brooklyn

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

Findings of Fact & Conclusions of Law

ilma Babu for Respondent

DEP waived appearance

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 and submitted a copy of a video. Respondent denied the violation because in a portion of the video, the van was seen being physically unloaded. However, that is not a valid defense as no processing device was in use. Respondent's additional claim that the engine had to be on because the violation was on a narrow street is also not a defense.

Respondent also did not establish that the street was narrow. Therefore, Respondent failed to rebut the prima facie case on the summons. Respondent is found in violation and a \$600 fine is imposed.

Mitchell Rubinstein

03/03/2026

03/03/2026

Mitchell Rubinstein, Judicial Hearing Officer

Date