



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: 000911841J et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- GREEN & WHITE BOUTIQUE LINEN Hearing Date: 10/28/2025 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
000911841J	Sustained	06/04/2024	164 WEST 48 STREET Manhattan

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

Findings of Fact & Conclusions of Law

This telephone hearing was held on October 28, 2025. Petitioner, NYCDEP, did not appear. Respondent, Green & White Boutique Linen, appeared by Nora Brown, Authorized Representative.

This summons alleges a third violation of NYC Administrative Code §24-163 (Idling of motor vehicle). In the Summons, the Issuing Officer (IO) affirmed, as verified by a review of DEP records, that on June 4, 2024, at 164 W. 48th Street a citizen-complainant observed a truck with NJ License Plate #XGVG23 idling for longer than three minutes from 11:05:20 pm to 11:08:57 pm.

Ms. Brown did not deny the two prior violations. She testified that Respondent did not deny this violation. She did not submit any testimony or evidence to rebut the charge.

NYC Administrative Code § 24-163 states in relevant part that "No person shall cause or permit the engine of a motor vehicle to idle for longer than three minutes, unless the engine is used to operate a loading, unloading or processing device..."

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

10/28/2025

10/28/2025

Barbara Halper, Judicial Hearing Officer

Date