



**OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS**  
Hearings Division

**DECISION**

|                                                                                    |                                                                                                                                                                                                                                                                                                  |
|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LANCE CHEBIN - NACMIAS LAW FIRM</b><br>592 PACIFIC STREET<br>Brooklyn, NY 11217 | <b>Summons No: 000727047M et al. (1 Summons)</b><br><br><b>DEPT OF ENVIRONMENTAL PROTECTION,</b><br><br><b>-against-</b><br><br><b>CITYWIDE CONTAINER SERVICE CORP</b><br><br><b>Hearing Date: 11/12/2024</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |
|----------------------------------------------|
| <b>Total Penalty Amount: \$350.00</b>        |
| <b>Community Service(Hr): Not Applicable</b> |

| SUMMONS #  | SUMMARY DISPOSITION | DATE OF OCCURRENCE | PLACE OF OCCURRENCE                                          |
|------------|---------------------|--------------------|--------------------------------------------------------------|
| 000727047M | Sustained           | 07/29/2022         | on 3rd Avenue BT Pacific Street<br>and Dean Street Manhattan |

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

**Findings of Fact & Conclusions of Law**

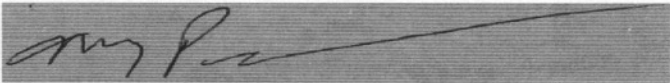
Lance Chebin, authorized representative, appeared to represent Respondent Citywide Container Service Corp. at the hearing. Senior Inspector Dantney Parks appeared for Petitioner.

On 7/29/2022 at 11:02am, the Respondent was observed causing or permitting the idling of a motor vehicle while parked, standing or stopped – 1st offense.

Senior Inspector Parks stood by the summons.

Respondent's representative stated that the video had been reviewed prior to the hearing. Respondent's representative then offered a denial but no rebuttable.

I credit Petitioner's submissions. I find Respondent's vehicle was idling for more than 3 minutes and Respondent did not present a legal defense to the violation. Accordingly, the violation is sustained with the standard penalty imposed.



11/13/2024

11/13/2024

Malik Pearson, Hearing Officer

Date