



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET NEW YORK, NY 11217	Summons No: 000896886K et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- CITYWIDE CONTAINER SERVICE CORP Hearing Date: 12/11/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$350.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000896886K	Sustained	07/22/2024	Intersection of Broadway & W. 84 St. Manhattan

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

Findings of Fact & Conclusions of Law

The respondent was represented by Ilma Babu. The petitioner was represented by Insp. John McLaughlin. The summons alleges that the respondent's vehicle was observed idling for more than three minutes without a valid reason. The petitioner presented documentation to establish the charged violation. The respondent has denied the allegation stating that the video evidence is insufficient to establish the violation. The respondent's representative argues that it is possible that there was activity taking place which would have required that the engine of the vehicle be engaged but it was not visible in the petitioner's video. However, no evidence was presented to establish that this was the situation at the time. Therefore, I find that the petitioner has established the charged violation, and the respondent has failed to present any argument or evidence to either rebut the charged violation or establish a valid defense thereto. As such, the summons is sustained, and the appropriate

penalty assessed.

	
12/11/2025	12/11/2025
Patricia Cardoso, Judicial Hearing Officer	Date