



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

**DECISION**

|                                                                                     |                                                                                                                                                                                                                                                                                                  |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>ILMA BABU - NACMIAS LAW FIRM PLLC</b><br>592PACIFIC STREET<br>Brooklyn, NY 11217 | <b>Summons No: 000973816L 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: 05/04/2026</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
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Total Penalty Amount: **\$350.00**

Community Service(Hr): **Not Applicable**

| SUMMONS #  | SUMMARY DISPOSITION | DATE OF OCCURRENCE | PLACE OF OCCURRENCE          |
|------------|---------------------|--------------------|------------------------------|
| 000973816L | Sustained           | 12/06/2024         | 210 WEST 31 STREET Manhattan |

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

**Findings of Fact & Conclusions of Law**

Petitioner, NYC Department of Environmental Protection (DEP) appeared and was represented Monica Dorson. Respondent CITYWIDE CONTAINER SERVICE CORP appeared and was represented by Ilma Babu.

The summons alleges a violation of Administrative Code section 24-163 for IDLING OF MOTOR VEHICLE ENGINE MORE THAN THREE MINUTES 1ST OFF

Ms. Dorson rested on the summons. In response, Ms. Babu said Respondent denies the allegations with no evidence in rebuttal.

Pursuant to Administrative Code section 24-163, it is a violation for 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 find Petitioner established a prima facie case. I credit the summons and find it establishes a violation. I find Respondent did not establish a valid defense.

Accordingly, the summons is sustained.

*Rachel L Berger*

05/04/2026

05/04/2026

Rachel Berger, Judicial Hearing Officer

Date