



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

JOSHUA SANTIS - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET NEW YORK, NY 11217	Summons No: 000879332Y et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PRO-TEK OF NEW YORK INC Hearing Date: 07/10/2025 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
000879332Y	Sustained	02/28/2024	188 LOISAIDA AVENUE Manhattan

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

Findings of Fact & Conclusions of Law

Joshua Santis, authorized representative, appeared via Court Call on 07/10/25. Dantney Parks appeared on behalf of DEP.

Mr. Santis waived his right for counsel and need for translation services. Mr. Santis further waived his right to request the presence of the Issuing Officer.

Summons # 000879332Y was issued on 3/28/24 in violation of §24-163.

Ms. Parks submits an evidence packet and recommends standard penalty.

Mr. Santis states that the vehicle does not sound like its idling nor are any lights on.

Petitioner is not required to submit the citizen-complainant's video at the hearing in order to establish the charge. See DEP v. Hub Truck Rental Corp., Appeal No. 2001344 (February 11, 2021).

I credit Issuing Officers statements made within the summons. The engine noise is audible, and no exception is visible nor were any provided during the hearing. Furthermore, driver testimony was not submitted to rebut the violation. Therefore, based on the facts and law, this summons is sustained with the standard penalty imposed.

Malka Daniel

07/28/2025

07/28/2025

Malka Daniel, Hearing Officer

Date