



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

**DECISION**

|                                                                                    |                                                                                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LANCE CHEBIN - NACMIAS LAW FIRM</b><br>592 PACIFIC STREET<br>NEW YORK, NY 11217 | <b>Summons No: 000879624X et al. (1 Summons)</b><br><br><b>DEPT OF ENVIRONMENTAL PROTECTION,</b><br><br><b>-against-</b><br><br><b>EMPIRE STATE REPAIR INC</b><br><br><b>Hearing Date: 08/04/2025</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |
|----------------------------------------------|
| <b>Total Penalty Amount: \$440.00</b>        |
| <b>Community Service(Hr): Not Applicable</b> |

| <b>SUMMONS #</b> | <b>SUMMARY DISPOSITION</b> | <b>DATE OF OCCURRENCE</b> | <b>PLACE OF OCCURRENCE</b>  |
|------------------|----------------------------|---------------------------|-----------------------------|
| 000879624X       | Sustained                  | 03/27/2024                | 15 WEST 72 STREET Manhattan |

| <b>LINE<br/>ITEM</b> | <b>OATH<br/>CODE</b> | <b>CODE<br/>SECTION/RULE</b> | <b>RESULT</b> | <b>PENALTY</b> |
|----------------------|----------------------|------------------------------|---------------|----------------|
| 1                    | BA1E                 | 24 -163                      | Sustained     | \$440.00       |

**Findings of Fact & Conclusions of Law**

The hearing was held on August 4, 2025. Lance Chebin appeared on behalf of the Respondent. Senior Insp Dantney Parks appeared on behalf of Petitioner DEP. The summons charges a violation of RCNY 24-163 idling of motor vehicle engine for more than three minutes as second occurrence.

Petitioner rests on the face of the summons. Respondent denies the violation with no rebuttal. I do not credit Respondent's denial with no rebuttal. The summons provides a prima facie case.

Therefore summons sustained.

*Eric Howard*

08/04/2025

08/04/2025

Eric Howard, Hearing Officer

Date