



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Michael Nacmias, Esq. - Nacmias Law Firm
592 Pacific Street 1st Floor
Brooklyn, NY 11217

Summons# : 000780111K et al. (1 summonses)

DEPT OF ENVIRONMENTAL PROTECTION,

-against-

CORPORATE EXPRESS INC

Hearing Date : 10/28/2024

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 350.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000780111K	Sustained	03/24/2023	ON NEW UTRECHT AVENUEBETWEEN 46,

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

Total Penalty for Summons: 350.00

Findings of Facts & Conclusions of Law

The sworn-to-summons alleges a violation of § 24-163 of the Administrative Code (Code) for idling of motor vehicle engine more than three minutes.

Authorized representative, Alfred Lin, for Respondent, Wall Done, was present. Petitioner, Department of Environmental Protection (DEP), did not appear. Respondent's representative waived the right to have an attorney present.

Respondent's representative denied the allegations with no rebuttal.

I credit the sworn-to-summons. I find that the summons as alleged is legally sufficient to establish the violation charged. I find that the Respondent did not present a valid legal defense. Respondent failed to provide credible evidence to rebut the allegations. Accordingly, the summons is sustained, and a \$350.00 violation penalty is imposed.



10/29/2024

10/29/2024

Paul Mendez, Hearing Officer

Date