



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000892921Z et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- BAGEL BITES USA INC Hearing Date: 03/03/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$600.00**

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

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000892921Z	Sustained	07/01/2024	INTERSECTION OF W 18TH ST AND 6 Ave Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1F	24 -163	Sustained	\$600.00

Findings of Fact & Conclusions of Law

DEP Waived Appearance

Ilma Babu for Respondent

The summons alleges unlawful idling, as a third offense, and it carries a \$600 fine. Respondent did not challenge the repeat nature of the violation. Respondent submitted a copy of the video and denied the violation because the video focused on the front of the truck and unloading may have been occurring. Respondent's argument is not credited. First, the video did show a few seconds of truck rear and the gate in the rear was closed. Second, there was no showing that the truck had a lift gate