



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592PACIFIC STREET Brooklyn, NY 11217	Summons No: 000941769L et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- FQE ELECTRIC LLC Hearing Date: 01/27/2026 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
000941769L	Sustained	07/10/2024	957 DEAN STREET Brooklyn

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

Findings of Fact & Conclusions of Law

ILMA BABU appeared as the authorized representative of the named respondent. Inspector Guzman for the Department. The summons cites a violation of 24-163.

The Petitioner submitted photos, and the idling summons affidavit and complaint.

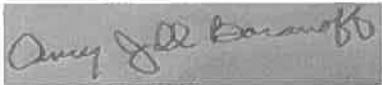
A video which exceeded three minutes was played into the record and described.

The respondent contended that there was active work going on which the complainant did not record. This is a company that

does electrical work, and the truck needs the engine to run the wires and the other electrical equipment.

The Petitioner contended that there is no lift gate and that the removal of the materials or tools would not require a processing device. There was no evidence that a processing device was in use.

I find the sworn account of the issuing officer and the Petitioner's other evidence to be credible, and that it establishes the charge. The respondent failed to set forth a valid legal defense. It would be respondent's burden to establish that there was electrical equipment in use which required the engine to power them, and here, that has not been established. Accordingly, the summons is sustained.



01/27/2026

01/27/2026

Amy Jill Baranoff, Judicial Hearing Officer

Date