



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000970347Y et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- LY INC EXPRESS LUMBER & PLUMBING SUPP Hearing Date: 04/23/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$440.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000970347Y	Sustained	11/27/2024	357 Hamilton Ave Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1E	24 -163	Sustained	\$440.00

Findings of Fact & Conclusions of Law

Dantney Parks appeared for Petitioner showed an evidence package with a short video, screen shots taken from it and the redacted idling complaint. She said that it was charged as a second offense. Ilma Babu, authorized representative, appeared for Respondent and did not rebut the 2nd offense designation. After viewing the video she did say that she couldn't hear the engine on the whole time but had no evidence to submit in rebuttal. Ms. Parks said that the video is not required and only a statement referencing the viewing is not a sufficient defense. I agree.

I find that Respondent allowed their vehicle to idle for longer than allowed and this is a second offense.

Accordingly, the summons is sustained and a second offense penalty is assessed.



04/27/2026

04/27/2026

Joan Silverman, Judicial Hearing Officer

Date