



# OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

## Decision

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

Summons# : 000728311R et al. (1 summonses)

DEPT OF ENVIRONMENTAL PROTECTION,

-against-

ANY PENSKE LEASING AND RENTAL COMP

Hearing Date : 2/4/2025

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 440.00

Community Service(Hr): Not Applicable

| SUMMONS #  | SUMMARY DISPOSITION | DATE OF OCCURRENCE | PLACE OF OCCURRENCE              |
|------------|---------------------|--------------------|----------------------------------|
| 000728311R | Sustained           | 08/11/2022         | 4 West 22nd Street,<br>Manhattan |

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

Total Penalty for Summons: 440.00

### Findings of Facts & Conclusions of Law

The hearing was conducted via telephone conference call on February 4, 2025.

Respondent Penske Landing was represented by Lance Chebin.

Dantney Parks appeared on behalf of petitioner DEP.

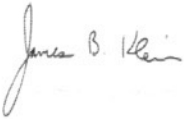
The summons charges: 24 -163 - IDLING OF MOTOR VEHICLE ENGINE MORE THAN THREE MINUTES 2nd OFF

Petitioner stated that they stand on the summons and citizen complaint as written.

Respondent testified that they deny the violation with no rebuttal. Respondent does not dispute the prior violation.

I credit that the summons makes out a valid charge and that the totality of the evidence establish the facts of the charge. I also credit that the respondent did not establish a valid defense.

The summons is sustained as a second offense.

|                                                                                   |            |
|-----------------------------------------------------------------------------------|------------|
|  |            |
| 02/04/2025                                                                        | 02/04/2025 |
| James Klein, Hearing Officer                                                      | Date       |

