



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000730196N et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE RENTAL Hearing Date: 04/21/2025 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
000730196N	Sustained	08/29/2022	7th Ave and 53rd Street Manhattan

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

Findings of Fact & Conclusions of Law

The hearing was conducted via telephone conference call on April 21, 2025.

Respondent PENSKE RENTAL was represented by LANCE CHEBIN, AUTHORIZED REPRESENTATIVE.

Senior Insp. John McLaughlin appeared on behalf of petitioner DEP.

The summons charges: 24 -163 - IDLING OF MOTOR VEHICLE ENGINE MORE THAN THREE MINUTES 1st OFF

Petitioner stated that they stand on the summons and citizen complaint as written. Further, petitioner submitted a video, documents, and photos as evidence of the facts of the violation.

Respondent states that it's the wrong respondent.

Petitioner says the license plate run is Penske Rental. Petitioner submitted the license plate run.

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.

 04/22/2025	04/22/2025
James Klein, Hearing Officer	Date