



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000818934M et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE TRUCK LEASING CORPORATION Hearing Date: 11/06/2024 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
000818934M	Sustained	11/09/2023	237 DUFFIELD STREET Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA11	24-163 (F)	Sustained	\$350.00

Findings of Fact & Conclusions of Law

The NYC Department of Environmental Protection was represented by senior inspector Michael Grosso at a telephone hearing on November 6, 2024. Registered representative Lance Chebin appeared on behalf of Respondent PENSKE TRUCK LEASING CORPORATION. Respondent's representative waived the use of a translator, the assistance of counsel, a formal reading of the summons and the presence of the Issuing Officer.

The summons alleges a violation of NYC Administrative Code 24-163(f): idling motor vehicle engine for more than 1 minute in that a citizen observed a truck with NJ license plate #XMCF36 idling for more than one minute while adjacent to Lightbridge Academy on 11/09/23 from 3:03 PM - 3:05 PM at 237 Duffield Street. This is a first offense.

Petitioner relied on the sworn narrative. No additional evidence was submitted.

Respondent's representative denied the allegations and offered no rebuttal. No additional evidence was submitted.

I credit the sworn statement of the issuing officer and Petitioner established a violation. Respondent failed to offer any rebuttal and present a valid legal defense.

Therefore, the summons is sustained, and the standard penalty is imposed as a first offense.



11/07/2024

11/07/2024

Raul Quezada, Hearing Officer

Date