



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000819919Z et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- BANC OF AMERICA LEASING&CAPITAL LLC Hearing Date: 05/22/2025 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
000819919Z	Sustained	08/02/2023	ON BRIDGE STREET BETWEEN WATER ST AND PLYMOUTH ST Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1I	24-163 (F)	Sustained	\$350.00

Findings of Fact & Conclusions of Law

Auth. Rep. Lance Chebin appeared for Respondent BANC OF AMERICA LEASING&CAPITAL LLC
DEP Rep. John McLaughlin appeared for Petitioner.

On 8/2/23, ON BRIDGE STREET BETWEEN WATER ST AND PLYMOUTH ST, Brooklyn, the issuing officer charged Respondent with a violation of 24 -163 (F).

Mr. McLaughlin submitted into the record P1 – copy of the summons, redacted idling complaint form, 2 photographs identifying the cited vehicle, 1 photograph identifying the school and DOT screenshot, and a video of the cited idling, which was summarized into the record and reviewed by the Court.

Mr. Chebin argued the video submitted does not outline what is on the summons and the wrong party has been cited.

Mr. McLaughlin argued the license plate comes back to the owner of the vehicle (P2 – DMV records for the license plate)
Here, upon review of the evidence, I find that proper party has been cited and further I find that the conditions were as cited at the time of occurrence. I credit the citizen/inspector's observations. Petitioner has proven this violation a preponderance of the evidence. The video supports the charge, as the school can be identified in the video.
Accordingly, I find that Respondent is in violation of the charge and the summons is SUSTAINED.



05/28/2025

05/28/2025

Joseph Fan, Hearing Officer

Date