



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 000821768N et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- I HALPER PAPER SUPPLIES IN Hearing Date: 11/20/2024 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$600.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000821768N	Sustained	12/01/2023	200 PARK AVENUE Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1F	24 -163	Sustained	\$600.00

Findings of Fact & Conclusions of Law

The summons alleges that Respondent violated section 24-163 of the New York City Administrative Code. This is alleged to be a third violation, citing prior summonses 000706184X and 000714113Z.

Section 24-163, as relevant, states that "No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency motor vehicle, to idle for longer than three minutes, except as provided in subdivision (f) of this section, while parking as defined in section one hundred twenty-nine of the vehicle and traffic law, standing as defined in section one hundred forty-five of the vehicle and traffic law, or stopping as defined in section one hundred forty-seven of the vehicle and traffic law, unless the engine is used to operate a loading, unloading or processing device."

John Lin appeared on behalf of Respondent. Michael Grosso appeared on behalf of the Department of Environmental Protection.

Mr. Lin stated that respondent received petitioner's evidence prior to the hearing and wished to deny the allegations with no rebuttal. In light of this, Mr. Grosso opted not to submit evidence.

I credit the allegations contained in the summons. Respondent failed to rebut the allegations or argue a valid defense thereto. Respondent is found in violation and the third violation penalty shall be imposed.

Ricardo Luiggi

11/21/2024

11/21/2024

Ricardo Luiggi, Hearing Officer

Date