



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Jon Lin, Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 000823419Y et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- CINTAS FIRST AID & SAFTEY Hearing Date: 11/26/2024 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
000823419Y	Sustained	07/31/2023	INTERSECTION OF WEST 47TH STREET & 6TH AVENUE Manhattan

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

Findings of Fact & Conclusions of Law

The summons is sustained.

The Respondent, CINTAS FIRST AID & SAFTEY, appeared by its authorized representative, Jon Lin, Nacmias Law Firm. The Petitioner, NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION, waived its appearance.

The summons alleges a violation of NYC Air Pollution Control Code Section 24-163, Idling of a Motor Vehicle engine over three (3) minutes. The Issuing Officer specifically alleges in details of the violation that the charge was based on a Citizen Complaint alleging that Respondent's truck with NJ license plate #XU290S was idling for longer than three (3) minutes on July 31, 2023

beginning at 1:34:12 PM at the intersection of West 47th Street & Sixth Avenue.

Respondent's representative denied the existence of the violating condition but did not produce any evidence or assert any affirmative defenses to the charge in the summons.

I find on the Petitioner's credible case that the violating condition described in the summons existed and the standard penalty is imposed.

The summons is sustained.

<i>Jamin Sewell</i> 11/26/2024	11/26/2024
Jamin Sewell, Hearing Officer	Date