



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: 000824399K et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE LOGISTICS LLC Hearing Date: 12/13/2024 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
000824399K	Sustained	12/14/2023	539 West 25th Street Manhattan

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

Findings of Fact & Conclusions of Law

Respondent PENSKE LOGISTICS appeared at a remote telephonic hearing on 12/13/2024 by its authorized representative Mr. Chia Han Lin of the Nacmias Law Firm.

Petitioner NYC Dept. of Environmental Protection did not appear at the hearing.

Respondent is charged with a violation of NYC Adm. Code 24-163 for causing or permitting the engine of the vehicle cited in the Summons to idle for more than 3 minutes while parked, standing, or stopped.

Mr. Lin stated that Respondent received and reviewed Petitioner's evidence prior to the hearing.

Mr. Lin denied the violation but presented no facts to rebut the allegations in the Summons and presented no valid legal defense to the charge.

I credit the unrefuted allegations in the Summons and find Respondent in violation.

Accordingly, the Summons is sustained, and the approved penalty is imposed.



12/13/2024

12/13/2024

Jerilyn F. Rubin, Hearing Officer

Date