



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Michael Nacmias, Esq. - Nacmias Law Firm
592 Pacific Street 1st Floor Att: Mr. Chia Han Lin
Brooklyn, NY 11217

Summons# : 000824370R et al. (5 summonses)

DEPT OF ENVIRONMENTAL PROTECTION,

-against-

PENSKE TRUCK LEASING CORPORATION

Hearing Date : 12/13/2024

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 1,750.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000824370R	Sustained	12/14/2023	61 Vandam Street, Manhattan

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

Total Penalty for Summons: 350.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000824382Y	Sustained	01/04/2024	Intersection 1st Ave and E. 4th Street, Manhattan

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

Total Penalty for Summons: 350.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000824497Y	Sustained	09/26/2023	Plymouth St between Pearl St and Adams St, Brooklyn

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

Total Penalty for Summons: 350.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000824505P	Sustained	10/06/2023	Intersection E. 9th St and 2nd Ave, Manhattan

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

Total Penalty for Summons: 350.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000824510J	Sustained	10/06/2023	East 10th St between 1st Ave and 2nd Ave, Manhattan

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

Findings of Facts & Conclusions of Law

Respondent PENSKE TRUCK LEASING CORPORATION appeared at a remote telephonic hearing for (5) Summonses by its authorized representative Mr. Chia Han Lin of the Nacmias Law Firm.

There was no appearance by Petitioner NYC Dept. of Environmental Protection.

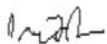
Respondent is charged in all (5) Summonses with violations of NYC Adm. Code 24-163 for allegedly causing or permitting the engines of the vehicles cited in the Summonses to idle for more than 3 minutes while parked, standing, or stopped.

Mr. Lin stated that prior to this hearing Respondent had received Petitioner's evidence for these (5) Summonses.

Mr. Lin stated that after reviewing the evidence, Respondent denies all (5) violations, but Mr. Lin presented no facts to rebut the allegations in the Summonses and he presented no valid legal defense to the charges.

I credit the unrefuted allegations in all (5) Summonses and find Respondent in violation.

Accordingly, all (5) Summonses are sustained, and the approved penalties are imposed.



12/13/2024

12/13/2024

Jerilyn F. Rubin, Hearing Officer

Date

