



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET NEW YORK, NY 11217	Summons No: 000827993R et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- HUGH O'KANE-ELECTRIC CO INC Hearing Date: 01/13/2025 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
000827993R	Sustained	11/19/2023	289 Hudson Street Manhattan

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

Findings of Fact & Conclusions of Law

The petitioner appeared by Dantney Parks.

The respondent appeared by its authorized Lance Chebin, and is charged with idling of motor vehicle.

The respondent denied the charge.

The petitioner submitted the redacted idling complaint form, Department of State inquiry, photographs of the vehicle and video of the cited incident to corroborate the inspector's sworn statement.

The respondent argued that there is an equipment attached to the vehicle that requires the truck engine to be operational. The respondent did not challenge the prior violations.

The petitioner argued that the cable is not attached to the vehicle and is independent of the engine.

I credit petitioner's evidence and find the respondent in violation of the cited section of law. The respondent did not establish a valid defense to the charge. I sustain.



01/13/2025

01/13/2025

Natasha Pierre, Hearing Officer

Date