



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET NEW YORK,NY 11217	Summons No: 000834487J et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- ON PENSKE TRUCK LEASING CORPORATI Hearing Date: 02/18/2025 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
000834487J	Sustained	01/22/2024	ON ASHLAND PLBETWEEN LAFAYETTE Brooklyn

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

Findings of Fact & Conclusions of Law

Authorized representative Lance Chebin appeared at the hearing by phone for Respondent. Antwan Gibbs appeared by phone for Petitioner. Respondent was charged with violation of 24-163 for idling a motor vehicle engine longer than three minute. Petitioner submitted photos, the compliant and a video in support. Mr. Chebin argued that Respondent was an improper party. Mr. Gibbs stated that the license plate is visible in the video. He said that all New York plates are run through a database, submitting a copy of the search in support. He said that Respondent was listed as the registered owner. Mr. Chebin offered noting further.

I credit the summons as written. It is undisputed that the cited truck was idling for more than three minutes. I find that

Respondent is a proper party.

As there is no dispute in fact and Respondent has not established a defense, I find Respondent in violation and impose the minimum penalty of \$350.00.



02/20/2025

02/20/2025

Daniella Caputo, Hearing Officer

Date