



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

JOSHUA SANTIS - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET NEW YORK,NY 11217	Summons No: 000880168J et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- REFRESH BLUETRITON BRANDS INC READY Hearing Date: 07/17/2025 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
000880168J	Sustained	11/20/2023	On W. 37th Street between 7th Avenue and 8th Avenue Manhattan

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

Findings of Fact & Conclusions of Law

A hearing was held on July 17, 2025 in connection with summons number 000880168J which cites a violation of N.Y.C. Administrative Code Section 24-163. On November 20, 2023, an unidentified citizen observed a truck with NJ license plate number AP122U idling for more than three minutes on W. 37th Street between 7th Avenue and 8th Avenue in Manhattan, New York. The summons is written as a first offense violation.

The Petitioner was notified of the hearing, but waived its appearance in writing based on the notification that the Respondent

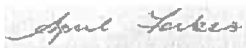
intended to deny the summons without any rebuttal.

Representative Joshua Santis appeared on behalf of the Respondent at the hearing.

The Respondent waived the reading of the summons.

The Respondent denied the cited violation charge within the summons without any rebuttal.

The summons makes out a prima facie violation of N.Y.C. Administrative Code Section 24-163. The Respondent has not established a meritorious defense to the summons. As such, the summons is hereby sustained. A standard penalty for a first offense violation of N.Y.C. Administrative Code Section 24-163 shall be imposed.



07/17/2025

07/17/2025

April Forbes, Hearing Officer

Date