



Office of Administrative Trials and Hearings
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000791475P et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- DERICK M. CANARTE Hearing Date: 05/04/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$800.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000791475P	Sustained	08/25/2024	6700 3 AVE Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BNZ6	24-236 (E)	Sustained	\$800.00

Findings of Fact & Conclusions of Law

Petitioner, NYC Department of Environmental Protection (DEP) appeared and was represented Monica Dorson. Respondent DERICK M. CANARTE appeared and was represented by Ilma Babu.

The summons alleges a violation of 24-236 (E) for CAUSE/ PERMIT SOUND FROM MOTOR VEHICLE ON PUBLIC ROW>VTL LIMIT 1ST

Ms. Dorson submitted an evidence packet including summons, vehicle registration, photos with the sound reading and videos showing the infraction. In response, Ms. Babu said this was the first infraction and asked for mitigation. Ms. Dorson replied

that this violation is not mitigatable.

I find Petitioner established a prima facie case. I credit the summons and Petitioner's evidence and find it establishes a violation. I find Respondent did not establish mitigation or a valid defense.

Accordingly, the summons is sustained.

Rachel L Berger

05/04/2026

05/04/2026

Rachel Berger, Judicial Hearing Officer

Date