



**OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS**  
*Hearings Division*

**DECISION**

|                                                                                    |                                                                                                                                                                                                                                                                                                   |
|------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LANCE CHEBIN - NACMIAS LAW FIRM</b><br>592 PACIFIC STREET<br>Brooklyn, NY 11217 | <b>Summons No: 000841263X et al. (1 Summons)</b><br><br><b>DEPT OF ENVIRONMENTAL PROTECTION,</b><br><br><b>-against-</b><br><br><b>PENSKE TRUCK LEASING CORPORATION</b><br><br><b>Hearing Date: 06/16/2025</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |
|----------------------------------------------|
| <b>Total Penalty Amount: \$600.00</b>        |
| <b>Community Service(Hr): Not Applicable</b> |

| <b>SUMMONS #</b> | <b>SUMMARY DISPOSITION</b> | <b>DATE OF OCCURRENCE</b> | <b>PLACE OF OCCURRENCE</b>                                          |
|------------------|----------------------------|---------------------------|---------------------------------------------------------------------|
| 000841263X       | Sustained                  | 12/06/2023                | ON WEST 56TH STREET<br>BETWEEN 8TH AVENUE AND<br>BROADWAY Manhattan |

| <b>LINE<br/>ITEM</b> | <b>OATH<br/>CODE</b> | <b>CODE<br/>SECTION/RULE</b> | <b>RESULT</b> | <b>PENALTY</b> |
|----------------------|----------------------|------------------------------|---------------|----------------|
| 1                    | BA1F                 | 24 -163                      | Sustained     | \$600.00       |

**Findings of Fact & Conclusions of Law**

The hearing on summons number 000841263X was conducted via telephone conference call on June 16, 2025.

Respondent PENSKE TRUCK LEASING CORPORATION appeared at the hearing through authorized representative Lance Chebin. Petitioner Department of Environmental Protection appeared at the hearing through Supervisor Michael Grosso.

The Issuing Officer alleges in the summons that Respondent violated New York City Administrative Code 24-163 for idling a motor vehicle engine for more than three minutes. It is indicated as a third and subsequent offense, with two prior summons numbers listed.

Petitioner reiterates the sworn statements contained in the summons and submits an evidence packet containing photographs of the vehicle and license plate, the redacted idling complaint form, printouts of the prior violations to support the predicate designation, and a video of the alleged idling vehicle.

Petitioner points out that although the vehicle reads "Imperfect Foods" on its exterior, Respondent is the owner of record. In support, Petitioner submits a screenshot depicting Respondent as the owner of the vehicle.

Respondent generally denies the violation but does not refute the charge and does not put forth a defense.

I credit the statements contained in the summons and the evidence put forth by Petitioner and find a violation of 24-163 as alleged. As Respondent does not refute the charge and does not put forth a defense, the summons is sustained, and the third and subsequent penalty imposed.



06/16/2025

06/16/2025

Alexandra Saker, Hearing Officer

Date