



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET NEW YORK,NY 11217	Summons No: 000842316P et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE LEASING Hearing Date: 04/09/2025 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
000842316P	Sustained	11/06/2023	ASHLAND PL btw'n. LAFAYETTE AVE. & HANSON PL. Brooklyn

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

Findings of Fact & Conclusions of Law

The respondent was represented by Lance Chebin. The petitioner was represented by Sr. Insp. John McLaughlin. The summons alleges that the respondent's vehicle was observed idling for more than three (3) minutes without a valid reason. The respondent has not denied the charged violation but argues that the respondent should not have been named as the responsible party. The petitioner has submitted evidence that the license plate of the vehicle in question belongs to the named respondent. Although the named respondent may not have been operating the vehicle at the time of the incident, it is considered a proper party for the issuance of the summons. There being no argument or evidence to either rebut the charged violation or establish a valid defense thereto, the summons is sustained, and the appropriate penalty assessed.

PCA

04/09/2025

04/09/2025

Patricia Cardoso, Hearing Officer

Date