



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET NEW YORK,NY 11217	Summons No: 000906986Y et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- CS TRUCKING LLC Hearing Date: 05/28/2025 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
000906986Y	Sustained	05/23/2024	250 8th Ave. Manhattan

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

Findings of Fact & Conclusions of Law

Petitioner, NYC Department of Environmental Protection, appeared; by Leah Smith. Respondent, appeared by authorized representative, Lance Chebin.

The summons sets forth a violation of NYC Administrative Code, section 24-163, idling of a motor vehicle engine for more than 3 minutes.

Ms. Smith stated that she would rely on the allegations as set forth in the summons and produced supporting documents. She noted that at the cited time, the lift gate was not in use.

Mr. Chebini argued that the truck was making pizza deliveries; that the refrigerator was in use; that the engine had to be on to charge the battery to use the lift gate and produced supporting documents.

I find that the summons sets forth a prima facie case. I don't credit Mr. Chebon's argument and I find that he has not rebutted the allegations as set forth in the summons.

Accordingly, the summons is sustained and the mandatory penalty is imposed

	
06/02/2025	06/02/2025
Aubrey Lees, Hearing Officer	Date