



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 000890606J et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- COLONIAL CRAFTERS INC. Hearing Date: 10/10/2025 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
000890606J	Sustained	04/11/2024	ON WEST 23RD STREET BETWEEN 5TH Manhattan

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

Findings of Fact & Conclusions of Law

Respondent, Colonial Crafters Inc., is charged with violating NYC Administrative Code Section 24-163, Idling of motor vehicle engine for more than 3 minutes – 1st offense, for a Truck with NY License Plate # 92949NC observed on April 11, 2024, from 11:42 a.m. to 11:46 a.m., at West 23rd Street between 5th Avenue and 6th Avenue, in New York, New York.

Section 24-163 states that "No person shall or permit the engine of a motor vehicle...to idle for longer than three minutes..." Section 24-163 (f) provides for exceptions when the engine is used to operate a processing device, for mechanical work, or to maintain appropriate temperature for passenger comfort.

At the hearing Petitioner, NYC Department of Environmental Protection, was represented by Andy Guzman. Nora Brown appeared on behalf of the Respondent, Colonial Crafters Inc., as the authorized representative.

Petitioner relied upon the information contained in the summons and submitted as evidence in support a photo showing the license plate and company name and address; the redacted Idling Complaint form; and a video (Petitioner's Exhibit 1). Inspector Guzman stated that you can see the exhaust on the video and there was no processing device in use or active loading/unloading that would require the engine to be idling.

Ms. Brown stated that she watched the video and Respondent will deny the violation and offered no rebuttal evidence or defense.

I credit the testimony and evidence submitted in this matter. I find that Petitioner established the violation of the cited Code and Respondent did not offer any evidence or defense.

Accordingly, this summons is Sustained and the 1st offense penalty is imposed.



10/14/2025

10/14/2025

Eva Marie Russo-Lane, Hearing Officer

Date