



**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# : 000846222M et al. (5 summonses)</b><br><br><b>DEPT OF ENVIRONMENTAL PROTECTION,</b><br><br><b>-against-</b><br><br><b>PENSKE TRUCK LEASING CORP</b><br><br><b>Hearing Date : 5/9/2025</b><br><br><b>Hearing Location : Remote</b><br><br><b>Type of Hearing : By Telephone</b> |
|------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                               |                 |                               |                       |
|-------------------------------|-----------------|-------------------------------|-----------------------|
| <b>Total Penalty Amount :</b> | <b>1,840.00</b> | <b>Community Service(Hr):</b> | <b>Not Applicable</b> |
|-------------------------------|-----------------|-------------------------------|-----------------------|

| <b>SUMMONS #</b> | <b>SUMMARY DISPOSITION</b> | <b>DATE OF OCCURRENCE</b> | <b>PLACE OF OCCURRENCE</b>               |
|------------------|----------------------------|---------------------------|------------------------------------------|
| 000846222M       | Sustained                  | 02/15/2024                | 5 Ave btw W 17 St and W 16 St, Manhattan |

| <b>LINE ITEM</b> | <b>OATH CODE</b> | <b>CODE SECTION / RULE</b> | <b>RESULT</b> | <b>PENALTY</b> |
|------------------|------------------|----------------------------|---------------|----------------|
| 1                | BA51             | 24 -163                    | Sustained     | 350.00         |

**Total Penalty for Summons: 350.00**

| SUMMONS #  | SUMMARY DISPOSITION | DATE OF OCCURRENCE | PLACE OF OCCURRENCE                 |
|------------|---------------------|--------------------|-------------------------------------|
| 000846320X | Sustained           | 01/05/2024         | Court St and Remsen St,<br>Brooklyn |

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

**Total Penalty for Summons: 350.00**

| SUMMONS #  | SUMMARY DISPOSITION | DATE OF OCCURRENCE | PLACE OF OCCURRENCE    |
|------------|---------------------|--------------------|------------------------|
| 000846462L | Sustained           | 01/11/2024         | 655 W 34 St, Manhattan |

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

**Total Penalty for Summons: 350.00**

| SUMMONS #  | SUMMARY DISPOSITION | DATE OF OCCURRENCE | PLACE OF OCCURRENCE                  |
|------------|---------------------|--------------------|--------------------------------------|
| 000859334J | Sustained           | 01/02/2024         | Liberty St and West St,<br>Manhattan |

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

**Total Penalty for Summons: 350.00**

| SUMMONS #  | SUMMARY DISPOSITION | DATE OF OCCURRENCE | PLACE OF OCCURRENCE                 |
|------------|---------------------|--------------------|-------------------------------------|
| 000864955Z | Sustained           | 01/04/2024         | Smith St and Warren St,<br>Brooklyn |

| LINE ITEM | OATH CODE | CODE SECTION / RULE | RESULT    | PENALTY |
|-----------|-----------|---------------------|-----------|---------|
| 1         | BA1E      | 24 -163             | Sustained | 440.00  |

**Findings of Facts & Conclusions of Law**

This matter was heard remotely, via telephonic conference, on May 9, 2025. Respondent appeared via Lance Chebin, identified as the authorized representative for the named respondent. Petitioner appeared via Leah Smith.

000846222M

The summons alleges a violation of NYC AC 24-163. The date of occurrence was February 15, 2024, at 7:07pm.

Respondent denies the charges, without rebuttal.

As such, the summons is hereby sustained, and the statutory penalty imposed.

000846320X

The summons alleges a violation of NYC AC 24-163. The date of occurrence was January 5, 2024, at 3:22pm.

Respondent denies the charges, without rebuttal.

As such, the summons is hereby sustained, and the statutory penalty imposed.

000846462L

The summons alleges a violation of NYC AC 24-163. The date of occurrence was January 11, 2024, at 10:28am.

Petitioner submits four documents, and a video, as evidence. Documents include: a picture of the vehicle's license plate; a picture of the side of vehicle, with respondent's name and DOT number visible; the redacted idling complaint; and a copy of the instant summons, and proof of service. Moreover, in the body of petitioner's email address is what petitioner testifies to be a "plate run," showing respondent's information.

Respondent denies the charges, without rebuttal, before petitioner submitted the citizen's video.

As such, the summons is hereby sustained, and the statutory penalty imposed.

000859334J

The summons alleges a violation of NYC AC 24-163. The date of occurrence was January 2, 2024, at 5:58pm.

Respondent denies the charges, without rebuttal.

As such, the summons is hereby sustained, and the statutory penalty imposed.

000864955Z

The summons alleges a violation of NYC AC 24-163. The date of occurrence was January 4, 2024, at 10:56am.

This summons is noted to be a repeat violation, with underlying summons 000762152H. Respondent does not contest the repeat designation.

Respondent denies the charges, without rebuttal.

As such, the summons is hereby sustained, and the statutory penalty imposed.



05/09/2025

05/09/2025

**Craig Messing, Hearing Officer**

**Date**

**IF YOU ARE FOUND IN VIOLATION, AND ARE NOT ELIGIBLE OR DO NOT CHOOSE  
COMMUNITY SERVICE, YOU MUST PAY THE PENALTY WITHIN 30 DAYS OF THE DECISION  
DATE OR 35 DAYS IF MAILED.**

- To pay by mail, send a check or money order to the Dept. of Finance Commissioner, P.O. Box 2307, Peck Slip Station, New York, NY 10272. The check or money order should be made out to "Finance Commissioner, City of New York." Write the summons number on the check or money order.
- To pay in person, bring a check, money order or credit card and this decision to any OATH Hearings Division location between 8:30 a.m. to 4:30 p.m.
- To pay online using a credit or debit card, go to [www.nyc.gov/citypay/oath](http://www.nyc.gov/citypay/oath)

If you do not pay the penalty, the City may: (1) file papers with the Civil Court ("docket a judgment"), (2) charge you a late fee, and (3) continue attempts to collect the debt.

**CAN I DO  
COMMUNITY  
SERVICE?**

If your summons is for the type of offense that gives you a Community Service option you can choose to complete Community Service instead of paying a penalty. Your decision will give you that option. You have to complete your Community Service by the deadline in the decision or else you will end up owing the penalty. You can even do your Community Service on the day you receive your decision.

**COMPLETION OF  
COMMUNITY  
SERVICE**

The Help Center will arrange for you to complete your Community Service. The Help Center is run by the Ombudsperson/*Pro Se* Clerk at OATH and is located at each Hearing Division in all five boroughs. To schedule your Community Service, call, email or visit a Help Center location.

**How to Contact the Help Center to Schedule Community Service:**

Manhattan: (212) 436-0845 CSmanhattan@oath.nyc.gov  
 Brooklyn: (718) 923-6216 CSbrooklyn@oath.nyc.gov  
 Queens: (718) 393-6044 CSqueens@oath.nyc.gov  
 Bronx: (718) 503-5565 CSbronx@oath.nyc.gov  
 Staten Island: (718) 876-2314 CSstatenisland@oath.nyc.gov

If you complete your Community Service by the deadline in the decision, you will receive a Certificate of Completion and will not have to pay a penalty. If you need an extension to complete your Community Service, please contact the Help Center.

**If you do not complete your Community Service by the deadline, you will have to pay the penalty.**

**NON-DISCLOSURE  
FOR SUMMONSES  
ELIGIBLE FOR  
COMMUNITY  
SERVICE**

If you either completed the Community Service or paid the penalty, OATH will remove your identifying information from public records related to your case.

If you do not complete the Community Service or pay the penalty, your identifying information may remain on public records related to your case.

**IF YOU DISAGREE  
WITH THE DECISION,  
YOU MAY APPEAL IT**

To submit your appeal, you **MUST** use OATH's online or mail-in appeal forms available on OATH's website at [www.nyc.gov/oath/appeal](http://www.nyc.gov/oath/appeal). Instructions for filing an appeal may be found on the form and OATH's website.

Your appeal **MUST** be received by the OATH Hearings Division **within 30 days** of the decision date, or 35 days if the decision was mailed to you.

To appeal you **may need to** pay the full penalty stated in this decision.

- If you cannot pay because of financial hardship, you may ask to not pre-pay by submitting with your appeal a Financial Hardship Application, available on OATH's website.
- If you are eligible and choose to perform Community Service instead of paying the penalty, you do not have to pay the penalty or complete the Community Service to appeal.

**APPEAL BY  
ENFORCEMENT  
AGENCY**

If you wish to answer an appeal filed by an enforcement agency, you **MUST** use OATH's Response To Appeal form. Instructions for filing an answer may be found on the form and OATH's website.

Your answer must be received **within 30 days** of the date of the enforcement agency's appeal, or 35 days if it was mailed to you.

If the enforcement agency wins the appeal, you may have to pay a penalty or, if eligible, complete Community Service even if your case was originally dismissed after the hearing.

For more information,  
visit OATH's website [www.nyc.gov/oath](http://www.nyc.gov/oath)  
or call 1-844-OATH-NYC

112018