



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 Pacific Street - 1st Floor NEW YORK, NY 11217	Summons No: 000861469J et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- HUGH O'KANE ELECTRIC CO INC Hearing Date: 06/20/2025 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
000861469J	Sustained	02/26/2024	418 Park Ave. Manhattan

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

Findings of Fact & Conclusions of Law

Respondent, HUGH O'KANE ELECTRIC CO INC, appeared by its authorized representative, LANCE CHEBIN. The petitioner, NYC Dept. of Environmental Protection ("DEP") did not appear.

The SUMMONS alleged a third violation of § 24-163 of the Administrative Code of the City of New York for idling a motor vehicle engine longer than three minutes.

Mr. Chebin contested the prior violations and stated that the violations were mailed to wrong mailing address. He reviewed the Petitioner's evidence and stated that there was active work.

I find petitioner failed to establish the prior violations were mailed to the correct mailing address. I credit the allegations and find they support a violation of the cited section of law. I find Mr. Chebin failed to establish a a valid defense as there was no evidence of loading or unloading or using a processing device.

Accordingly, I sustain and impose the penalty for a first offense.

	
06/26/2025	06/26/2025
Linda Agoston, Hearing Officer	Date