



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

JOSHUA SANTIS - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET NEW YORK, NY 11217	Summons No: 000858970X et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE TRUCK LEASING CO LP Hearing Date: 07/10/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000858970X	Dismissed	04/26/2024	ON W 71ST ST Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1I	24-163 (F)	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

Joshua Santis, authorized representative, appeared via Court Call on 07/11/25. Dantney Parks appeared on behalf of DEP.

Mr. Santis waived his right for counsel and need for translation services. Mr. Santis further waived his right to request the presence of the Issuing Officer.

Summons 000858970X was issued on 4/26/24 in violation of §24-163(f).

Ms. Parks submits an evidence packet and stands by the violation.

Mr. Santis states that the video presents a school on one end of the block, while the vehicle was parked on the other end of the block. Mr. Santis states that respondent did not see the school nor is it visible to the driver.

I credit the testimony that the video does not present a visible school. Although petitioner submits a google document indicating where the school is in relation to the vehicle, the google image shows scaffolding blocking the institution. There are no elements present that would allow someone unfamiliar with the building to identify the location as a school building. Based on the facts and law, this summons is dismissed.

<i>Malka Daniel</i>	
07/28/2025	07/28/2025
Malka Daniel, Hearing Officer	Date