



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

Decision

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons# : 000850493X et al. (4 summonses) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE LEASING AND RENTAL INC Hearing Date : 7/11/2025 Hearing Location : Remote Type of Hearing : By Telephone
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Total Penalty Amount : 1,400.00	Community Service(Hr): Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000850493X	Sustained	03/11/2024	2 EAST 45 STREET, 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
000861552K	Sustained	01/22/2024	577 ST JOHNS PLACE, 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
000879579X	Sustained	05/03/2024	222 West 40th 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
000912692J	Sustained	06/26/2024	2166 8 AVENUE, Manhattan

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

Total Penalty for Summons: 350.00

Findings of Facts & Conclusions of Law

Respondent, PENSKE LEASING AND RENTAL INC, appeared by its authorized representative, Joshua Santis and petitioner, NYC Dept. of Environmental Protection ("DEP") did not appear.

Respondent received 4 SUMMONSES: 000850493X, 000879579X, 000861552 and K000912692J.

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

Mr. Santis waived the Petitioner's evidence and stated that his client denied but that he could not rebut the prima facie case.

I credit the allegations and find they support a violation of Code § 24-163. I do not credit the dispute of the allegations and find that no valid defense was presented.

Accordingly, I sustain and impose the mandatory penalty of \$350 for each violation.

Linda Agoston

07/15/2025

07/15/2025

Linda Agoston, Hearing Officer

Date