



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: 000887447Y et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- DFC HD INC Hearing Date: 09/16/2025 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
000887447Y	Sustained	12/22/2023	530 COURT STREET Brooklyn

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

Findings of Fact & Conclusions of Law

Respondent received a Department of Environmental Protection summons for a violation of Section 24-163 of the New York City Administrative Code. In the summons, the issuing officer (IO) stated that on December 22, 2023 at 9:05 AM, "Respondent caused or permitted the idling of a motor vehicle while parked, standing or stopped. As per DEP records, citizen observed truck with NJ license plate #XHTR21 idling for longer than three minutes from 12/22/2023 9:01:32 AM to 12/22/2023 9:05:49 AM at 530 Court Street."

In a phone in hearing, Ms. Nora Brown, authorized representative for Respondent and Petitioner DEP agency representative, Mr. Michael Grosso, appeared. Petitioner submitted two photos, a redacted idling complaint form and a 4:17 minute video,

which is marked into evidence as Petitioner Exhibit A. Petitioner rested on the summons. Ms. Brown denied without rebuttal.

Here, I credit the IO's statement that Respondent was idling for more than three minutes. Repondent did not provide evidence to rebut same. As such, based on the foregoing, I find the Respondent in violation with a civil penalty of \$350.



09/16/2025

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Lori Costello, Hearing Officer

Date