



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000919254L et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE LEASING AND RENTAL INC Hearing Date: 02/11/2026 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
000919254L	Sustained	01/14/2025	ON LIVINGSTON ST BETWEEN ELM PL AND BOND ST Brooklyn

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

Findings of Fact & Conclusions of Law

Ilma Babu appeared on behalf of the Respondent, Penske Leasing and Rental Inc.

The Petitioner waived appearance by email.

The summons alleges a violation of NYC Administrative Code 24-163, idling of motor vehicle engine for more than three minutes, 1st offense, Respondent caused or permitted the idling of a motor vehicle while parked, standing, or stopped. As per DEP records, citizen observed truck with NY license plat #78365NE idling for longer than three minutes from 1/14/2025 7:28:16 AM to 1/14/2025 7:28:16 AM on Livingston St between Elm Place and Bond Street.

Ms Babu presented the video taken by the citizen complainant. Ms Babu stated that the video shows that the driver pulled away almost immediately after 3 minutes had elapsed. She stated that the engine was running only so that the workers could pack up and leave.

I find that the Respondent has not established a recognized defense to the valid prima facie case stated in the summons.

The summons is sustained.

	
02/11/2026	02/11/2026
Sean Gralton, Judicial Hearing Officer	Date