



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division
Decision

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons# : 000860396N et al. (1 summonses) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE TRUCK LEASING CO L P Hearing Date : 1/13/2026 Hearing Location : Remote Type of Hearing : By Telephone
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Total Penalty Amount : 440.00	Community Service(Hr): Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000860396N	Sustained	04/10/2024	9 EAST 3 STREET, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1E	24 -163	Sustained	440.00

Total Penalty for Summons: 440.00

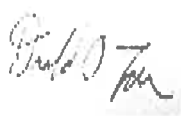
Findings of Facts & Conclusions of Law

The hearing was conducted by telephone on Court Call on January 13, 2026. Petitioner was represented by Inspector Dantney Parks. Respondent was represented by authorized representative Ilma Babu.

The summons charged a violation of 24-163 of the Administrative Code, idling a motor vehicle engine for longer than three minutes, charged as a second violation. Petitioner offered into evidence a redacted idling complaint and supporting images as well as disposition information on the prior summons listed in the summons (Exhibit 1). Petitioner also provided a video, which was viewed during the hearing.

Respondent moved to dismiss the summons because the liftgate was down and the the users of the truck may have been preparing to use it.

I do not find that respondent rebutted the allegations in the summons or established an affirmative defense. I credit the summons. The summons is sustained.

 01/13/2026	01/13/2026
Donald Lash, Judicial Hearing Officer	Date