



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

ILMA BABU - NACMIAS LAW FIRM PLLC
592 PACIFIC STREET 1st floor
Brooklyn ,NY 11217

Summons# : 000927806K et al. (1 summonses)

DEPT OF ENVIRONMENTAL PROTECTION,

-against-

DHL EXPRESS USA INC

Hearing Date : 11/20/2025

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 0.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000927806K	Dismissed	12/02/2024	89 BRIDGE STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1K	24-163 (F)	Dismissed	0.00

Total Penalty for Summons: 0.00

Findings of Facts & Conclusions of Law

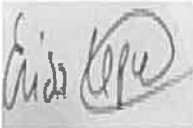
Respondent, DHL EXPRESS USA INCS, appeared by remote hearing. Respondent was represented by its authorized representative Ilma Babu. Department of Environmental Protection was represented by Martin Joyce.

The summons charges AC 24-163, idling of a motor vehicle engine for longer than one minute while adjacent to school, 3rd offense. Mr. Joyce submitted a redacted complaint, three photographs, prior summonses, and a video from the place and time of occurrence in support of the charge.

Ms. Babu argued that a school is not located at the place of occurrence, 89 Bridge Street. Ms. Babu also stated that the school (day care) is not easily identifiable as a school. Mr. Joyce stated that the vehicle was idling adjacent to the school. The school is located at the corner of Bridge Street and York Avenue.

I credit Respondent's testimony and find that Respondent established a valid defense. I find that the school was not easily identifiable as a school by signage or otherwise.

Accordingly, the Summons is dismissed.

 11/20/2025	11/20/2025
Erisa Cepa, Judicial Hearing Officer	Date