



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000874290M et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE LEASING & RENTAL CO Hearing Date: 03/30/2026 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
000874290M	Sustained	08/15/2024	Wooster st btw W. Houston & Prince Ss Manhattan

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

Findings of Fact & Conclusions of Law

John McLaughlin appeared for Petitioner and showed a short video and screen shots from it along with the redacted idling complaint in support. Ilma Babu, authorized representative, appeared for Respondent and said that the back of the truck was opened and they were getting it ready to move. Mr. McLaughlin said that even if this is true, it is not a defense. Getting the engine ready to move while on and there was no processing device or lift gate being used is not a rebuttal to the charge. I agree.

I find that the engine was idling for longer than allowed and there was no processing device in use.

Accordingly, the summons is sustained.



04/20/2026

04/20/2026

Joan Silverman, Judicial Hearing Officer

Date