



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000885336M et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE LEASING AND RENTAL COMPANY Hearing Date: 01/06/2026 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
000885336M	Sustained	09/09/2024	ON BROADWAY BETWEEN W 110TH ST & W 109TH ST Manhattan

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

Findings of Fact & Conclusions of Law

The hearing was conducted on January 6, 2026, by Court Call. Petitioner appeared through Leah Smith. Respondent, Penske Leasing and Rental Company, appeared through their authorized representative, Ilma Babu.

The summons charges a violation of 24-163 of the Administrative Code in that Respondent caused or permitted the idling of a motor vehicle while parked, standing, or stopped for more than three minutes. The issuing officer states that, as per DEP records, a citizen observed a Truck with MA license plate no. X93751 idling for longer than three minutes from 9/9/2024 8:40:49 AM to 9/9/2024 8:44:59 AM On Broadway between W 110th St. & W 109th St., in Manhattan.

Petitioner rests on the summons.

Respondent denies, but offers no rebuttal to, the allegations set forth in the summons.

I credit the statements of the issuing officer. Petitioner has established a prima facie case.

Accordingly, the Summons is sustained.



01/13/2026

01/13/2026

Antonio Cavallaro, Judicial Hearing Officer

Date



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Michael Nacmias, Esq. - Nacmias Law Firm
592 Pacific Street 1st Floor
Brooklyn, NY 11217

Summons# : 0803162609 et al. (2 summonses)

DEPARTMENT OF HEALTH & MENTAL HYGIENE,

-against-

ANSCHER BIALYSTOCK

Hearing Date : 1/12/2026

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 600.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0803162609	Sustained	08/20/2024	10 PITT ST, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	AH3P	NYCHC 151.02(A)	Sustained	300.00

Total Penalty for Summons: 300.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0803162618	Sustained	08/20/2024	10 PITT ST, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	AH3N	NYCHC 151.02(A)	Sustained	300.00

Total Penalty for Summons: 300.00

Findings of Facts & Conclusions of Law

0803162609

Michael Sargo appeared on behalf of Respondent for a phone hearing on January 12, 2026 in response to the above-issued summons. No appearance on behalf of Petitioner.

Respondent denied the claims with no rebuttal.

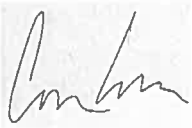
I credit the observations of the issuing officer and find that Petitioner proved this violation by a preponderance of the evidence . Therefore, the summons is sustained.

0803162618

Michael Sargo appeared on behalf of Respondent for a phone hearing on January 12, 2026 in response to the above-issued summons. No appearance on behalf of Petitioner.

Respondent denied the claims with no rebuttal.

I credit the observations of the issuing officer and find that Petitioner proved this violation by a preponderance of the evidence . Therefore, the summons is sustained.

	01/12/2026
Corey Lederman, Judicial Hearing Officer	Date

IF YOU ARE FOUND IN VIOLATION, AND ARE NOT ELIGIBLE OR DO NOT CHOOSE COMMUNITY SERVICE, YOU MUST PAY THE PENALTY WITHIN 30 DAYS OF THE DECISION DATE OR 35 DAYS IF MAILED.

- To pay by mail, send a check or money order to the Dept. of Finance Commissioner, P.O. Box 2307, Peck Slip Station, New York, NY 10272. The check or money order should be made out to "Finance Commissioner, City of New York." Write the summons number on the check or money order.
- To pay in person, bring a check, money order or credit card and this decision to any OATH Hearings Division location between 8:30 a.m. to 4:30 p.m.
- To pay online using a credit or debit card, go to www.nyc.gov/citypay/oath

If you do not pay the penalty, the City may: (1) file papers with the Civil Court ("docket a judgment"), (2) charge you a late fee, and (3) continue attempts to collect the debt.

CAN I DO COMMUNITY SERVICE?

If your summons is for the type of offense that gives you a Community Service option you can choose to complete Community Service instead of paying a penalty. Your decision will give you that option. You have to complete your Community Service by the deadline in the decision or else you will end up owing the penalty. You can even do your Community Service on the day you receive your decision.

COMPLETION OF COMMUNITY SERVICE

The Help Center will arrange for you to complete your Community Service. The Help Center is run by the Ombudsperson/Pro Se Clerk at OATH and is located at each Hearing Division in all five boroughs. To schedule your Community Service, call, email or visit a Help Center location.

How to Contact the Help Center to Schedule Community Service:

Manhattan: (212) 436-0845 CSmanhattan@oath.nyc.gov
Brooklyn: (718) 923-6216 CSbrooklyn@oath.nyc.gov
Queens: (718) 393-6044 CSqueens@oath.nyc.gov
Bronx: (718) 503-5565 CSbronx@oath.nyc.gov
Staten Island: (718) 876-2314 CSstatenisland@oath.nyc.gov

If you complete your Community Service by the deadline in the decision, you will receive a Certificate of Completion and will not have to pay a penalty. If you need an extension to complete your Community Service, please contact the Help Center.

If you do not complete your Community Service by the deadline, you will have to pay the penalty.

NON-DISCLOSURE FOR SUMMONSES ELIGIBLE FOR COMMUNITY SERVICE

If you either completed the Community Service or paid the penalty, OATH will remove your identifying information from public records related to your case.

If you do not complete the Community Service or pay the penalty, your identifying information may remain on public records related to your case.

IF YOU DISAGREE WITH THE DECISION, YOU MAY APPEAL IT

To submit your appeal, you **MUST** use OATH's online or mail-in appeal forms available on OATH's website at www.nyc.gov/oath/appeal. Instructions for filing an appeal may be found on the form and OATH's website.

Your appeal **MUST** be received by the OATH Hearings Division **within 30 days** of the decision date, or 35 days if the decision was mailed to you.

To appeal you **may need** to pay the full penalty stated in this decision.

- If you cannot pay because of financial hardship, you may ask to not pre-pay by submitting with your appeal a Financial Hardship Application, available on OATH's website.
- If you are eligible and choose to perform Community Service instead of paying the penalty, you do not have to pay the penalty or complete the Community Service to appeal.

APPEAL BY ENFORCEMENT AGENCY

If you wish to answer an appeal filed by an enforcement agency, you **MUST** use OATH's Response To Appeal form. Instructions for filing an answer may be found on the form and OATH's website.

Your answer must be received **within 30 days** of the date of the enforcement agency's appeal, or 35 days if it was mailed to you.

If the enforcement agency wins the appeal, you may have to pay a penalty or, if eligible, complete Community Service even if your case was originally dismissed after the hearing.

For more information,
 visit OATH's website www.nyc.gov/oath
 or call 1-844-OATH-NYC

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