



Office of Administrative Trials and Hearings

Hearings Division

Decision

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons# : 000889112L et al. (6 summonses) DEPT OF ENVIRONMENTAL PROTECTION, -against- DHL EXPRESS USA INC Hearing Date : 1/28/2026 Hearing Location : Remote Type of Hearing : By Telephone
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Total Penalty Amount : 3,600.00	Community Service(Hr): Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000889112L	Sustained	08/12/2024	56 JAY STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1F	24 -163	Sustained	600.00

Total Penalty for Summons: 600.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000889113N	Sustained	08/12/2024	180 FRONT STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1F	24 -163	Sustained	600.00

Total Penalty for Summons: 600.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000889114P	Sustained	08/20/2024	89 BRIDGE STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1K	24-163 (F)	Sustained	600.00

Total Penalty for Summons: 600.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000889115R	Sustained	08/20/2024	50 JAY STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1F	24 -163	Sustained	600.00

Total Penalty for Summons: 600.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000889116Z	Sustained	08/20/2024	41 BRIDGE STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1F	24 -163	Sustained	600.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000889117K	Sustained	08/20/2024	63 BRIDGE STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1F	24 -163	Sustained	600.00

Findings of Facts & Conclusions of Law

Six summonses were issued by the NYC Department of Environmental Protection for idling of motor vehicle engine.

Petitioner, DEP, appeared by John McLaughlin.

Respondent appeared by Ilma Babu, authorized representative.

1) As to Summons 000889113N, idling of motor vehicle engine for for more than three minutes, as a third and subsequent offense.

Pettiioner, submitted photographs, redacted affidavit and video of the alleged violation, without objection.

Respondent acknowledged the prior two violations for the same condition cited herein.

Respondent denied the violation but offered no rebuttal to the record.

As such, based on the record before, the violation is sustained and the a third offense penalty is hereby imposed.

2) As to Summons 0008896117k, idling of motor vehicle engine for for more than three minutes, as a third and subsequent offense.

Pettiioner, submitted photographs, redacted affidavit and video of the alleged violation, without objection.

Respondent acknowledged the prior two violations for the same condition cited herein.

Respondent denied the violation but offered no rebuttal to the record.

As such, based on the record before, the violation is sustained and the a third offense penalty is hereby imposed.

3) As to Summons 000889116Z, idling of motor vehicle engine for for more than three minutes, as a third and subsequent offense.

Pettiioner, submitted photographs, redacted affidavit and video of the alleged violation, without objection.

Respondent acknowledged the prior two violations for the same condition cited herein.

Respondent denied the violation stating that the driver came back before the three minute time period of the video evidence.

The video in evidence does not demonstrate that the vehicle moved or that the Respondent was in work mode requiring the engine to operate.

As such, based on the record before, the violation is sustained and the a third offense penalty is hereby imposed.

4) As to Summons 000889112L, idling of motor vehicle engine for for more than three minutes, as a third and subsequent offense.

Pettiioner, submitted photographs, redacted affidavit and video of the alleged violation, without objection.

Respondent acknowledged the prior two violations for the same condition cited herein.

Respondent denied the violation but offered no rebuttal to the record.

As such, based on the record before, the violation is sustained and the a third offense penalty is hereby imposed.

- 5) As to Summons 000889115R, idling of motor vehicle engine for for more than three minutes, as a third and subsequent offense.

Pettiioner, submitted photographs, redacted affidavit and video of the alleged violation, without objection.

Respondent acknowledged the prior two violations for the same condition cited herein.

Respondent denied the violation but offered no rebuttal to the record.

As such, based on the record before, the violation is sustained and the a third offense penalty is hereby imposed.

- 6) As to Summons 000889114P, idling of motor vehicle engine for for more than one minute, near school.

Pettiioner, submitted photographs, redacted affidavit and video of the alleged violation, without objection.

Respondent acknowledged the prior two violations for the same condition cited herein.

Respondent denied the violation arguing that the school was not visibly noticeable.

It is not a defense to the violation that the school was not visible to the operator cited in the violation.

As such, based on the record before, the violation is sustained and the a third offense penalty is hereby imposed.



01/30/2026

01/30/2026

John Ciafone, Judicial Hearing Officer

Date