



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592PACIFIC STREET Brooklyn, NY 11217	Summons No: 000889849X et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE LEASING & RENTAL CO Hearing Date: 02/03/2026 Hearing Location: Remote Type of Hearing: By Telephone
---	---

Total Penalty Amount: \$350.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000889849X	Sustained	10/27/2024	205 PROSPECT PARK SOUTHWEST Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1I	24-163 (F)	Sustained	\$350.00

Findings of Fact & Conclusions of Law

ILMA BABU appeared as the authorized representative of the named respondent. Inspector Gibbs for the Department. The summons cites a violation of 24-163f.

The Petitioner submitted the idling summons affidavit and complaint, and photos.

A video which exceeded one minute was played into the record and described.

The respondent contended that there was no signage and that the park was not easily identifiable.

I find the sworn account of the issuing officer to be credible, and that it establishes the charge. The respondent failed to set forth a valid legal defense. The rule requires the park be easily identifiable by "signage or other." Here, both the beginning of the video and the end of the video show a large prominent entrance to the park where there is a statue. The rest of the video shows well over a city block of trees that are behind a fence, and I find that it is clear that all the indicia of a park are easily visible. The summons is sustained.



02/03/2026

02/03/2026

Amy Jill Baranoff, Judicial Hearing Officer

Date