



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

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

Summons# : 000890963H et al. (1 summonses)

DEPT OF ENVIRONMENTAL PROTECTION,

-against-

ANY PENSKE LEASING AND RENTAL COMP

Hearing Date : 2/18/2026

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount :	350.00	Community Service(Hr):	Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000890963H	Sustained	10/24/2024	On Dupont St. Betw Leggett and Oak Point Avenues.

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

Total Penalty for Summons: 350.00

Findings of Facts & Conclusions of Law

On 10/24/24, Respondent Penske Leasing & Rental Co. issued a summons alleging that citizen observed Respondent's truck with MA plate #X69353 was idling for more than three minutes at the above indicated place of occurrence, in violation of AC section 24-163.

On 2/18/26, the hearing was conducted by telephone. Respondent appeared by its authorized representative Ilma Babu. Petitioner DEP waived its appearance.

Ms. Babu denied the charge but submittted no evidence in rebuttal.

I credit the IO's sworn to statement on the summons and find that Petitioner established a prima facie case for an idling violation under the cited section of law. I do not credit Respondent's denial and find that Respondent failed to submit any evidence in rebuttal. Accordingly, I sustain the summons and impose the mandatory penalty.

 02/19/2026	02/19/2026
Didi Skaff, Judicial Hearing Officer	Date