



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

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

Summons# : 000891020R 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 : 440.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000891020R	Sustained	11/15/2024	ON AVE A BETW ST MARKS PL AND E 7th St,

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1J	24-163 (F)	Sustained	440.00

Total Penalty for Summons: 440.00

Findings of Facts & Conclusions of Law

On 11/15/24, Respondent Penske Leasing & Rental Co. issued a summons alleging that citizen observed Respondent's truck with IN plate #2829165 was idling for more than three minutes at the above indicated place of occurrence, in violation of AC section 24-163. This is designated as a second offense.

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 submitted 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 a second offense idling violation. 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 second offense penalty.

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