



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000947913Y et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- ANY PENSKE LEASING AND RENTAL COMP Hearing Date: 02/18/2026 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
000947913Y	Sustained	08/01/2024	ON W 47TH ST BET 5TH AND 6TH AVENUES Manhattan

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

Findings of Fact & Conclusions of Law

On 8/1/24, Respondent Penske Leasing & Rental Co. issued a summons alleging that citizen observed Respondent's truck with VA plate #33585UA 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 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 an idling violation of 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.

De Skaff

02/19/2026

02/19/2026

Didi Skaff, Judicial Hearing Officer

Date