



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

Decision

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons# : 000949387M et al. (2 summonses) DEPT OF ENVIRONMENTAL PROTECTION, -against- ANY PENSKE LEASING AND RENTAL COMP Hearing Date : 3/9/2026 Hearing Location : Remote Type of Hearing : By Telephone
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Total Penalty Amount : 950.00	Community Service(Hr): Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000949387M	Sustained	09/10/2024	52 WEST 50 STREET, Manhattan

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
000949396Y	Sustained	09/15/2024	269 WEST 45 STREET, Manhattan

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

This remote hearing was conducted on February 25, 2026. Respondent (Penske Truck Leasing Co LP) appeared by attorney, Ilma Babu. Inspector Andy Guzman appeared for Petitioner (DEP).

For summons #000949387M, Respondent was charged with a repeat (3rd and subsequent offense) violation of 24-163. "Respondent caused or permitted the idling of a motor vehicle while parked, standing or stopper. As per DEP records, citizen observed VAN with NY License Plate #63644NB idling for longer than three minutes from 9/10/2024 7:45:28 PM to 9/10/2024 7:49:00 PM at 52 W 50th Street." This summons was issued on 9/10/2024. See: Hearing Officer Exhibit #1 (Summons copy).

For summons #000949396Y, Respondent was charged with a violation of 24-163. "Respondent caused of permitted the idling of a motor vehicle while parked, standing or stopped. As per DEP records, citizen observed TRUCK with MA License Plate #W72150 idling for longer that three minutes from 9/15/2024 4:19:51 PM to 9/15/2024 4:23:54 PM at 269 W 45 St." This summons was issued on 9/15/2024. See: Hearing Officer Exhibit #2 (Summons copy).

For both cases, Ms. Babu stated, "DNR."

Based on the record before me, I sustain these two (2) summonses. I credit the issuing officers' affirmations of the factual allegations. Respondent's representative denied the violations. However, she failed to present any credible rebuttal evidence, nor did she present any legally valid defenses. Accordingly, I sustain summonses #87M and #96Y. For summons #87M, I impose the 3rd and subsequent offense penalty. For summons #96Y, I impose the standard 1st offense penalty.

	03/09/2026		
<table style="width: 100%;"> <tr> <td style="width: 60%;">Joan B Beck-Wall, Judicial Hearing Officer</td> <td style="width: 40%;">Date</td> </tr> </table>		Joan B Beck-Wall, Judicial Hearing Officer	Date
Joan B Beck-Wall, Judicial Hearing Officer	Date		