



# OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

## Decision

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

Summons# : 000952446K et al. (3 summonses)

DEPT OF ENVIRONMENTAL PROTECTION,

-against-

ANY PENSKE LEASING AND RENTAL COMP

Hearing Date : 3/6/2026

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 1,050.00

Community Service(Hr): Not Applicable

| SUMMONS #  | SUMMARY<br>DISPOSITION | DATE OF OCCURRENCE | PLACE OF OCCURRENCE                       |
|------------|------------------------|--------------------|-------------------------------------------|
| 000952446K | Sustained              | 08/15/2024         | WEST 19TH ST BTWN 5TH<br>AVE AND 6TH AVE. |

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

Total Penalty for Summons: 350.00

| SUMMONS #  | SUMMARY DISPOSITION | DATE OF OCCURRENCE | PLACE OF OCCURRENCE          |
|------------|---------------------|--------------------|------------------------------|
| 000953045Y | Sustained           | 02/07/2025         | 21 ASTOR PLACE,<br>Manhattan |

  

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

**Total Penalty for Summons: 350.00**

| SUMMONS #  | SUMMARY DISPOSITION | DATE OF OCCURRENCE | PLACE OF OCCURRENCE   |
|------------|---------------------|--------------------|-----------------------|
| 000953268L | Sustained           | 09/25/2024         | 2 W47TH ST, 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**

John McLaughlin, DEP

Ilma Babu, authorized representative

Respondent's representative denied the charges in all 3 summonses without offering any rebuttals

I credit the statements in summonses 000952446K and 000953268L and find that Respondent idled both the cited motor vehicles for more than 3 minutes. Both summonses are sustained. I credit the statements in summons 000953045Y and find that Respondent idled the cited motor vehicle for more than 1 minute in front of a school as described. The summons is sustained.

|                                                                                                                                                                                |                   |                                            |      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|--------------------------------------------|------|
|                                                                                             | <b>03/06/2026</b> |                                            |      |
| <table style="width: 100%;"> <tr> <td style="width: 70%;">David Pantaleoni, Judicial Hearing Officer</td> <td style="width: 30%; text-align: center;">Date</td> </tr> </table> |                   | David Pantaleoni, Judicial Hearing Officer | Date |
| David Pantaleoni, Judicial Hearing Officer                                                                                                                                     | Date              |                                            |      |