



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

ILMA BABU - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET Brooklyn, NY 11217	Summons No: 000854279N et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- PENSKE TRUCK LEASING CORPORATI Hearing Date: 03/19/2026 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
000854279N	Sustained	04/18/2024	E. 54th St btwn Madison Ave & Park Ave Manhattan

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

Findings of Fact & Conclusions of Law

The hearing was conducted by telephone on Court Call on March 19, 2026. Petitioner was represented by Inspector Monica Dorson. Respondent was represented by authorized representative Ilma Babu.

The summons charged a violation of 24-163 of the Administrative Code, idling a motor vehicle engine for longer than three minutes.

Respondent denied, but did not rebut, the allegations in the summons.

I credit the summons. The summons is sustained.

	03/19/2026
Donald Lash, Judicial Hearing Officer	Date

complaint and a video captured by the citizen complainant of the truck idling. He noted that the lift gate was not in use while the engine was idling and that the school signage was clearly visible.

Ms. Babu denied the charge. She argued that the school signage was not very clear.

I credit the allegations contained in 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 a valid affirmative defense to the charge in that the school signage was clearly visible in the video submitted by the citizen complainant. Accordingly, I sustain the summons and impose the mandatory penalty.

Didi Skaff

03/20/2026

03/20/2026

Didi Skaff, Judicial Hearing Officer

Date