



**OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS**  
*Hearings Division*

**DECISION**

|                                                                                    |                                                                                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LANCE CHEBIN - NACMIAS LAW FIRM</b><br>592 PACIFIC STREET<br>NEW YORK, NY 11217 | <b>Summons No: 000809980Z et al. (1 Summons)</b><br><br><b>DEPT OF ENVIRONMENTAL PROTECTION,</b><br><br><b>-against-</b><br><br><b>BENJAMIN MOORE &amp; CO</b><br><br><b>Hearing Date: 05/28/2025</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |
|----------------------------------------------|
| <b>Total Penalty Amount: \$350.00</b>        |
| <b>Community Service(Hr): Not Applicable</b> |

| <b>SUMMONS #</b> | <b>SUMMARY DISPOSITION</b> | <b>DATE OF OCCURRENCE</b> | <b>PLACE OF OCCURRENCE</b>                         |
|------------------|----------------------------|---------------------------|----------------------------------------------------|
| 000809980Z       | Sustained                  | 09/11/2023                | Broome St. betw. Crosby & Lafayette Sts. Manhattan |

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

**Findings of Fact & Conclusions of Law**

Petitioner, NYC Department of Environmental Protection, appeared; by Leah Smith. Respondent, appeared by authorized representative, Lance Chebin.

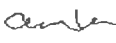
The summons sets forth a violation of NYC Administrative Code, section 24-163, idling of a motor vehicle engine for more than 3 minutes.

Ms. Smith stated that she would rely on the facts and details as set forth in the summons.

Mr. Chebini denied the violation and offered no rebuttal.

I find that the summons sets forth a prima facie case. I find that Mr. Chebin has not rebutted the allegations as set forth in the summons.

Accordingly, the summons is sustained and the mandatory penalty is imposed

|                                                                                     |            |
|-------------------------------------------------------------------------------------|------------|
|  | 06/02/2025 |
| 06/02/2025                                                                          | 06/02/2025 |
| Aubrey Lees, Hearing Officer                                                        | Date       |