



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Nacmias Law Firm - Chia-Han Lin 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 000735261N et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- CORPORATE EXPRESS INC Hearing Date: 11/18/2024 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
000735261N	Sustained	10/26/2022	21-19 49 AVENUE Queens

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

Findings of Fact & Conclusions of Law

Petitioner, the New York City Department of Environmental Protection, charges Respondent, with a violation of Section 24-163 of the New York City Administrative Code for idling of a motor vehicle engine for longer than three minutes.

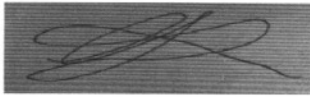
Both parties attended a telephonic hearing on Monday, November 18, 2024. Michael Grosso appeared for Petitioner. Chia-Han Lin appeared for Respondent and waived the presence of the Issuing Officer.

Mr. Lin reviewed Petitioner's evidence and denied the allegation without making a rebuttal argument.

Code § 24-163 prohibits idling a motor vehicle engine for longer than three minutes while parking, standing, or stopping unless the engine is used to operate a loading, unloading, or processing device.

I credit the summons details and Petitioner's evidence. Petitioner stated a prima facie case. In the absence of probative evidence to contest Petitioner's case, Respondent failed to refute the allegation or establish a defense.

Accordingly, the summons is sustained, and a statutory penalty of \$350 for the violation is imposed upon Respondent.



11/18/2024

11/18/2024

Geoffrey Luan, Hearing Officer

Date