



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET NEW YORK,NY 11217	Summons No: 000808017X et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- C DAVID ROSEN BAKERY SUPPLIES IN Hearing Date: 01/13/2025 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
000808017X	Sustained	06/15/2023	ON HILLSIDE AVE BETWEEN 161ST STREET AND 160TH STREET Queens

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

Findings of Fact & Conclusions of Law

The petitioner appeared by Dantney Parks.

The respondent appeared by its authorized Lance Chebin, and is charged with idling of motor vehicle.

The respondent denied the charge.

The petitioner submitted the redacted idling complaint form, registration of the vehicle, photographs of the vehicle and video of the cited incident to corroborate the inspector's sworn statement.

The respondent argued that a lift was being utilized; that there is a refrigerator in the vehicle has to be running to keep the refrigerator operating.

The petitioner argued that there was no lift gate in use; that respondent needs to provide proof that the refrigeration is mechanically connected to the vehicle.

I credit petitioner's evidence and find the respondent in violation of the cited section of law. The respondent did not establish a valid defense to the charge.



01/13/2025

01/13/2025

Natasha Pierre, Hearing Officer

Date