



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET NEW YORK, NY 11217	Summons No: 000835551J et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- LINDENMEYR MUNROE Hearing Date: 03/25/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$440.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000835551J	Sustained	01/17/2024	260 West 36th Street Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1J	24-163 (F)	Sustained	\$440.00

Findings of Fact & Conclusions of Law

The summons alleges violation of Title 24 Chapter 1 of the NYC Administrative Code in that respondent caused or permitted idling of a motor vehicle while parked standing or stopped for longer than 1 minute while adjacent to a school. The summons also alleges this was a repeat violation.

Inspector Monica Dorson appeared for the petitioner, The Department of Environmental Protection.

Lance Chebin appeared as an authorized representative for the respondent, Lindenmeyr Munroe, and denied the violation.

Petitioner relied on the sworn statement in the summons and submitted supporting documentation.

Respondent moved for dismissal contending that the truck was not adjacent to the school and was around the corner from it. Respondent submitted a map in support of his contention.

Petitioner stated that for a violation to exist the vehicle only needed to be adjacent to the school building whether it was the entrance or the exit and that the vehicle need not be directly in front of the school building. Petitioner noted that an exit sign that had NYC Department of Education School on it could be seen in the photographs and video.

I credit the factual allegations in the summons and petitioner's evidence which support a violation of the cited code section and find that the respondent did not establish a defense to the violation. Accordingly, the summons is sustained, and the mandatory penalty as a second violation is imposed.

Ilene Sussman

03/27/2025

03/27/2025

Ilene Sussman, Hearing Officer

Date