



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

**DECISION**

|                                                                                                  |                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LANCE CHEBIN - NACMIAS LAW FIRM</b><br><b>592 PACIFIC STREET</b><br><b>BROOKLYN, NY 11217</b> | <b>Summons No: 000831552N et al. (1 Summons)</b><br><br><b>DEPT OF ENVIRONMENTAL PROTECTION,</b><br><br><b>-against-</b><br><br><b>AUTO TAP CORP</b><br><br><b>Hearing Date: 04/14/2025</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |
|----------------------------------------------|
| <b>Total Penalty Amount: \$440.00</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>  |
|------------------|----------------------------|---------------------------|-----------------------------|
| 000831552N       | Sustained                  | 09/28/2023                | 2729 BROADWAY AVE Manhattan |

| <b>LINE<br/>ITEM</b> | <b>OATH<br/>CODE</b> | <b>CODE<br/>SECTION/RULE</b> | <b>RESULT</b> | <b>PENALTY</b> |
|----------------------|----------------------|------------------------------|---------------|----------------|
| 1                    | BA1E                 | 24 -163                      | Sustained     | \$440.00       |

**Findings of Fact & Conclusions of Law**

The respondent was represented by Lance Chebin. The petitioner was represented by Michael Grosso. The summons alleges that the respondent's vehicle was observed idling for more than three (3) minutes without a valid reason. It is noted as a second offense. The respondent has denied the charged violation but only argues that the wrong respondent was named.

The petitioner has presented documentation to establish that the license plate of the vehicle noted on the face of the summons belongs to the named respondent. The petitioner has provided a record of vehicle registration for the noted license plate. This information is required where the photograph of the identifying information present on the vehicle in question is difficult to read where the vehicle is covered with graffiti.

Based on the above, I find that there is sufficient evidence to establish that the named respondent was the appropriate party to cite in this matter. The respondent has denied the charged violation but presented no argument or evidence to either rebut the charged violation or establish a valid defense thereto. As such, the summons is sustained, and the appropriate penalty assessed



04/14/2025

04/14/2025

Patricia Cardoso, Hearing Officer

Date