



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 000923869J et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- THOMAS ICE CREAM DISTTIBUTION Hearing Date: 10/14/2025 Hearing Location: Remote Type of Hearing: By Telephone
---	--

Total Penalty Amount: \$440.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000923869J	Sustained	01/22/2025	ON 34TH AVE BETWEEN 29TH ST AND 30TH ST Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA1E	24 -163	Sustained	\$440.00

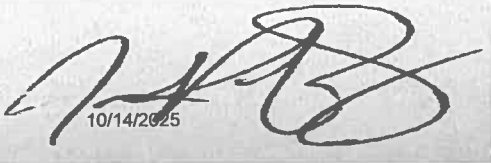
Findings of Fact & Conclusions of Law

Respondent, THOMAS ICE CREAM DISTRIBUTION, appeared via telephone in response to the above issued summons. Respondent was represented by authorized representative, Nora Brown. Petitioner, Department of Environmental Protection, did not appear. The summons alleges a repeat violation of NYC Administrative Code 24-163.

Ms. Brown denied the charge with no rebuttal.

I credit the issuing officer's statement and find that Petitioner proved this violation by a preponderance of the evidence. Respondent has not established a valid defense.

Accordingly, this summons is sustained as a repeat.

 10/14/2025	10/14/2025
Trishawn Raffington, Hearing Officer	Date