



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: 000770406Z et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- LGI USA INC Hearing Date: 11/20/2024 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
000770406Z	Sustained	03/31/2023	2ND AVE BW E 4TH ST & E 3RD ST Manhattan

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

Findings of Fact & Conclusions of Law

The summons alleges that Respondent violated section 24-163 of the New York City Administrative Code.

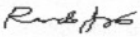
Section 24-163, as relevant, states that "No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency motor vehicle, to idle for longer than three minutes, except as provided in subdivision (f) of this section, while parking as defined in section one hundred twenty-nine of the vehicle and traffic law, standing as defined in section one hundred forty-five of the vehicle and traffic law, or stopping as defined in section one hundred forty-seven of the vehicle and traffic law, unless the engine is used to operate a loading, unloading or processing device."

John Lin appeared on behalf of Respondent. Michael Grosso appeared on behalf of the Department of Environmental Protection.

Mr. Grosso submitted a Citizen Idling Complaint form along with photographs of respondent's vehicle and a video in support of the allegations.

Mr. Lin denied the allegations.

I credit the allegations contained in the summons as well as petitioner's evidence. Respondent failed to rebut the allegations or argue a valid defense thereto. Respondent is found in violation.



11/21/2024

11/21/2024

Ricardo Luigi, Hearing Officer

Date