



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: 000727081X et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- STARTEC MECHANICAL Hearing Date: 01/27/2025 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
000727081X	Sustained	08/04/2022	242 Columbus Avenue Manhattan

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

Findings of Fact & Conclusions of Law

MABEL OGHOJAFOR, authorized representative, appeared at the remote hearing for respondent. Dantney Parks appeared for petitioner.

Ms. Parks provided documentary evidence in support of the allegations including photographs of the company name on the vehicle, the license plate, the redacted idling complaint, and the video of the vehicle idling (see Exhibits P1-P5). Ms. Parks testified that the video is three minutes and 22 seconds long, there is audible engine noise, we can hear the muffling by the exhaust pipe and see liquid dripping from the exhaust pipe and said vehicle doesn't hold a processing device.

Ms. Oghojafor denied the allegations without rebuttal.

I credit the factual allegations in the summons in conjunction with the documentary evidence (P1-P5) and the credited facts support the violation. Accordingly, the summons is sustained and a first-time penalty is imposed.

Christina Barba

02/06/2025

02/06/2025

Christina Barba, Hearing Officer

Date