



Motor Carrier Attachment

Notice to Appear on NOV Issued August 15, 2017 Dated September 14, 2017

Schoharie, NY October 6, 2018

HWY19MH001

(13 pages)

~~DATE \$5000 N/A SOP \$ 500~~ Recvd Chk # 1030
Dtd 3/6/2018 Violation Number: F10138



Department of Transportation

NOTICE OF VIOLATION

Form TF 122 (11/16)

Related NOV's: _____

PAID

CARRIER

Last			First			MI		
Shaked Musscare DBA Prestige Limo & Chauff								
Company Hazy Properties LLC								
No. 776			Street Saratoga Road					
City Gansevoort			State NY			ZIP 12831		
Telephone (518) 365-5043				Auth.				

REGISTRANT

Last			First			MI		
Company (if applicable)								
No.			Street			Apt.		
City			State			ZIP		
Telephone				DOB				
Plate			VIN #					
State			Make			Model		
Year		Type		Exp.				

DRIVER

Last			First			MI		
No.			Street			Apt.		
City			State			ZIP		
Telephone				DOB				
DL #		Class	State	Exp.				

RESPONSIBLE PARTY (Check One)			
<input checked="" type="checkbox"/> Carrier	<input type="checkbox"/> Registrant	<input type="checkbox"/> Driver	

D.O.T. AGENT

AFFIRMED UNDER PENALTY OF PERJURY			
Issued By (print) [Redacted]			
Signature [Redacted]			
Location via US Mail			
Date 08/15/17		Time 10 AM :PM	

Transportation Law/17 NYCRR Violation(s) Charged

- Section 93 (unified carrier registration) \$ 100.00
- Section 140 (safety certificate)
- Section 152 (passenger authority)
Held self out to transport passengers without authority.
- Section 191 (household goods authority)
- Section 197 (household goods tariff)
- Section _____ \$ _____
- 17 NYCRR _____ \$ 500
- 17 NYCRR _____ \$ 500
- 17 NYCRR _____ \$ 500
- 17 NYCRR _____ \$ 500
- 17 NYCRR _____
- 17 NYCRR _____
- 17 NYCRR _____ \$ _____
- 17 NYCRR _____ \$ _____

Explanation: *The result of a complaint investigation.*

C.R. # _____

HEARING TO BE SCHEDULED FOR ABOVE VIOLATIONS

FAILURE TO RESPOND TO THIS NOTICE IN A TIMELY MANNER AND/OR FAILURE TO APPEAR AT A HEARING MAY RESULT IN A SIGNIFICANTLY HIGHER CIVIL PENALTY BEING ASSESSED.

SEE INSTRUCTIONS ON REVERSE SIDE



Department of Transportation

ANDREW M. CUOMO Governor

CATHY CALHOUN Acting Commissioner

SEP 14 2017

HASY PROPERTIES LLC
776 SARATOGA ROAD
GANSEVOORT, N.Y. 12831

NOTICE TO APPEAR

Table with 4 columns: Violation #, Section of the Law, Description, Penalty. Row 1: F10138, 152, PASSENGER AUTHORITY/NONE, \$5000.00. Row 2: Total, , , \$5000.00

Hearing held on the above matter: 10/06/2017
Hearing Time: 10:30 AM - PROMPTLY
Hearing Location: NEW YORK STATE DEPT. OF TRANSPORTATION
PETER LOOMIS HEARING RM #6N06
50 WOLF ROAD - POD 53
ALBANY, N.Y. 12232

Room: A
Floor: 1ST

You are hereby directed to appear at a hearing at the above listed time and place. You may plead guilty to the charges listed above and pay the following Total Penalty: \$5000.

To plead guilty, sign this Notice and return it with a certified check or money order payable to "NYSDOT" within 7 days of this notice. If you plead guilty, you DO NOT need to appear at the hearing. Mail Payments to:

NYSDOT - POD 53
50 WOLF ROAD
ALBANY, NY 12232

If you appear at the hearing, you may represent yourself, be represented by an attorney or designate a person to represent you. If you plan to have someone represent you, you must submit a written Notice of Representation at the hearing. Whoever appears must provide a copy of his/her driver's license which will be kept by the Department. You will have an opportunity to question witnesses, to testify yourself or call witnesses to testify for you. You must call all witnesses and submit all documents and any other evidence you deem appropriate at the hearing. For additional information, please read side 2 of the Notice of Violation or Title 17 NYCRR Part 505. If you have any questions or want to discuss your options, you may contact the Department at 518-457-2411.

TO ADJOURN THIS CASE, YOU MUST CONTACT THE DEPARTMENT BY E-MAIL (novs@dot.ny.gov) AT LEAST 5 DAYS BEFORE THE HEARING. PLEASE INCLUDE THE VIOLATION # AND THE RESPONDENT'S NAME IN THE SUBJECT LINE OF THE E-MAIL. UNLESS AN ADJOURNMENT IS GRANTED IN WRITING, YOU OR YOUR REPRESENTATIVE MUST APPEAR AT THE HEARING. FAILURE TO APPEAR MAY RESULT IN A \$5000 CIVIL PENALTY BEING ASSESSED. IF YOU ARE FOUND GUILTY AT THE HEARING, A JUDGMENT MAY BE FILED WITH THE COUNTY CLERK AFFECTING YOUR CREDIT HISTORY AND YOUR OPERATING AUTHORITY AND VEHICLE REGISTRATION(S) MAY BE SUSPENDED AND/OR REVOKED WITHOUT FURTHER NOTICE OR HEARING.

I hereby waive my right to a hearing and plead guilty to the above charge(s). Enclosed is a certified check or money order in the amount specified above.

(Signature, Title and Date)



HASY PROPERTIES LLC
776 SARATOGA ROAD
GANSEVOORT, N.Y. 12831

ORDER AFTER HEARING
DEFAULT NOTICE

Table with 4 columns: Violation #, Section of the Law, Description, Penalty. Row 1: F10138, 152, PASSENGER AUTHORITY/NONE, \$5000.00. Row 2: Total, , , \$5000.00.

Hearing held on the above matter: 10/06/2017
Hearing Location: NEW YORK STATE DEPT. OF TRANSPORTATION

At a hearing held pursuant to Section 145 of the Transportation Law, you were found guilty of the above violations and are hereby ordered to PAY THE FOLLOWING CIVIL PENALTY:

TOTAL PENALTY: \$5000.00
DUE DATE: 11/05/2017

Payment must be made by returning a copy of this order with a certified check or money order payable to "NYSDOT". If this box [] is checked, you are also hereby ordered to make a refund of \$. Payment of the refund must be made by a separate certified check or money order made payable to and must be sent within 30 days of the date of this order.

Mail payments to:

New York State Department of Transportation
Motor Carrier Compliance Bureau-Violations
50 Wolf Road - POD 53
Albany NY 12232

If you wish to reopen this case, you must make your request in writing and pay the civil penalty assessed up to a maximum of \$500 within 30 days of the date of this order. A hearing will then be rescheduled. If you are found guilty, the amount already paid will be credited to any civil penalty assessed at the hearing. If you are found not guilty or if the amount of the civil penalty imposed is less than what you previously paid, then the difference will be returned to you.

If you do not pay the civil penalty within 120 days of the date of this order, your operating authority and your vehicle registration(s) may be suspended and/or revoked without further notice of hearing. In addition, a judgement will be filed with the County Clerk affecting your credit history.

Signed by: /s/ [Signature]
Chief Administrative Law Judge

Date: OCT 06 2017

NOTICE OF VIOLATION HEARING RECORD

HEARING DATE: October 6, 2017

NOV #F10138

RESPONDENT:
HASY PROPERTIES LLC

NOV ISSUED: August 15, 2017

[] REPORTER [] TAPE: SIDE:___ START:___ STOP:___

HEARING LOCATION: _____

ALJ: ~~Alicia McNally~~

APPEARING FOR RESPONDENT

APPEARING FOR DEPARTMENT

~~Ivie Bondes~~, Associate Attorney

STEPHEN FARINA

SECTION(S) CITED/DISPOSITION/PENALTY

G=GUILTY GNP=GUILTY, NO PENALTY DIS=DISMISSED
RES = RESERVED WITH = WITHDRAWN

SECTION	DESCRIPTION	FINDING	PENALTY
-----	-----	-----	-----
152	PASSENGER AUTHORITY/NONE.....	DG	\$5000

TOTAL CIVIL PENALTY:\$ _____

SHIPPER _____ REFUND:\$ _____

NOTES



Department of Transportation

ANDREW M. CUOMO Governor

PAUL A. KARAS Acting Commissioner

JANICE A. McLACHLAN Acting Chief Counsel

DATE: February 21, 2018
Adjourned Hearing Date: March 6, 2018

Hasy Properties LLC
Attn: Shahed Hussain

RE: Notice of Violation (NOV) # F10138

This document represents a written offer of settlement for the referenced Notice of Violation (NOV).

Hasy Properties LLC, by and through its authorized representative, Shahed Hussain, and subject to the approval of the Department's Administrative Law Judge, agrees to the following terms of settlement:

To enter a plea of guilty to the cited violations of:

- Transportation Law §152, Passenger Authority/NONE

To pay a civil penalty of \$500 for the cited violation of Transportation Law §152, by certified check or money order payable to NYSDOT, addressed and sent by surface mail to NYSDOT, Motor Carrier Compliance Bureau, POD 53, 50 Wolf Road Albany, NY 12232.

If you fail to sign and return this written confirmation of settlement by the Adjourned Hearing Date the above-listed NOV will remain on the hearing docket. Should you decide not to enter this settlement agreement, you must appear and proceed with the hearing on the Adjourned Hearing Date or on such other date that the judge may schedule. Any request for further adjournment will be denied unless there is a compelling reason at least 24 hours before the Adjourned Hearing Date. Failure to settle, adjourn or appear at the hearing on the Adjourned Hearing Date will result in a request for a default order against Respondent and assessment of a penalty of up to \$5,000 in the above-listed NOV.

The respondent is hereby placed on notice that the next plea of guilty or finding of guilt for a similar violation will result in the Department requesting a significantly higher civil penalty.

By signing below, you affirm that you are authorized to represent and enter this agreement on behalf of the above-listed carrier and agree to the terms as set forth herein.

[Redacted signature]
SHAHED HUSSAIN DATE
RESPONDENT'S REPRESENTATIVE

[Redacted signature]
DAVID E. WINANS, Associate Counsel DATE
New York State Department of Transportation

SO ORDERED:
[Redacted signature] DATE
ALICIA McNALLY
ADMINISTRATIVE LAW JUDGE
Office of Proceedings



Department of Transportation

ANDREW M. CUOMO
Governor

PAUL A. KARAS
Acting Commissioner

JANICE A. McLACHLAN
Acting Chief Counsel

*3/8/18
90-
original
legal*

DATE: February 21, 2018
Adjourned Hearing Date: March 6, 2018

Hasy Properties LLC
Attn: Shahed Hussain

RE: Notice of Violation (NOV) # F10138

 **COPY**

This document represents a written offer of settlement for the referenced Notice of Violation (NOV).

Hasy Properties LLC, by and through its authorized representative, Shahed Hussain, and subject to the approval of the Department's Administrative Law Judge, agrees to the following terms of settlement:

To enter a plea of guilty to the cited violations of:

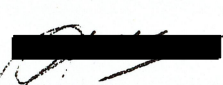
- Transportation Law §152, Passenger Authority/NONE

To pay a civil penalty of \$500 for the cited violation of Transportation Law §152, by certified check or money order payable to NYSDOT, addressed and sent by surface mail to NYSDOT, Motor Carrier Compliance Bureau, POD 53, 50 Wolf Road Albany, NY 12232.

If you fail to sign and return this written confirmation of settlement by the **Adjourned Hearing Date** the above-listed NOV will remain on the hearing docket. Should you decide not to enter this settlement agreement, you must appear and proceed with the hearing on the **Adjourned Hearing Date** or on such other date that the judge may schedule. Any request for further adjournment will be denied unless there is a compelling reason at least 24 hours before the **Adjourned Hearing Date**. Failure to settle, adjourn or appear at the hearing on the **Adjourned Hearing Date** will result in a request for a default order against Respondent and assessment of a penalty of up to \$5,000 in the above-listed NOV.

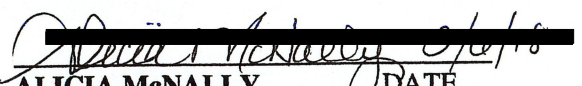
The respondent is hereby placed on notice that the next plea of guilty or finding of guilt for a similar violation will result in the Department requesting a significantly higher civil penalty.

By signing below, you affirm that you are authorized to represent and enter this agreement on behalf of the above-listed carrier and agree to the terms as set forth herein.


 _____ *3/6/18*
 SHAHED HUSSAIN DATE
 RESPONDENT'S REPRESENTATIVE

 DAVID E. WINANS, Associate Counsel DATE
 New York State Department of Transportation

SO ORDERED:


 _____ *3/6/18*
 ALICIA McNALLY DATE
 ADMINISTRATIVE LAW JUDGE
 Office of Proceedings

NOTICE OF VIOLATION: F10138

RESPONSIBLE PARTY: HASY PROPERTIES LLC

INDEX

1. EXHIBIT A: COMPLAINANT EMAIL – 06/26/17
2. EXHIBIT B: WEBSITE WITH PHONE NUMBER
3. EXHIBIT C: PHONE TRACE – 07/21/17
4. EXHIBIT D: PHONE CONVERSATION – 07/24/17

~~Farina, Stephen (DOT)~~

From: ~~Smith, Chad (DOT)~~
Sent: Monday, June 26, 2017 9:45 AM
To: ~~Duffy, Martin (DOT)~~
Subject: FW: WARNING - No Authority

~~Duffy,~~

I previously called on this to advise that he needs authority. He has not re-applied. For your action when you have time.

<https://www.hasylimo.com/>

From: ~~Smith, Chad (DOT)~~
Sent: Friday, June 09, 2017 10:14 AM
To: 'hasylimousine@yahoo.com'
Subject: WARNING - No Authority

Mr. Hussain,

Please be advised that a vehicle registered to you was found with a valid registration. The vehicle, VIN: [1FMNU40S51EB](#) [REDACTED] shows a registration as an 11 passenger Ford. This vehicle if used to transport passengers for compensation would require NYSDOT Authority. Your operations do not currently have NYSDOT Authority and your company will be subject to enforcement action if found to be transporting passengers for compensation in this vehicle.

There is also a disconnect from the seating capacity listed for the vehicle and seating capacity previously listed for the vehicle. We have previously seen this vehicle as being manufactured as an 18 passenger vehicle. If this is correct this would require the vehicle/driver to comply with having a USDOT number, CDLs, drug and alcohol testing and the company would need to comply with commercial motor vehicle requirements if using the vehicle if furtherance of any commercial enterprise.

If you have any further questions about the processing of your NYSDOT Authority you can contact [\[REDACTED\]](#) (518) 457-7602.

NYSDOT requirements:

The transportation of passenger in a for hire capacity within New York State in vehicles with a seating capacity of more than 10 passengers including the driver generally requires a NYSDOT Certificate of Authority (or NYSDOT Authority). You can find more information about authority and applications at the weblink below:
www.dot.ny.gov/divisions/operating/osss/bus/passenger

If you operate NYSDOT regulated vehicles, those vehicles will require a NYSDOT Bus Inspection. These will be required before your certificate to operate from NYSDOT is granted. More information on bus inspections and what is required can be found here:
www.dot.ny.gov/divisions/operating/osss/bus/inspection

If you operate NYSDOT regulated vehicles, NYSDMV requires that you only utilize 19A Certified drivers. This would generally require drivers to have a minimum of a CDL class "C" with a passenger endorsement. More information on the 19A bus driver certification process can be found here:
<http://dmv.ny.gov/org/motor-carriers/information-and-forms-article-19>

Federal Requirements:

If you are operating vehicles for compensation with a passenger capacity of 8 passengers or more (including the driver), you will have to fully comply with federal regulations. This includes obtaining a USDOT number and federal operating authority (MC Number) if operating for compensation. More information regarding this requirement can be found at:

www.fmcsa.dot.gov/registration

Other Requirements:

If you require further information regarding IRP, IFTA, HUT please see this weblink:
<http://dmv.ny.gov/org/motor-carriers/one-stop-credentialing-and-registration-oscar>

If you have any further questions, you can contact me via this email or by the contact information found below.

Thank you,

Chad B. Smith

Intermodal Transportation Specialist I - Motor Carrier Safety
Passenger Carrier Safety Bureau

New York State Department of Transportation, Albany Main Office

50 Wolf Road Pod 5-3
Albany, NY 12232

www.dot.ny.gov

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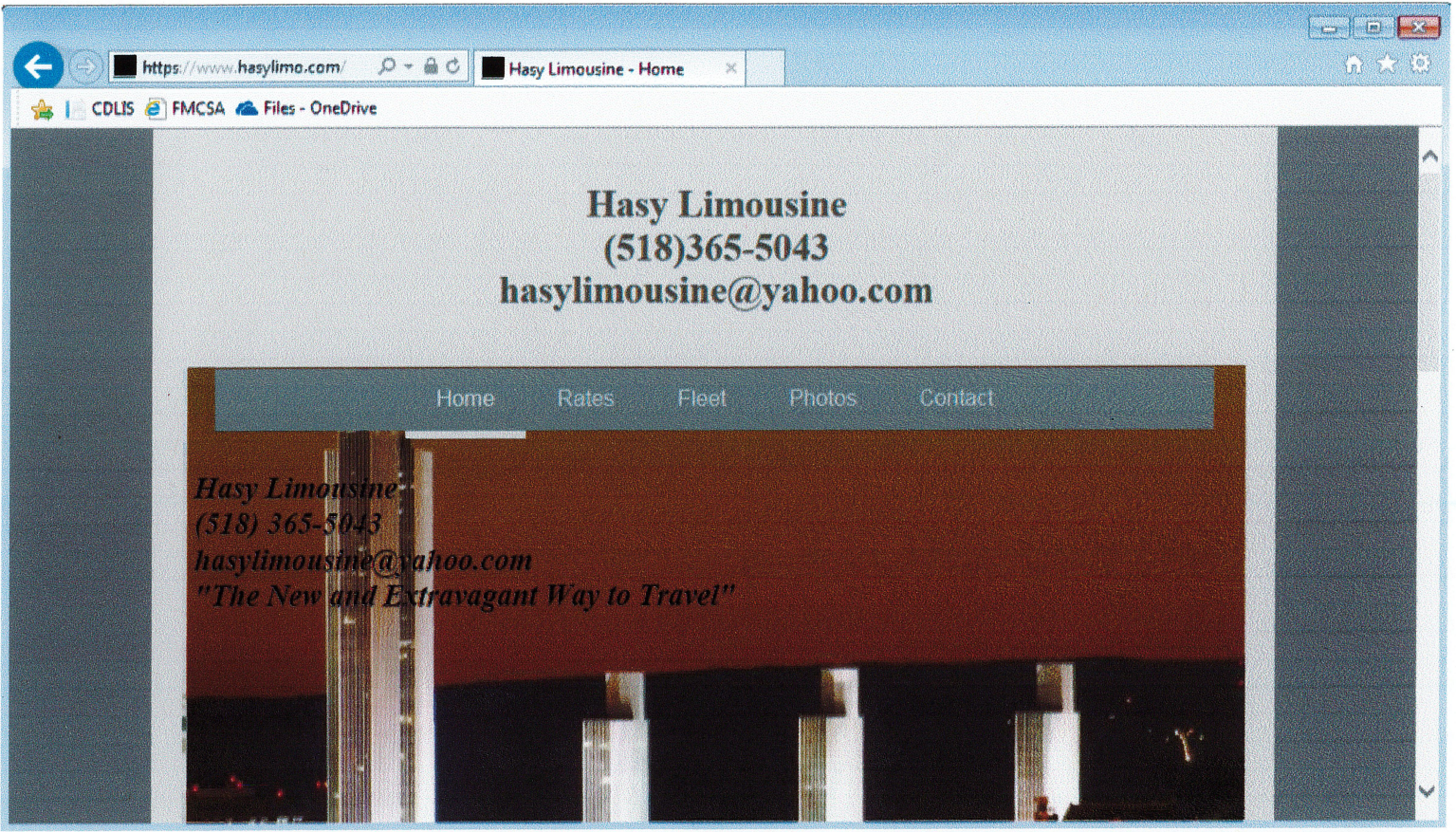


Exhibit C

Searched-Value	Account Number	Business Name	Addr Line1	Addr Line2	Addr Line3	City	State	Zip
5183655043	942112946-1	HASY PROPERTIES LLC	776 SARATOGA RD			GANSEVOORT	NY	128

The investigator, ~~Stephen Farina~~, called the respondent, HASY PROPERTIES LLC, on July 24, 2017. The investigator posed as a shipper and requested a quote for an intrastate one-way trip for 8 passengers between Rotterdam, NY and Albany International Airport in Albany, NY on August 4, 2017. The respondent replied that he was willing to offer his services and provided a quote for \$175 (plus tip)