



# Dismissal Report

## October 2016

- Vehicle For Hire & Taxi Hearings
- Health & Restaurant Hearings
  - ECB Hearings
  - DCA Hearings



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**FIDEL F. DEL VALLE**

COMMISSIONER &  
CHIEF ADMINISTRATIVE LAW JUDGE  
THE CITY OF NEW YORK  
OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

**November 18<sup>th</sup> , 2016**

- **Pursuant to New York City Local Law No. 64, attached is the Monthly Report Relating to Dismissals of Civil Penalty Violations in the Tribunals within the jurisdiction of OATH for the month of September, 2016.**
- **Please be advised that the numbers for OATH’s Health, DCA and Taxi & Limousine Tribunals reflect the number of charges rather than the number of summonses, dismissed. There may be multiple charges on each summons.**

**FY 17 Vehicle for Hire & Taxi Hearings\***

<b>FY 2017</b>	<b>AGENCY</b>	<b>Dismissals</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Grand Total</b>
	<b>TLC</b>	Dismissed No Violation/On the Merits	208	219	276	313									1,016
		Dismissed No Jurisdiction	0	5	0	0									5
		Dismissed Defective Service	6	2	6	3									17
		Dismissed Defective Summons/charge (defective on its face)	2	6	4	43									55
		Dismissed - Failure to Prosecute	9	9	17	9									44
		Dismissed - Successfully Disputed Ownership	0	0	0	0									-
		Dismissed - Wrong Party Named	0	2	0	3									5
		Dismissed - No Prima Facie Case	38	50	47	37									172
		Withdrawal	22	43	90	103									258
		Dismissed - Administrative Dismissal													-
	<b>TLC</b>	<b>Total Dismissed</b>	<b>285</b>	<b>336</b>	<b>440</b>	<b>511</b>	<b>0</b>	<b>-</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,572</b>
	<b>NYPD</b>	Dismissed No Violation/On the Merits	15	15	12	21									63
		Dismissed No Jurisdiction	0	0	0	0									-
		Dismissed Defective Service	0	4	2	1									7
		Dismissed Defective Summons/charge (defective on its face)	1	8	11	9									29
		Dismissed - Failure to Prosecute	2	5	0	3									10
		Dismissed - Successfully Disputed Ownership	0	0	0	0									-
		Dismissed - Wrong Party Named	1	0	0	0									1
		Dismissed - No Prima Facie Case	5	4	6	3									18
		Withdrawal	0	0	0	0									-
		Dismissed - Administrative Dismissal	0	0	0										-
	<b>NYPD</b>	<b>Total Dismissed</b>	<b>24</b>	<b>36</b>	<b>31</b>	<b>37</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>128</b>
	<b>Port Authority</b>	Dismissed No Violation/On the Merits	2	3	0	14									19
		Dismissed No Jurisdiction	0	0	0	0									-
		Dismissed Defective Service	0	0	0	0									-
		Dismissed Defective Summons/charge (defective on its face)	0	2	0	0									2
		Dismissed - Failure to Prosecute	1	0	3	1									5
		Dismissed - Successfully Disputed Ownership	0	0	0	0									-
		Dismissed - Wrong Party Named	0	0	0	0									-
		Dismissed - No Prima Facie Case	3	1	1	10									15
		Withdrawal	0	0	0	1									1
		Dismissed - Administrative Dismissal	0	0	0										-
	<b>Port Authority</b>	<b>Total Dismissed</b>	<b>6</b>	<b>6</b>	<b>4</b>	<b>26</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>42</b>
	<b>Grand Total</b>		<b>315</b>	<b>378</b>	<b>475</b>	<b>574</b>	<b>0</b>	<b>-</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,742</b>

\*by charge

**FY 17 Health & Restaurant Hearings\***

<b>FY2017</b>	<b>AGENCY</b>	<b>Dismissals</b>	<b>July</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Grand Total</b>
	<b>DOHMH*</b>	Dismissed No Violation/On the Merits	2,513	2,706	2,664	2,551									10,434
		Dismissed No Jurisdiction	-	4	1	1									6
		Dismissed Defective Service	1	4	9	7									21
		Dismissed Defective Summons/charge (defective on its face)	57	31	36	15									139
		Dismissed - Failure to Prosecute	-	4	15	74									93
		Dismissed - Successfully Disputed Ownership	2	-	-	8									10
		Dismissed - Wrong Party Named	-	18	2	7									27
		Dismissed - No Prima Facie Case	253	325	228	203									1,009
		Withdrawal	98	31	9	6									144
		Dismissed - Administrative Dismissal	-	-	-	-									-
		<b>Grand Total</b>	<b>2,924</b>	<b>3,123</b>	<b>2,964</b>	<b>2,872</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>11,883</b>

\*by charge













