

BenchNOTES Newsletter

December 2017

The documents below are in PDF format. [Download the Adobe Reader.](#)

Licensing

ALJ recommends revocation of master plumber's license.

A licensed master plumber and fire suppression piping contractor was charged with negligence, incompetence, lack of knowledge or disregard of the laws, and submitting a false or misleading statement to the Department of Buildings.

[Dep't of Buildings v. Harvey](#), OATH Index No. 214/17 (Nov. 29, 2017), *adopted*, Comm'r Dec. (Nov. 30, 2017).

[Read more](#)

Personnel

Captain charged with excessive force against inmate.

A captain was charged with excessive use of force following an incident in which she struck an inmate in the head and face area.

[Dep't of Correction v. Rothwell](#), OATH Index No. 1963/17 (Nov. 3, 2017).

[Read more](#)

Vehicle Retention

Police Department may retain seized car.

ALJ Kara J. Miller found that the Police Department could retain a vehicle seized from respondent following his arrest for reckless endangerment, using emergency lights and a siren on his personal vehicle, fleeing an officer, and possession of a forged instrument.

[Police Dep't v. Teich](#), OATH Index No. 1034/18, mem. dec. (Nov. 21, 2017).

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Real Property

Loft tenants allege rent overcharge.

Three tenants of an interim multiple dwelling in Brooklyn sought protected occupancy status and rent adjustments under the Loft Law.

[*Matter of Tenants of 151 Kent Avenue, Brooklyn*](#), OATH Index Nos. 532/17, 533/17 (Nov. 22, 2017).

[Read more](#)

Campaign Finance

ALJ dismisses charge that candidate received illegal contributions.

The Campaign Finance Board sought repayment of \$13,350 in matched public funds because respondents, including a candidate who ran for New York City Council in 2013 and his campaign committee, received contributions in violation of the law.

[*Campaign Finance Bd. v. Oberman*](#), OATH Index No. 2519/17 (Nov. 21, 2017).

[Read more](#)

Contracts

CDRB denies extra work claim.

A contractor sought \$2.04 million in compensation for alleged extra work on the Williamsburg Bus Plaza in Brooklyn, pursuant to a contract with the City Department of Design and Construction (DDC).

[*HASA Construction, LLC v. Dep't of Design & Construction*](#), OATH Index No. 1419/17, mem. dec. (Nov. 29, 2017).

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