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BenchNOTES

Last Month's OATH Decisions

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

Vehicle Rentention

Police Department may retain car.

ALJ Alessandra F. Zorogniotti held that the Police Department was entitled to retain a car seized in connection with an arrest for possession of narcotics with intent to sell pending a forfeiture action.

[Police Dep't v. Pagan](#), OATH Index No. 591/17, mem. dec. (Oct. 4, 2016).

[Read more](#)

Personnel

City worker coerced former client to house worker's friend.

ALJ John B. Spooner recommended termination of employment for a child protective specialist who coerced a former client into housing a friend, made false statements to investigators, and accessed confidential records without authorization.

[Admin. for Children's Services v. Lowe](#), OATH Index Nos. 1342/16 & 1904/16 (Oct. 19, 2016), *adopted*, Comm'r Dec. (Oct. 25, 2016).

[Read more](#)

Licensing

Taxi driver used force against passenger.

ALJ Noel R. Garcia found that petitioner proved that respondent, a taxicab driver, harassed and used force against a passenger by exiting his taxicab and following the passenger while demanding a fare, grabbing and holding onto the passenger's bag, grabbing his suit jacket, and striking the passenger in the face.

[Taxi & Limousine Comm'n v. Behar](#), OATH Index No. 0076/17 (Oct. 14, 2016), *adopted*, Comm'r Dec. (Nov. 7, 2016).

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Prevailing Wage

Subcontractor willfully failed to pay prevailing wages and benefits.

The Comptroller proved a subcontractor failed to pay prevailing wages and supplemental benefits to nine employees on public works contracts and falsified payroll records.

[Office of the Comptroller v. East Port Excavation & Utilities Inc. & Governale et al.](#), OATH Index No. 1889/16 (Oct. 25, 2016).

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OATH Tribunal Database](#)

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OATH Recent Decisions

[City worker coerced former
client to share apartment.](#)



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