



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Dismissal Report September 2021

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



JONI KLETTER

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

October 20th, 2021

- **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, 2021.**
- **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 22 Vehicle for Hire & Taxi Hearings*

AGENCY	Dismissals	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Grand Total
TLC	Dismissed No Violation/On the Merits	165	154	148										467
	Dismissed No Jurisdiction	1												1
	Dismissed Defective Service	5		1										6
	Dismissed Defective Summons/charge (defective on its face)	22	59	32										113
	Dismissed - Failure to Prosecute	2	1	4										7
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named		1											1
	Dismissed - No Prima Facie Case	37	99	30										166
	Withdrawal	16	9	4										29
Dismissed - Administrative Dismissal														-
TLC	Total Dismissed	248	323	219	-	-	-	-	-	-	-	-	-	790
NYPD	Dismissed No Violation/On the Merits	2	2	2										6
	Dismissed No Jurisdiction													-
	Dismissed Defective Service													-
	Dismissed Defective Summons/charge (defective on its face)	10	10	12										32
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named		1											1
	Dismissed - No Prima Facie Case	2	5	1										8
	Withdrawal													-
Dismissed - Administrative Dismissal													-	
NYPD	Total Dismissed	14	18	15	-	-	-	-	-	-	-	-	-	47
Port Authority	Dismissed No Violation/On the Merits	2	1	1										4
	Dismissed No Jurisdiction													-
	Dismissed Defective Service													-
	Dismissed Defective Summons/charge (defective on its face)													-
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	1		4										5
	Withdrawal													-
Dismissed - Administrative Dismissal													-	
Port Authority	Total Dismissed	3	1	5	-	-	-	-	-	-	-	-	-	9
Grand Total		265	342	239	-	-	-	-	-	-	-	-	-	846

*by charge

FY 22 Health & Restaurant Hearings*

AGENCY	Dismissals	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Grand Total	
DOHMH*	Dismissed No Violation/On the Merits	264	428	557										1,249	
	Dismissed No Jurisdiction	1												1	
	Dismissed Defective Service	20	11	20										51	
	Dismissed Defective Summons/charge (defective on its face)	13	15	15										43	
	Dismissed - Failure to Prosecute	1												1	
	Dismissed - Successfully Disputed Ownership	9	13	28										50	
	Dismissed - Wrong Party Named	22	15	20										57	
	Dismissed - No Prima Facie Case	100	117	99										316	
	Withdrawn prior to hearing	5	5	1										11	
	Dismissed - Administrative Dismissal														-
	Grand Total	435	604	740	-	-	-	-	-	-	-	-	-	-	1,779

*by charge

FY 22 DCA Hearings

AGENCY	Dismissals	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Grand Total	
DCA*	Dismissed No Violation/On the Merits	16	11	40										67	
	Dismissed No Jurisdiction			2										2	
	Dismissed Defective Service													-	
	Dismissed Defective Summons/charge (defective on its face)													-	
	Dismissed - Failure to Prosecute		3											3	
	Dismissed - Successfully Disputed Ownership		1											1	
	Dismissed - Wrong Party Named														-
	Dismissed - No Prima Facie Case	1		2											3
	Withdrawn prior to hearing	6	20	35											61
	Dismissed - Administrative Dismissal														-
	Grand Total		23	35	79	-	-	-	-	-	-	-	-	-	137

*by charge

FY 22 ECB Hearings

813-VECTOR DOHMH	ADMIN. DISMISSAL ECB DEFECTIVE NOV DEFECTIVE SERVICE DISPUTED OWNERSHIP IMPROPER PARTY CITED NO VIOL. DISMISS ON MERITS PROSECUTION WITHDRAWN UNASSIGNED REASON NO PRIMA FACIA CASE FAILURE TO PROSECUTE								
813-VECTOR DOHMH Total									
814-BED BUGS DOHMH	ADMIN. DISMISSAL ECB DEFECTIVE SERVICE NO VIOL. DISMISS ON MERITS NO PRIMA FACIA CASE								
814-BED BUGS DOHMH Total									
815-PCS DOHMH	ADMIN. DISMISSAL ECB DEFECTIVE NOV DEFECTIVE SERVICE DISPUTED OWNERSHIP IMPROPER PARTY CITED NO ECB JURISDICTION NO VIOL. DISMISS ON MERITS PROSECUTION WITHDRAWN DATA CORRECTION UNASSIGNED REASON FAILURE TO PROSECUTE NO PRIMA FACIA CASE WITHDRAWAL AFTER ADJUDICATE INTEREST OF JUSTICE	4	1						5
		12	14	12					38
		13	1	5					19
		7	12	6					25
		12	12	8					32
		1							1
		153	199	133					485
		8	10	6					24
		96	101	88					285
815-PCS DOHMH Total									
818-COOLING TWRDOHMH	ADMIN. DISMISSAL ECB DEFECTIVE NOV DEFECTIVE SERVICE DISPUTED OWNERSHIP IMPROPER PARTY CITED NO ECB JURISDICTION NO VIOL. DISMISS ON MERITS PROSECUTION WITHDRAWN FAILURE TO PROSECUTE NO PRIMA FACIA CASE UNASSIGNED REASON WITHDRAWAL AFTER ADJUDICATE								
		1							1
		1							1
		9							9
		68	31	34					133
		21	6						27
		3	1						4
818-COOLING TWRDOHMH Total									
998-PETER COOPER VLG STY TWN	DEFECTIVE NOV ADMIN. DISMISSAL ECB DEFECTIVE SERVICE IMPROPER PARTY CITED NO PRIMA FACIA CASE NO VIOL. DISMISS ON MERITS								
									1
									1
									1
									1
998-PETER COOPER VLG STY TWN Total									
811-WATER TANK DOHMH	DEFECTIVE NOV IMPROPER PARTY CITED NO ECB JURISDICTION NO PRIMA FACIA CASE NO VIOL. DISMISS ON MERITS DISPUTED OWNERSHIP PROSECUTION WITHDRAWN								
									1
									1
									1
		17	2	7					26
		1							1
									2
811-WATER TANK DOHMH Total									
		18	4	8					30
HEALTH(DOHMH) Total									
		443	411	335					1189
LANDMARKS(LPC)									
LPC-LANDMARK PRESERVATION	DEFECTIVE NOV PROSECUTION WITHDRAWN								
LPC-LANDMARK PRESERVATION Total									
802-HPD	IMPROPER PARTY CITED								
802-HPD Total									
LANDMARKS(LPC) Total									

FY 22 ECB Hearings

MARKET CASES(BIC)	850-BIC	ADMIN. DISMISSAL ECB								
		DEFECTIVE NOV								
		DEFECTIVE SERVICE	1	2					3	
		DISPUTED OWNERSHIP								
		IMPROPER PARTY CITED								
		NO VIOL. DISMISS ON MERITS								
		PROSECUTION WITHDRAWN								
		FAILURE TO PROSECUTE								
		NO PRIMA FACIA CASE								
		850-BIC Total			1	2				3
MARKET CASES(BIC) Total			1	2				3		
PARKS(DPR)	846-DEPT OF PARKS	ADMIN. DISMISSAL ECB								
		DEFECTIVE NOV	3	1				4		
		DEFECTIVE SERVICE								
		DISPUTED OWNERSHIP								
		IMPROPER PARTY CITED								
		NO ECB JURISDICTION								
		NO VIOL. DISMISS ON MERITS	4	8	9				21	
		WITHDRAWAL AFTER ADJUDICATE								
		FAILURE TO PROSECUTE								
		NO PRIMA FACIA CASE	11	3	5				19	
846-DEPT OF PARKS Total			18	12	14			44		
PARKS(DPR) Total			18	12	14			44		
POLICE	055-NYPD TRANSPORT INTELL DIV	ADMIN. DISMISSAL ECB								
		DEFECTIVE NOV	1					1		
		DEFECTIVE SERVICE		1				1		
		DISPUTED OWNERSHIP								
		IMPROPER PARTY CITED	2					2		
		NO ECB JURISDICTION			1			1		
		FAILURE TO PROSECUTE					1	1		
		NO VIOL. DISMISS ON MERITS	57	47	42			146		
		PROSECUTION WITHDRAWN								
		UNASSIGNED REASON								
		NO PRIMA FACIA CASE	7	1	7			15		
		WITHDRAWAL AFTER ADJUDICATE								
		INTEREST OF JUSTICE								
		055-NYPD TRANSPORT INTELL DIV Total			67	49	51			167
		056-POLICE DEPT	056-POLICE DEPT	ADMIN. DISMISSAL ECB	5	9	25			39
	DEFECTIVE NOV			42	68	44			154	
	DEFECTIVE SERVICE			286	374	253			913	
	DISPUTED OWNERSHIP									
	IMPROPER PARTY CITED			1					1	
	NO ECB JURISDICTION			4	2	4			10	
	NO VIOL. DISMISS ON MERITS			26	27	37			90	
	PROSECUTION WITHDRAWN									
	UNASSIGNED REASON				2				2	
	WORK DONE BY PREV. OWNER									
	DATA CORRECTION									
FAILURE TO PROSECUTE										
NO PRIMA FACIA CASE	21	28	19			68				
INTEREST OF JUSTICE										
056-POLICE DEPT Total			385	510	382			1277		
985-SEAGATE POLICE	985-SEAGATE POLICE	ADMIN. DISMISSAL ECB								
		DEFECTIVE NOV								
		DEFECTIVE SERVICE	7					7		
		NO ECB JURISDICTION								
		NO VIOL. DISMISS ON MERITS			1			1		
NO PRIMA FACIA CASE										
985-SEAGATE POLICE Total			7		1			8		
002-OFF OF SPECIAL ENFORCMT	002-OFF OF SPECIAL ENFORCMT	DEFECTIVE SERVICE			2			2		
		ADMIN. DISMISSAL ECB		1				1		
		DEFECTIVE NOV								
		IMPROPER PARTY CITED								
		NO VIOL. DISMISS ON MERITS	1	4	1			6		
		PROSECUTION WITHDRAWN								
		NO PRIMA FACIA CASE					3	3		
002-OFF OF SPECIAL ENFORCMT Total			1	5	6			12		
POLICE Total			460	564	440			1464		

FY 22 ECB Hearings

PUBLIC TELEPHONE(DOITT)	858-DOITT	ADMIN. DISMISSAL ECB								
		DEFECTIVE NOV								
		DEFECTIVE SERVICE								
		DISPUTED OWNERSHIP								
		NO ECB JURISDICTION								
		NO VIOL. DISMISS ON MERITS	2		13					15
		FAILURE TO PROSECUTE								
		NO PRIMA FACIA CASE								
		858-DOITT Total	2		13					15
		PUBLIC TELEPHONE(DOITT) Total	2		13					15
SANITATION(DSNY)	827-DOS - ENFORCEMENT AGENTS	ADMIN. DISMISSAL ECB								1
		DEFECTIVE NOV	4	2	1					7
		DEFECTIVE SERVICE	3	6	7					16
		DISPUTED OWNERSHIP	61	219	113					393
		IMPROPER PARTY CITED	86	39	8					133
		NO ECB JURISDICTION			1					1
		NO VIOL. DISMISS ON MERITS	327	329	347					1003
		PROSECUTION WITHDRAWN	23	2	75					100
		UNASSIGNED REASON								
		DATA CORRECTION								
		FAILURE TO PROSECUTE								
		NO PRIMA FACIA CASE	4	10	9					23
		WITHDRAWAL AFTER ADJUDICATE								
		INTEREST OF JUSTICE								
		827-DOS - ENFORCEMENT AGENTS Total	508	607	562					1677
		828-SANITATION POLICE	828-SANITATION POLICE	ADMIN. DISMISSAL ECB						
DEFECTIVE NOV										
DEFECTIVE SERVICE					1					1
DISPUTED OWNERSHIP	6			5	2					13
IMPROPER PARTY CITED	6			4						10
NO ECB JURISDICTION										
NO VIOL. DISMISS ON MERITS	13			9	17					39
PROSECUTION WITHDRAWN	13				6					19
DATA CORRECTION										
FAILURE TO PROSECUTE										
WITHDRAWAL AFTER ADJUDICATE										
NO PRIMA FACIA CASE	1	1						2		
828-SANITATION POLICE Total	39	20	25					84		
829-SANITATION OTHERS	829-SANITATION OTHERS	ADMIN. DISMISSAL ECB	1	1						2
		DEFECTIVE NOV	30	14	9					53
		DEFECTIVE SERVICE	33	24	27					84
		DISPUTED OWNERSHIP	144	138	190					472
		IMPROPER PARTY CITED	52	66	34					152
		NO ECB JURISDICTION	1	2						3
		NO VIOL. DISMISS ON MERITS	1273	1263	1105					3641
		PROSECUTION WITHDRAWN	13	4	286					303
		DATA CORRECTION								
		UNASSIGNED REASON								
		FAILURE TO PROSECUTE								
NO PRIMA FACIA CASE	48	32	15					95		
INTEREST OF JUSTICE										
829-SANITATION OTHERS Total	1595	1544	1666					4805		
830-SANITATION PIU	830-SANITATION PIU	ADMIN. DISMISSAL ECB								
		DEFECTIVE NOV								
		DEFECTIVE SERVICE								
		DISPUTED OWNERSHIP								
		PROSECUTION WITHDRAWN						1		1
		NO VIOL. DISMISS ON MERITS								
		FAILURE TO PROSECUTE	1							1
NO PRIMA FACIA CASE										
830-SANITATION PIU Total	1		1					2		

