



# BenchNOTES Newsletter

September 2024

## OATH News

**OATH decisions to be published in The New York Law Journal.** The New York Law Journal will begin publishing select, noteworthy decisions from the Trials Division in its “Decisions of Interest” section. This significant development highlights the crucial role OATH plays in the New York legal landscape, handling a diverse array of cases that impact daily life and addressing novel issues of law. To learn more about this important development, you can read [Commissioner Asim Rehman’s commentary](#) in the Law Journal which was published on September 25, 2024.

**Job opportunities at OATH:** OATH regularly posts employment opportunities on the NYC Jobs portal and on its website. [View current openings.](#)

## Trials Division

### Personnel

#### **Suspension recommended.**

ALJ Tiffany Hamilton recommended a 30-day suspension for a supervising inspector charged with incompetence for failing to identify errors in his subordinates’ reports and for submitting insufficient or incomplete inspection packages for enforcement action.

**[Dep't of Buildings v. Collis](#)**, OATH Index No. 1190/24 (Aug. 21, 2024).

**[Read more about Dep't of Buildings v. Collis.](#)**

## **Licensing**

**Lifting of license suspension recommended.**

ALJ Julia Davis recommended lifting the license suspension of a taxi driver arrested for arson and other related charges.

**[Taxi & Limousine Comm'n v. Singh](#)**, OATH Index No. 145/25 (Aug. 8, 2024), *adopted*, Comm'r Dec. (Aug. 21, 2024).

**[Read more about Taxi & Limousine Comm'n v. Singh and other Licensing cases.](#)**

## **Contracts**

**Dismissal recommended.**

The Contract Dispute Resolution Board, chaired by ALJ Christine Stecura, granted in part and denied in part a contractor's claim that it cannot be directed to perform extra or changed work without a registered change order and that a project manager/resident engineer lacked authority to issue a directive to perform extra work.

**[E.W. Howell Co., LLC v. Dep't of Design & Construction](#)**, OATH Index No. 270/24, mem. dec. (Aug. 21, 2024).

[Read more about \*E.W. Howell Co., LLC v. Dep't of Design & Construction\* and other Contracts cases.](#)

## Appeals from the Hearings Division

**Administrative Code violation affirmed.**

An appeals decision affirmed a hearing decision dismissing an Administrative Code violation for failing to comply with a Commissioner's order which directed respondent to submit an engineer's report within 72 hours.

[\*\*\*DOB v. Village JV 129 First Avenue LL\*\*\*](#), Appeal No. 2401075 (Aug. 29, 2024).

[Read more about \*\*\*DOB v. Village JV 129 First Avenue LL\*\*\*, and other Appeals from the Hearings Division cases.](#)

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