



# Dismissal Report

## August 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

**September 20, 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 May, 2016.**
- **Please be advised that the numbers for OATH’s Health 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>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											427
	Dismissed No Jurisdiction	0	5											5
	Dismissed Defective Service	6	2											8
	Dismissed Defective Summons/charge (defective on its face)	2	6											8
	Dismissed - Failure to Prosecute	9	9											18
	Dismissed - Successfully Disputed Ownership	0	0											-
	Dismissed - Wrong Party Named	0	2											2
	Dismissed - No Prima Facie Case	38	50											88
	Withdrawal	22	43											65
	Dismissed - Administrative Dismissal													-
<b>TLC</b>	<b>Total Dismissed</b>	<b>285</b>	<b>336</b>	<b>0</b>	<b>0</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>621</b>
<b>NYPD</b>	Dismissed No Violation/On the Merits	15	15											30
	Dismissed No Jurisdiction	0	0											-
	Dismissed Defective Service	0	4											4
	Dismissed Defective Summons/charge (defective on its face)	1	8											9
	Dismissed - Failure to Prosecute	2	5											7
	Dismissed - Successfully Disputed Ownership	0	0											-
	Dismissed - Wrong Party Named	1	0											1
	Dismissed - No Prima Facie Case	5	4											9
	Withdrawal	0	0											-
	Dismissed - Administrative Dismissal	0												-
<b>NYPD</b>	<b>Total Dismissed</b>	<b>24</b>	<b>36</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>0</b>	<b>0</b>	<b>60</b>
<b>Port Authority</b>	Dismissed No Violation/On the Merits	2	3											5
	Dismissed No Jurisdiction	0	0											-
	Dismissed Defective Service	0	0											-
	Dismissed Defective Summons/charge (defective on its face)	0	2											2
	Dismissed - Failure to Prosecute	1	0											1
	Dismissed - Successfully Disputed Ownership	0	0											-
	Dismissed - Wrong Party Named	0	0											-
	Dismissed - No Prima Facie Case	3	1											4
	Withdrawal	0	0											-
	Dismissed - Administrative Dismissal	0	0											-
<b>Port Authority</b>	<b>Total Dismissed</b>	<b>6</b>	<b>6</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>0</b>	<b>0</b>	<b>12</b>
<b>Grand Total</b>		<b>315</b>	<b>378</b>	<b>0</b>	<b>0</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>693</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											5,219
		Dismissed No Jurisdiction	0	4											4
		Dismissed Defective Service	1	4											5
		Dismissed Defective Summons/charge (defective on its face)	57	31											88
		Dismissed - Failure to Prosecute	0	4											4
		Dismissed - Successfully Disputed Ownership	2	0											2
		Dismissed - Wrong Party Named	0	18											18
		Dismissed - No Prima Facie Case	253	325											578
		Withdrawal	98	31											129
		Dismissed - Administrative Dismissal													-
		<b>Grand Total</b>	<b>2,924</b>	<b>3,123</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>6,047</b>

\*by charge













FY 17 DCA Hearings

FY2017	AGENCY	Dismissals	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Grand Total
	<b>DCA*</b>	Dismissed No Violation/On the Merits	n/a	-											-
		Dismissed No Jurisdiction	n/a	-											-
		Dismissed Defective Service	n/a	-											-
		Dismissed Defective Summons/charge (defective on its face)	n/a	-											-
		Dismissed - Failure to Prosecute	n/a	-											-
		Dismissed - Successfully Disputed Ownership	n/a	-											-
		Dismissed - Wrong Party Named	n/a	-											-
		Dismissed - No Prima Facie Case	n/a	-											-
		Withdrawal	n/a	-											-
		Dismissed - Administrative Dismissal	n/a	-											-
		<b>Grand Total</b>	-	-	-	-	-	-	-	-	-	-	-	-	-

\* DCA Cases began being heard at OATH on August 29<sup>th</sup>, 2016. During the month of August there were no DCA Hearing dismissals during the three days of operation within OATH.