



BenchNOTES Newsletter

March 2025

OATH News

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

Trials Division

Personnel

45-day suspension recommended.

ALJ Faye Lewis recommended a 45-day suspension with credit for a 30-day pretrial suspension served for a custodial engineer who stored an air rifle in a Department of Education warehouse building and fired it once on a weekend day when no one else was in the building. [*Dep't of Education v. O'Hara*](#), OATH Index No. 2125/24 (Feb. 11, 2025).

[Read more about *Department of Education v. O'Hara*.](#)

Licensing

Revocation of license and imposition of civil penalty recommended.

ALJ Kara J. Miller recommended revoking respondent's second-hand automobile dealer license and imposing a civil penalty of \$519,110 and restitution of \$28,859.39 to seven consumers for respondent's deceptive trade practices and violations of Consumer Protection Law. [***Dep't of Consumer & Worker Protection v. Champion Auto Sales of Utica Avenue, LLC***](#), OATH Index No. 2430/19 (Feb. 28, 2025).

[**Read more about *Dep't of Consumer & Worker Protection v. Champion Auto Sales of Utica Avenue, LLC* and other licensing cases.**](#)

Contracts

Contractor's challenge dismissed.

The Contract Dispute Resolution Board, chaired by ALJ Tiffany Hamilton, dismissed a contractor's request for additional compensation for the modification of a road reconstruction contract with the Department of Design and Construction. [***Restani Construction Corp. v. Dep't of Design & Construction***](#), OATH Index No. 1005/24, mem. dec. (Feb. 6, 2025).

[**Read more about *Restani Construction Corp. v. Dep't of Design & Construction*.**](#)

Appeals from the Hearings Division

Decision affirmed in part.

An appeals decision affirmed part of a hearing decision that sustained a violation of the Health Code against respondent, a food establishment, for failing to provide an employee bathroom.

[DOHMH v. Annie's Social Inc., Appeal No. 11830-24F0 \(Feb. 7, 2025\).](#)

[Read more about DOHMH v. Annie's Social Inc. and other Appeals from Hearings Division cases.](#)

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