



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Dismissal Report October 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

November 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 October, 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	119									586	
	Dismissed No Jurisdiction	1			1									2	
	Dismissed Defective Service	5		1										6	
	Dismissed Defective Summons/charge (defective on its face)	22	59	32	3									116	
	Dismissed - Failure to Prosecute	2	1	4	4									11	
	Dismissed - Successfully Disputed Ownership														-
	Dismissed - Wrong Party Named		1												1
	Dismissed - No Prima Facie Case	37	99	30	15										181
	Withdrawal	16	9	4	11										40
Dismissed - Administrative Dismissal														-	
TLC	Total Dismissed	248	323	219	153	-	-	-	-	-	-	-	-	943	
NYPD	Dismissed No Violation/On the Merits	2	2	2	5									11	
	Dismissed No Jurisdiction													-	
	Dismissed Defective Service													-	
	Dismissed Defective Summons/charge (defective on its face)	10	10	12	18									50	
	Dismissed - Failure to Prosecute													-	
	Dismissed - Successfully Disputed Ownership													-	
	Dismissed - Wrong Party Named		1											1	
	Dismissed - No Prima Facie Case	2	5	1	1									9	
	Withdrawal														-
Dismissed - Administrative Dismissal														-	
NYPD	Total Dismissed	14	18	15	24	-	-	-	-	-	-	-	-	71	
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	177	-	-	-	-	-	-	-	-	1,023	

*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	665									1,914	
	Dismissed No Jurisdiction	1			8									9	
	Dismissed Defective Service	20	11	20	40									91	
	Dismissed Defective Summons/charge (defective on its face)	13	15	15	30									73	
	Dismissed - Failure to Prosecute	1			1									2	
	Dismissed - Successfully Disputed Ownership	9	13	28	23									73	
	Dismissed - Wrong Party Named	22	15	20	22									79	
	Dismissed - No Prima Facie Case	100	117	99	140									456	
	Withdrawn prior to hearing	5	5	1	2									13	
	Dismissed - Administrative Dismissal														-
	Grand Total		435	604	740	931	-	-	-	-	-	-	-	-	2,710

*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	7									74
	Dismissed No Jurisdiction			2										2
	Dismissed Defective Service													-
	Dismissed Defective Summons/charge (defective on its face)				2									2
	Dismissed - Failure to Prosecute		3		4									7
	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	21									82
	Dismissed - Administrative Dismissal													-
	Grand Total	23	35	79	34	-	-	-	-	-	-	-	-	-

*by charge

FY 22 ECB Hearings

813-VECTOR DOHMH	ADMIN. DISMISSAL ECB								
	DEFECTIVE NOV								
	DEFECTIVE SERVICE					1			1
	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						1			1
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	4	1			1			6
	DEFECTIVE NOV	12	14	12		6			44
	DEFECTIVE SERVICE	13	1	5		35			54
	DISPUTED OWNERSHIP	7	12	6		21			46
	IMPROPER PARTY CITED	12	12	8		17			49
	NO ECB JURISDICTION	1				8			9
	NO VIOL. DISMISS ON MERITS	153	199	133		184			669
	PROSECUTION WITHDRAWN	8	10	6		7			31
	DATA CORRECTION								
	UNASSIGNED REASON								
	FAILURE TO PROSECUTE								
	NO PRIMA FACIA CASE	96	101	88	109				394
	WITHDRAWAL AFTER ADJUDICATE								
	INTEREST OF JUSTICE								
815-PCS DOHMH Total		306	350	258	388				1302
818-COOLING TWRDOHMH	ADMIN. DISMISSAL ECB					1			1
	DEFECTIVE NOV	1				11			12
	DEFECTIVE SERVICE								
	DISPUTED OWNERSHIP	1							1
	IMPROPER PARTY CITED	9				1			10
	NO ECB JURISDICTION								
	NO VIOL. DISMISS ON MERITS	68	31	34	93				226
	PROSECUTION WITHDRAWN	21	6						27
	FAILURE TO PROSECUTE								
	NO PRIMA FACIA CASE	3	1			4			8
	UNASSIGNED REASON								
	WITHDRAWAL AFTER ADJUDICATE								
818-COOLING TWRDOHMH Total		103	38	34	110				285
998-PETER COOPER VLG STY TWN	DEFECTIVE NOV								
	ADMIN. DISMISSAL ECB								
	DEFECTIVE SERVICE								
	IMPROPER PARTY CITED								
	NO PRIMA FACIA CASE					1			1
	NO VIOL. DISMISS ON MERITS			1					1
998-PETER COOPER VLG STY TWN Total				1	1				2
811-WATER TANK DOHMH	DEFECTIVE NOV								
	IMPROPER PARTY CITED					1			1
	NO ECB JURISDICTION								
	NO PRIMA FACIA CASE								
	NO VIOL. DISMISS ON MERITS	17	2	7	5				31
	DISPUTED OWNERSHIP	1							1
	PROSECUTION WITHDRAWN			2					2
811-WATER TANK DOHMH Total		18	4	8	5				35
HEALTH(DOHMH) Total		443	411	335	538				1727
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

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	1				2	
		DEFECTIVE NOV	4	2	1	1				8	
		DEFECTIVE SERVICE	3	6	7	13					29
		DISPUTED OWNERSHIP	61	219	113	28					421
		IMPROPER PARTY CITED	86	39	8	6					139
		NO ECB JURISDICTION			1	1					2
		NO VIOL. DISMISS ON MERITS	327	329	347	299					1302
		PROSECUTION WITHDRAWN	23	2	75	85					185
		UNASSIGNED REASON									
		DATA CORRECTION									
		FAILURE TO PROSECUTE									
		NO PRIMA FACIA CASE	4	10	9	4					27
		WITHDRAWAL AFTER ADJUDICATE									
		INTEREST OF JUSTICE									
		827-DOS - ENFORCEMENT AGENTS Total			508	607	562	438			
828-SANITATION POLICE	828-SANITATION POLICE	ADMIN. DISMISSAL ECB									
		DEFECTIVE NOV									
		DEFECTIVE SERVICE			1	1					2
		DISPUTED OWNERSHIP	6	5	2						13
		IMPROPER PARTY CITED	6	4							10
		NO ECB JURISDICTION									
		NO VIOL. DISMISS ON MERITS	13	9	17	9					48
		PROSECUTION WITHDRAWN	13		6	5					24
		DATA CORRECTION									
		FAILURE TO PROSECUTE									
		WITHDRAWAL AFTER ADJUDICATE									
		NO PRIMA FACIA CASE	1	1							2
828-SANITATION POLICE Total			39	20	25	15				99	
829-SANITATION OTHERS	829-SANITATION OTHERS	ADMIN. DISMISSAL ECB	1	1		5				7	
		DEFECTIVE NOV	30	14	9	8					61
		DEFECTIVE SERVICE	33	24	27	30					114
		DISPUTED OWNERSHIP	144	138	190	86					558
		IMPROPER PARTY CITED	52	66	34	27					179
		NO ECB JURISDICTION	1	2		6					9
		NO VIOL. DISMISS ON MERITS	1273	1263	1105	1169					4810
		PROSECUTION WITHDRAWN	13	4	286	49					352
		DATA CORRECTION									
		UNASSIGNED REASON									
		FAILURE TO PROSECUTE									
		NO PRIMA FACIA CASE	48	32	15	32					127
INTEREST OF JUSTICE											
829-SANITATION OTHERS Total			1595	1544	1666	1412				6217	
830-SANITATION PIU	830-SANITATION PIU	ADMIN. DISMISSAL ECB									
		DEFECTIVE NOV									
		DEFECTIVE SERVICE									
		DISPUTED OWNERSHIP									
		PROSECUTION WITHDRAWN				1					1
		NO VIOL. DISMISS ON MERITS					1				1
FAILURE TO PROSECUTE	1								1		
NO PRIMA FACIA CASE											
830-SANITATION PIU Total			1	1	1					3	

