



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Dismissal Report December 2019

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



TYNIA D. RICHARD

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

January 20th, 2019

- **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 December, 2019.**
- **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 20 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	521	428	394	588	556	509							2,996
	Dismissed No Jurisdiction		12			10	1							23
	Dismissed Defective Service	3	3	1	2									9
	Dismissed Defective Summons/charge (defective on its face)	112	49	33	43	30	47							314
	Dismissed - Failure to Prosecute	29	7	17	29	20	9							111
	Dismissed - Successfully Disputed Ownership			1										1
	Dismissed - Wrong Party Named	1	1	2			4							8
	Dismissed - No Prima Facie Case	116	37	68	62	46	94							423
	Withdrawal	9	11	13	43	55	33							164
Dismissed - Administrative Dismissal														-
TLC	Total Dismissed	791	548	529	767	717	697	-	-	-	-	-	-	4,049
NYPD	Dismissed No Violation/On the Merits	49	16	15	31	43	47							201
	Dismissed No Jurisdiction	1												1
	Dismissed Defective Service					5								5
	Dismissed Defective Summons/charge (defective on its face)	27	27	20	26	52	56							208
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership						1							1
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	13	15	16	10	6	21							81
	Withdrawal													-
Dismissed - Administrative Dismissal													-	
NYPD	Total Dismissed	90	58	51	67	106	125	-	-	-	-	-	-	497
Port Authority	Dismissed No Violation/On the Merits	7	3		7	1	8							26
	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			2	4	6	2							14
	Withdrawal													-
Dismissed - Administrative Dismissal													-	
Port Authority	Total Dismissed	7	3	2	11	7	10	-	-	-	-	-	-	40
Grand Total		888	609	582	845	830	832	-	-	-	-	-	-	4,586

*by charge

FY 20 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	3,043	2,556	2,462	2,705	2,183	2,119							15,068	
	Dismissed No Jurisdiction	13	12	10	10	2	4							51	
	Dismissed Defective Service	7	13	27	4	3	4							58	
	Dismissed Defective Summons/charge (defective on its face)	21	35	16	29	19	7							127	
	Dismissed - Failure to Prosecute	9	7	4	3	2	2							27	
	Dismissed - Successfully Disputed Ownership			1	1										2
	Dismissed - Wrong Party Named	4		1	3										8
	Dismissed - No Prima Facie Case	216	142	166	167	121	124								936
	Withdrawal	8	33	19	16	6	4								86
	Dismissed - Administrative Dismissal	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Grand Total	3,321	2,798	2,706	2,938	2,336	2,264	-	-	-	-	-	-	-	16,363

*by charge

FY 20 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	40	33	28	36	41	30							208	
	Dismissed No Jurisdiction	1					1							2	
	Dismissed Defective Service	3				5								8	
	Dismissed Defective Summons/charge (defective on its face)	20	22	17	7	1	3							70	
	Dismissed - Failure to Prosecute	3		3										6	
	Dismissed - Successfully Disputed Ownership		7											7	
	Dismissed - Wrong Party Named	3	2		1	1	6							13	
	Dismissed - No Prima Facie Case	3		4	1	3								11	
	Withdrawal	7	23	30	31	29	8							128	
	Dismissed - Administrative Dismissal														-
	Grand Total		80	87	82	76	80	48	-	-	-	-	-	-	453

*by charge

FY 20 ECB Hearings

Agency Group	Issuing Agency	Dismissal Reason	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Grand Total		
BUILDINGS(DOB)	DOB-DEPT OF BUILDINGS	ADMIN. DISMISSAL ECB	27	11	22	8	4	13							85		
		DEFECTIVE NOV	116	146	126	132	123	122							765		
		DEFECTIVE SERVICE	174	117	134	112	171	182							890		
		DISPUTED OWNERSHIP	39	60	37	54	18	40							248		
		IMPROPER PARTY CITED	114	118	85	96	101	103							617		
		NO ECB JURISDICTION	2	6	2	3	4	7							24		
		NO VIOL. DISMISS ON MERITS	917	927	805	776	792	991							5208		
		PROSECUTION WITHDRAWN	107	374	179	152	190	190							1192		
		UNASSIGNED REASON				1										1	
		WORK DONE BY PREV. OWNER	53	47	53	53	36	44								286	
		DATA CORRECTION	30	25	27	23	41	42								188	
		FAILURE TO PROSECUTE	2	5	1											8	
		NO PRIMA FACIA CASE	70	87	104	108	74	114								557	
		WITHDRAWAL AFTER ADJUDICATE	5	19	10	11	15	5								65	
		INTEREST OF JUSTICE				1										1	
		DOB-DEPT OF BUILDINGS Total			1656	1942	1585	1530	1569	1853							10135
		810-DEPT OF BUILDINGS 810	810-DEPT OF BUILDINGS 810	ADMIN. DISMISSAL ECB													
				IMPROPER PARTY CITED		1											1
				DEFECTIVE NOV													
				DEFECTIVE SERVICE		2											2
NO VIOL. DISMISS ON MERITS				3	3	1	4								11		
NO PRIMA FACIA CASE		1												1			
810-DEPT OF BUILDINGS 810 Total				7	3	1	4								15		
BUILDINGS(DOB) Total			1656	1949	1588	1531	1573	1853							10150		
ENVIRONMENTAL PROTECTION(DEP)	824-DEP - IWC	ADMIN. DISMISSAL ECB															
		DEFECTIVE NOV		1											1		
		DEFECTIVE SERVICE															
		DISPUTED OWNERSHIP															
		IMPROPER PARTY CITED															
		NO VIOL. DISMISS ON MERITS							1						1		
		PROSECUTION WITHDRAWN			8	4			4						16		
		DATA CORRECTION	1												1		
		NO PRIMA FACIA CASE															
		824-DEP - IWC Total			1	1	8	4		5						19	
		825-DEP - BUREAU OF CUST SRV	825-DEP - BUREAU OF CUST SRV	ADMIN. DISMISSAL ECB	14	5	9	16	6	29							79
				DEFECTIVE NOV		3	1	1	3	3							11
				DEFECTIVE SERVICE	1	1	1										3
				DISPUTED OWNERSHIP	1	1					1						3
				IMPROPER PARTY CITED		1			2								3
				FAILURE TO PROSECUTE													
				NO VIOL. DISMISS ON MERITS	6	3	10	10	5	1							35
				PROSECUTION WITHDRAWN	1	1	1	1									3
				WORK DONE BY PREV. OWNER													
				NO PRIMA FACIA CASE	2	3	1			2							8
825-DEP - BUREAU OF CUST SRV Total					24	18	23	28	16	36						145	
826-DEP - BUREAU OF ENV. COMP	826-DEP - BUREAU OF ENV. COMP	ADMIN. DISMISSAL ECB	1												1		
		DEFECTIVE SERVICE															
		DISPUTED OWNERSHIP															
		IMPROPER PARTY CITED															
		NO VIOL. DISMISS ON MERITS															
		PROSECUTION WITHDRAWN															
		NO PRIMA FACIA CASE	1												1		
826-DEP - BUREAU OF ENV. COMP Total			2											2			
989-DEP POLICE	989-DEP POLICE	ADMIN. DISMISSAL ECB															
		DEFECTIVE NOV															
		NO VIOL. DISMISS ON MERITS				1									1		
		NO PRIMA FACIA CASE															
989-DEP POLICE Total					1									1			
ASB-ASBESTOS CONTROL PROGRAM	ASB-ASBESTOS CONTROL PROGRAM	ADMIN. DISMISSAL ECB															
		DEFECTIVE NOV															
		DEFECTIVE SERVICE		1											1		
		DISPUTED OWNERSHIP				1		1							2		
		IMPROPER PARTY CITED		2		1	1								4		
		FAILURE TO PROSECUTE															
		NO VIOL. DISMISS ON MERITS	6	1	12	5	11	10							45		
		PROSECUTION WITHDRAWN	10	4	9	6	1	22							52		
		DATA CORRECTION															
		NO PRIMA FACIA CASE	3	2	1	2	1	2							11		
		ASB-ASBESTOS CONTROL PROGRAM Total			19	10	22	15	14	35						115	

