



# OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

## Dismissal Report August 2020

- 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

**September 20<sup>th</sup>, 2020**

- **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 August, 2020.**
- **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 21 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	35	50											85
	Dismissed No Jurisdiction													-
	Dismissed Defective Service		1											1
	Dismissed Defective Summons/charge (defective on its face)	30	29											59
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership		1											1
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	6	12											18
	Withdrawal													-
	Dismissed - Administrative Dismissal													-
<b>TLC</b>	<b>Total Dismissed</b>	<b>71</b>	<b>93</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>164</b>
<b>NYPD</b>	Dismissed No Violation/On the Merits		1											1
	Dismissed No Jurisdiction													-
	Dismissed Defective Service													-
	Dismissed Defective Summons/charge (defective on its face)		7											7
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case													-
	Withdrawal													-
	Dismissed - Administrative Dismissal													-
<b>NYPD</b>	<b>Total Dismissed</b>	<b>-</b>	<b>8</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>8</b>
<b>Port Authority</b>	Dismissed No Violation/On the Merits													-
	Dismissed No Jurisdiction													-
	Dismissed Defective Service													-
	Dismissed Defective Summons/charge (defective on its face)		1											1
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case													-
	Withdrawal													-
	Dismissed - Administrative Dismissal													-
<b>Port Authority</b>	<b>Total Dismissed</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>
<b>Grand Total</b>		<b>71</b>	<b>102</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>173</b>

\*by charge

**FY 21 Health & Restaurant Hearings\***

<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	255	354											<b>609</b>
	Dismissed No Jurisdiction	5												<b>5</b>
	Dismissed Defective Service	14	17											<b>31</b>
	Dismissed Defective Summons/charge (defective on its face)		5											<b>5</b>
	Dismissed - Failure to Prosecute		1											<b>1</b>
	Dismissed - Successfully Disputed Ownership	1	6											<b>7</b>
	Dismissed - Wrong Party Named	4	3											<b>7</b>
	Dismissed - No Prima Facie Case	23	18											<b>41</b>
	Withdrawal	2												<b>2</b>
	Dismissed - Administrative Dismissal													<b>-</b>
	<b>Grand Total</b>		<b>304</b>	<b>404</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

\*by charge

FY 21 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	12	23											35	
	Dismissed No Jurisdiction													-	
	Dismissed Defective Service													-	
	Dismissed Defective Summons/charge (defective on its face)													-	
	Dismissed - Failure to Prosecute	4	3											7	
	Dismissed - Successfully Disputed Ownership													-	
	Dismissed - Wrong Party Named			1											1
	Dismissed - No Prima Facie Case	1													1
	Withdrawal	4	6												10
	Dismissed - Administrative Dismissal														-
	<b>Grand Total</b>	<b>21</b>	<b>33</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>54</b>

\*by charge





FY 21 ECB Hearings

	813-VECTOR DOHMH	ADMIN. DISMISSAL ECB								
		DEFECTIVE NOV								
		DEFECTIVE SERVICE								
		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									
	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								
		DEFECTIVE NOV							2	
		DEFECTIVE SERVICE	7	14					21	
		DISPUTED OWNERSHIP	1	5					6	
	IMPROPER PARTY CITED		2					2		
	NO ECB JURISDICTION	5						5		
	NO VIOL. DISMISS ON MERITS	9	12					21		
	PROSECUTION WITHDRAWN									
	DATA CORRECTION									
	UNASSIGNED REASON									
	FAILURE TO PROSECUTE									
	NO PRIMA FACIA CASE	2	2					4		
	WITHDRAWAL AFTER ADJUDICATE									
	INTEREST OF JUSTICE									
815-PCS DOHMH Total		24	37					61		
818-COOLING TWRDOHMH	ADMIN. DISMISSAL ECB		7					7		
	DEFECTIVE NOV									
	DEFECTIVE SERVICE									
	DISPUTED OWNERSHIP									
	IMPROPER PARTY CITED	7	1					8		
	NO ECB JURISDICTION									
	NO VIOL. DISMISS ON MERITS	19	24					43		
	PROSECUTION WITHDRAWN									
	FAILURE TO PROSECUTE									
	NO PRIMA FACIA CASE	6	1					7		
	UNASSIGNED REASON									
	WITHDRAWAL AFTER ADJUDICATE									
818-COOLING TWRDOHMH Total		32	33					65		
998-PETER COOPER VLG STY TWN	DEFECTIVE NOV									
	ADMIN. DISMISSAL ECB	1						1		
	DEFECTIVE SERVICE									
	IMPROPER PARTY CITED									
	NO PRIMA FACIA CASE									
	NO VIOL. DISMISS ON MERITS									
998-PETER COOPER VLG STY TWN Total		1						1		
811-WATER TANK DOHMH	DEFECTIVE NOV									
	IMPROPER PARTY CITED									
	NO PRIMA FACIA CASE									
	NO VIOL. DISMISS ON MERITS									
	DEFECTIVE SERVICE									
	PROSECUTION WITHDRAWN									
811-WATER TANK DOHMH Total										
HEALTH(DOHMH) Total			66	83				149		
LANDMARKS(LPC)	LPC-LANDMARK PRESERVATION	DEFECTIVE NOV								
		DEFECTIVE SERVICE								
	LPC-LANDMARK PRESERVATION Total									
	802-HPD	IMPROPER PARTY CITED								
	802-HPD Total									
LANDMARKS(LPC) Total										



FY 21 ECB Hearings

MARKET CASES(BIC)	850-BIC	ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV							
		DEFECTIVE SERVICE							
		DISPUTED OWNERSHIP							
		IMPROPER PARTY CITED							
		NO VIOL. DISMISS ON MERITS							
		PROSECUTION WITHDRAWN	3	2					5
		FAILURE TO PROSECUTE							
		NO PRIMA FACIA CASE							
		850-BIC Total			3	2			
<b>MARKET CASES(BIC) Total</b>									
PARKS(DPR)	846-DEPT OF PARKS	ADMIN. DISMISSAL ECB	1	2					3
		DEFECTIVE NOV		2					2
		DEFECTIVE SERVICE							
		DISPUTED OWNERSHIP		1					1
		IMPROPER PARTY CITED							
		NO ECB JURISDICTION							
		NO VIOL. DISMISS ON MERITS	11	12					23
		WORK DONE BY PREV. OWNER							
		FAILURE TO PROSECUTE							
		NO PRIMA FACIA CASE	1	3					4
846-DEPT OF PARKS Total			13	20				33	
<b>PARKS(DPR) Total</b>									
POLICE	055-NYPD TRANSPORT INTELL DIV	ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV	2	2					4
		DEFECTIVE SERVICE	2	1					3
		DISPUTED OWNERSHIP							
		IMPROPER PARTY CITED		2					2
		NO ECB JURISDICTION							
		FAILURE TO PROSECUTE							
		NO VIOL. DISMISS ON MERITS	29	33					62
		PROSECUTION WITHDRAWN							
		UNASSIGNED REASON							
NO PRIMA FACIA CASE	2	4					6		
WITHDRAWAL AFTER ADJUDICATE									
INTEREST OF JUSTICE									
055-NYPD TRANSPORT INTELL DIV Total			35	42				77	
056-POLICE DEPT	056-POLICE DEPT	ADMIN. DISMISSAL ECB	2	8				10	
		DEFECTIVE NOV	27	16				43	
		DEFECTIVE SERVICE	327	142				469	
		DISPUTED OWNERSHIP							
		IMPROPER PARTY CITED							
		NO ECB JURISDICTION	6					6	
		NO VIOL. DISMISS ON MERITS	11	13				24	
		PROSECUTION WITHDRAWN							
		UNASSIGNED REASON	1					1	
		WORK DONE BY PREV. OWNER							
DATA CORRECTION									
FAILURE TO PROSECUTE	2					2			
NO PRIMA FACIA CASE	10	13				23			
INTEREST OF JUSTICE									
056-POLICE DEPT Total			386	192				578	
985-SEA GATE POLICE	985-SEA GATE POLICE	ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV							
		DEFECTIVE SERVICE							
		NO ECB JURISDICTION							
		NO VIOL. DISMISS ON MERITS							
NO PRIMA FACIA CASE									
985-SEA GATE POLICE Total									
002-OFF OF SPECIAL ENFORCMNT	002-OFF OF SPECIAL ENFORCMNT	DEFECTIVE SERVICE							
		ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV							
		IMPROPER PARTY CITED							
		NO VIOL. DISMISS ON MERITS							
PROSECUTION WITHDRAWN									
NO PRIMA FACIA CASE		1				1			
002-OFF OF SPECIAL ENFORCMNT Total			1				1		
<b>POLICE Total</b>									
			421	235				656	



