



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Dismissal Report November 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

December 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 November, 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								2,487
	Dismissed No Jurisdiction		12			10								22
	Dismissed Defective Service	3	3	1	2									9
	Dismissed Defective Summons/charge (defective on its face)	112	49	33	43	30								267
	Dismissed - Failure to Prosecute	29	7	17	29	20								102
	Dismissed - Successfully Disputed Ownership			1										1
	Dismissed - Wrong Party Named	1	1	2										4
	Dismissed - No Prima Facie Case	116	37	68	62	46								329
	Withdrawal	9	11	13	43	55								131
	Dismissed - Administrative Dismissal													
TLC	Total Dismissed	791	548	529	767	717	-	-	-	-	-	-	-	3,352
NYPD	Dismissed No Violation/On the Merits	49	16	15	31	43								154
	Dismissed No Jurisdiction	1												1
	Dismissed Defective Service					5								5
	Dismissed Defective Summons/charge (defective on its face)	27	27	20	26	52								152
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	13	15	16	10	6								60
	Withdrawal													-
	Dismissed - Administrative Dismissal													-
NYPD	Total Dismissed	90	58	51	67	106	-	-	-	-	-	-	-	372
Port Authority	Dismissed No Violation/On the Merits	7	3		7	1								18
	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								12
	Withdrawal													-
	Dismissed - Administrative Dismissal													-
Port Authority	Total Dismissed	7	3	2	11	7	-	-	-	-	-	-	-	30
Grand Total		888	609	582	845	830	-	-	-	-	-	-	-	3,754

*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								12,949	
	Dismissed No Jurisdiction	13	12	10	10	2								47	
	Dismissed Defective Service	7	13	27	4	3								54	
	Dismissed Defective Summons/charge (defective on its face)	21	35	16	29	19								120	
	Dismissed - Failure to Prosecute	9	7	4	3	2								25	
	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								812	
	Withdrawal	8	33	19	16	6								82	
	Dismissed - Administrative Dismissal	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Grand Total	3,321	2,798	2,706	2,938	2,336	-	-	-	-	-	-	-	-	14,099

*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								178	
	Dismissed No Jurisdiction	1												1	
	Dismissed Defective Service	3				5								8	
	Dismissed Defective Summons/charge (defective on its face)	20	22	17	7	1								67	
	Dismissed - Failure to Prosecute	3		3										6	
	Dismissed - Successfully Disputed Ownership		7											7	
	Dismissed - Wrong Party Named	3	2		1	1								7	
	Dismissed - No Prima Facie Case	3		4	1	3								11	
	Withdrawal	7	23	30	31	29								120	
	Dismissed - Administrative Dismissal														-
	Grand Total		80	87	82	76	80	-	-	-	-	-	-	-	405

*by charge

FY 20 ECB Hearings

FY 20 ECB Hearings												
BAR-DEP BUREAU OF ENV COMPL	ADMIN. DISMISSAL ECB											
	DEFECTIVE NOV	5	5	4	4	2					20	
	DEFECTIVE SERVICE		2	13	6	3					24	
	DISPUTED OWNERSHIP		1								1	
	IMPROPER PARTY CITED	4	7	2		2					15	
	NO ECB JURISDICTION					1					1	
	NO VIOL. DISMISS ON MERITS	54	63	40	60	54					271	
	PROSECUTION WITHDRAWN	1		8	3	3					15	
	FAILURE TO PROSECUTE					1					1	
	NO PRIMA FACIA CASE	3	1	2	6	11					23	
BAR-DEP BUREAU OF ENV COMPL Total 67 79 69 81 75 371												
803-DEP RIGHT TO KNOW	ADMIN. DISMISSAL ECB											
	DEFECTIVE NOV				1						1	
	DISPUTED OWNERSHIP	1									1	
	IMPROPER PARTY CITED					1					1	
	NO VIOL. DISMISS ON MERITS				1	1					2	
UNASSIGNED REASON 1 1 2 2 6												
803-RIGHT TO KNOW Total 1 1 2 2 6												
804-DEP - HAZARDOUS MATERIALS												
804-DEP - HAZARDOUS MATERIALS Total												
822-DEP - BWSO	ADMIN. DISMISSAL ECB	15	8	8	72	36					139	
	DEFECTIVE NOV	6	3	3	1	2					15	
	DEFECTIVE SERVICE			1	1						2	
	DISPUTED OWNERSHIP					1	5				6	
	IMPROPER PARTY CITED	1	3	4			15				23	
	NO VIOL. DISMISS ON MERITS	11	21	13	21	8					74	
	PROSECUTION WITHDRAWN	29	17	33	20	9					108	
	NO PRIMA FACIA CASE				1	1					2	
	WITHDRAWAL AFTER ADJUDICATE	1	6	2							9	
	822-DEP - BWSO Total 63 58 64 117 76 378											
177 166 188 247 183 961												
FIR-FIRE DEPARTMENT NYC	ADMIN. DISMISSAL ECB	1	5	2	12	14					34	
	DEFECTIVE NOV	17	17	14	7	19					74	
	DEFECTIVE SERVICE	49	51	26	36	48					210	
	DISPUTED OWNERSHIP	11	14	13	19	14					71	
	IMPROPER PARTY CITED	27	20	23	22	10					102	
	NO ECB JURISDICTION	2	2	2							6	
	NO VIOL. DISMISS ON MERITS	50	40	52	52	37					231	
	PROSECUTION WITHDRAWN	23	12	13	6	8					62	
	UNASSIGNED REASON		2								2	
	FAILURE TO PROSECUTE	2	3	1	3	4					13	
	NO PRIMA FACIA CASE	7	10	7	7	5					36	
	WITHDRAWAL AFTER ADJUDICATE					3					3	
	FIR-FIRE DEPARTMENT NYC Total 189 176 153 164 162 844											
	823-FIRE DEPARTMENT 823											
823-FIRE DEPARTMENT 823 Total												
189 176 153 164 162 844												
816-DOHMENTAL HEALTH	ADMIN. DISMISSAL ECB	3				1					4	
	DEFECTIVE NOV	16	16	17	22	17					88	
	DEFECTIVE SERVICE	4	17	6		17					44	
	IMPROPER PARTY CITED				1	1					2	
	NO VIOL. DISMISS ON MERITS	91	76	109	126	110					512	
	PROSECUTION WITHDRAWN	11	3	3							17	
	NO PRIMA FACIA CASE	16	9	26	20	30					101	
	WITHDRAWAL AFTER ADJUDICATE	1	1	1							3	
	INTEREST OF JUSTICE		2								2	
	816-DOHMENTAL HEALTH Total 142 124 163 168 176 773											
812-VETERINARY DOHMH												
812-VETERINARY DOHMH	DEFECTIVE NOV	1		7		5					13	
	ADMIN. DISMISSAL ECB											
	DEFECTIVE SERVICE											
	DISPUTED OWNERSHIP											
	IMPROPER PARTY CITED				1						1	
	NO VIOL. DISMISS ON MERITS	33	19	32	16	12					112	
	PROSECUTION WITHDRAWN	1	1								2	
NO PRIMA FACIA CASE	3	4	2	4						13		
812-VETERINARY DOHMH Total 38 24 42 20 17 141												

