



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Dismissal Report August 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

September 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 August, 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											949
	Dismissed No Jurisdiction		12											12
	Dismissed Defective Service	3	3											6
	Dismissed Defective Summons/charge (defective on its face)	112	49											161
	Dismissed - Failure to Prosecute	29	7											36
	Dismissed - Successfully Disputed Ownership		-											-
	Dismissed - Wrong Party Named	1	1											2
	Dismissed - No Prima Facie Case	116	37											153
	Withdrawal	9	11											20
	Dismissed - Administrative Dismissal													-
TLC	Total Dismissed	791	548	-	-	-	-	-	-	-	-	-	-	1,339
NYPD	Dismissed No Violation/On the Merits	49	16											65
	Dismissed No Jurisdiction	1												1
	Dismissed Defective Service													-
	Dismissed Defective Summons/charge (defective on its face)	27	27											54
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	13	15											28
	Withdrawal													-
	Dismissed - Administrative Dismissal													-
NYPD	Total Dismissed	90	58	-	-	-	-	-	-	-	-	-	-	148
Port Authority	Dismissed No Violation/On the Merits	7	3											10
	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													-
	Withdrawal													-
	Dismissed - Administrative Dismissal													-
Port Authority	Total Dismissed	7	3	-	-	-	-	-	-	-	-	-	-	10
Grand Total		888	609	-	-	-	-	-	-	-	-	-	-	1,497

*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											5,599	
	Dismissed No Jurisdiction	13	12											25	
	Dismissed Defective Service	7	13											20	
	Dismissed Defective Summons/charge (defective on its face)	21	35											56	
	Dismissed - Failure to Prosecute	9	7											16	
	Dismissed - Successfully Disputed Ownership														-
	Dismissed - Wrong Party Named	4													4
	Dismissed - No Prima Facie Case	216	142												358
	Withdrawal	8	33												41
	Dismissed - Administrative Dismissal	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Grand Total	3,321	2,798	-	-	-	-	-	-	-	-	-	-	-	6,119

*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											73
	Dismissed No Jurisdiction	1												1
	Dismissed Defective Service	3												3
	Dismissed Defective Summons/charge (defective on its face)	20	22											42
	Dismissed - Failure to Prosecute	3												3
	Dismissed - Successfully Disputed Ownership		7											7
	Dismissed - Wrong Party Named	3	2											5
	Dismissed - No Prima Facie Case	3												3
	Withdrawal	7	23											30
	Dismissed - Administrative Dismissal													-
	Grand Total	80	87	-	-	-	-	-	-	-	-	-	-	-

*by charge

FY 20 ECB Hearings

PUBLIC TELEPHONE(DOITT)	858-DOITT	ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV	5						5
		DEFECTIVE SERVICE							
		DISPUTED OWNERSHIP							
		NO ECB JURISDICTION							
		NO VIOL. DISMISS ON MERITS	7						7
858-DOITT Total			12					12	
PUBLIC TELEPHONE(DOITT) Total			12					12	
SANITATION(DSNY)	827-DOS - ENFORCEMENT A GENTS	ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV	19	22				41	
		DEFECTIVE SERVICE	44	54				98	
		DISPUTED OWNERSHIP	122	76				198	
		IMPROPER PARTY CITED	15	25				40	
		NO ECB JURISDICTION							
		NO VIOL. DISMISS ON MERITS	585	977				1562	
		PROSECUTION WITHDRAWN	48	132				180	
		UNASSIGNED REASON	1					1	
		DATA CORRECTION							
		FAILURE TO PROSECUTE							
		NO PRIMA FACIA CASE	14	13				27	
		WITHDRAWAL AFTER ADJUDICATE							
		INTEREST OF JUSTICE							
		827-DOS - ENFORCEMENT A GENTS Total		848	1299				2147
		828-SANITATION POLICE	ADMIN. DISMISSAL ECB						
			DEFECTIVE NOV	5	2				7
			DEFECTIVE SERVICE	1	1				2
			DISPUTED OWNERSHIP	35	28				63
	IMPROPER PARTY CITED		1	5				6	
NO ECB JURISDICTION	2						2		
NO VIOL. DISMISS ON MERITS	102		74				176		
PROSECUTION WITHDRAWN	2						2		
DATA CORRECTION									
FAILURE TO PROSECUTE									
INTEREST OF JUSTICE									
NO PRIMA FACIA CASE	7		8				15		
828-SANITATION POLICE Total			155	118				273	
829-SANITATION OTHERS	ADMIN. DISMISSAL ECB	16	9				25		
	DEFECTIVE NOV	136	116				252		
	DEFECTIVE SERVICE	49	61				110		
	DISPUTED OWNERSHIP	187	130				317		
	IMPROPER PARTY CITED	32	50				82		
	NO ECB JURISDICTION								
	NO VIOL. DISMISS ON MERITS	1185	1073				2258		
	PROSECUTION WITHDRAWN	79	6				85		
	DATA CORRECTION								
	UNASSIGNED REASON	1					1		
	FAILURE TO PROSECUTE								
	NO PRIMA FACIA CASE	45	64				109		
	INTEREST OF JUSTICE		1				1		
829-SANITATION OTHERS Total		1730	1510				3240		
830-SANITATION PIU	ADMIN. DISMISSAL ECB								
	DEFECTIVE NOV	2	2				4		
	DEFECTIVE SERVICE								
	DISPUTED OWNERSHIP								
	IMPROPER PARTY CITED								
	NO VIOL. DISMISS ON MERITS	2	1				3		
PROSECUTION WITHDRAWN	1					1			
NO PRIMA FACIA CASE	1	2				3			
830-SANITATION PIU Total		6	5				11		

FY 20 ECB Hearings

	831-SANITATION RECY CLING	ADMIN. DISMISSAL ECB									
		DEFECTIVE NOV	6	11							17
		DEFECTIVE SERVICE	6	4							10
		DISPUTED OWNERSHIP	24	25							49
		IMPROPER PARTY CITED	4	6							10
		NO ECB JURISDICTION									
		NO VIOL. DISMISS ON MERITS	210	175							385
		PROSECUTION WITHDRAWN	2								2
		UNASSIGNED REASON									
		FAILURE TO PROSECUTE									
		NO PRIMA FACIA CASE	1	7							8
831-SANITATION RECY CLING Total			253	228						481	
	832-SANITATION ENV R POLICE	DEFECTIVE NOV									
		DEFECTIVE SERVICE									
		PROSECUTION WITHDRAWN									
		DISPUTED OWNERSHIP									
		FAILURE TO PROSECUTE									
		NO VIOL. DISMISS ON MERITS	1	1							2
832-SANITATION ENV R POLICE Total			1	1						2	
SANITATION(DSNY) Total			2993	3161						6154	
TRANSPORTATION(DOT)	841-DEPT OF TRANSPORTATION	ADMIN. DISMISSAL ECB									
		DEFECTIVE NOV	8	17						25	
		DEFECTIVE SERVICE									
		DISPUTED OWNERSHIP									
		IMPROPER PARTY CITED	6	4						10	
		NO ECB JURISDICTION		17						17	
		NO VIOL. DISMISS ON MERITS	439	247						686	
		PROSECUTION WITHDRAWN	16	19						35	
		UNASSIGNED REASON									
		FAILURE TO PROSECUTE									
		DATA CORRECTION									
		NO PRIMA FACIA CASE	23	18						41	
		WITHDRAWAL AFTER ADJUDICATE									
		INTEREST OF JUSTICE									
841-DEPT OF TRANSPORTATION Total			492	322						814	
TRANSPORTATION(DOT) Total			492	322						814	
96MISCELLANEOUS AGENCIES(999)	999-MISCELLANEOUS AGENCIES	ADMIN. DISMISSAL ECB	1							1	
		DEFECTIVE NOV		2						2	
		DEFECTIVE SERVICE	1	1						2	
		NO ECB JURISDICTION									
		NO VIOL. DISMISS ON MERITS	1							1	
		NO PRIMA FACIA CASE	2	1						3	
		999-MISCELLANEOUS AGENCIES Total			5	4					
96MISCELLANEOUS AGENCIES(999) Total			5	4						9	
97AGENCY CODE MISSING OR INVALID	000-AGENCY CODE MISSING	ADMIN. DISMISSAL ECB									
		DEFECTIVE NOV									
		DEFECTIVE SERVICE		2						2	
		DISPUTED OWNERSHIP									
		IMPROPER PARTY CITED		1						1	
		NO ECB JURISDICTION									
		NO VIOL. DISMISS ON MERITS	2	4						6	
		PROSECUTION WITHDRAWN	4							4	
		NO PRIMA FACIA CASE	1							1	
		000-AGENCY CODE MISSING Total			7	7					
97AGENCY CODE MISSING OR INVALID Total			7	7						14	
DOF TOBACCO	837-DOF TOBACCO	NO PRIMA FACIA CASE									
		DEFECTIVE SERVICE									
		NO VIOL. DISMISS ON MERITS	1	1						2	
837-DOF TOBACCO Total			1	1						2	
DOF TOBACCO Total			1	1						2	
2020 Total			8383	8663						17046	
Grand Total			8383	8663						17046	