



BenchNOTES Newsletter

August 2023

OATH NEWS

In Memory of Deputy Mayor Carol Robles-Román. With great sorrow, OATH marks the passing of Carol Robles-Román, the former Deputy Mayor for Legal Affairs and Counsel to Mayor Bloomberg. Her vision and passion for equal justice improved accessibility, transparency, and accountability in the City's administrative justice system. Ensuring the public's access to justice was a top priority for Ms. Robles-Román, and under her leadership, the City made significant improvements to streamline its procedures, increased the use of technology, and expanded language access at administrative tribunals and OATH. She led the efforts to consolidate tribunals into OATH and create and implement an electronic system that allowed New Yorkers to contest their summonses and file appeals online. She also created uniform ethical standards citywide by implementing a new code of conduct for all administrative law judges and hearing officers and spearheaded the creation of the Administrative Judicial Institute (AJI). [Read this brief history](#) to learn how her contributions during the 12 years she served as Deputy Mayor and Counsel to Mayor Bloomberg changed the way millions of New Yorker's interact with the City's municipal justice system.

New Administrative Law Judge appointed. In July 2023, Commissioner and Chief Administrative Law Judge Asim Rehman appointed Charlotte Davidson to a five-year term as Administrative Law Judge in the Trial Division of OATH. [Read more about Judge Davidson.](#)

Job opportunities at OATH: OATH regularly posts employment opportunities on the NYC Jobs portal and on its website. [View current openings.](#)

OATH seeking new Contract Dispute Resolution Board panelists: The OATH Trials Division is seeking applications from qualified persons to serve on Contract Dispute Resolution Board panels. More details available [here](#).

Trials Division

Personnel

Termination of employment recommended for public health nurse.

ALJ Kevin F. Casey recommended termination of employment for a public health nurse who was discourteous and falsified timekeeping records.

[***Dep't of Health & Mental Hygiene v. Wu***](#), OATH Index No. 588/23 (June 26, 2023).

[**Read more about *Dep't of Health & Mental Hygiene v. Wu*.**](#)

Licensing

ALJ recommended lifting the suspension of a taxi driver's TLC license.

ALJ Christine Stecura recommended lifting the license suspension of a taxi driver arrested for assault after an off-duty altercation.

[***Taxi & Limousine Comm'n v. Fermin De La Cruz***](#), OATH Index No. 3576/23 (July 5, 2023), *adopted*, Comm'r Dec. (July 6, 2023).

[**Read more about *Taxi & Limousine Comm'n v. Fermin De La Cruz* and other Licensing cases.**](#)

Human Rights

Owners of residential building fined for failing to provide a reasonable accommodation.

ALJ Michael D. Turilli recommended assessing \$50,000 in emotional distress damages and \$100,000 in civil penalties against the owners of a residential building for failing to provide a reasonable accommodation.

[***Comm'n on Human Rights v. DiFiore Realty, LLC***](#), OATH Index Nos. 2386/22 & 1732/23 (July 26, 2023).

[**Read more about *Comm'n on Human Rights v. DiFiore Realty, LLC*.**](#)

Appeals Division Decisions

(Appeals from the Hearings Division)

Charge dismissed against restaurant owner for unreasonable noise.

An appeal decision affirmed a hearings decision dismissing a charge against a restaurant owner for creating unreasonable noise for commercial or advertising purposes, finding that the music played by the restaurant was intended to create ambience for the outdoor dining space.

[***Dietmar Detering \(CC\) v. Jackson Hole***](#), Appeal No. 2300403 (July 27, 2023).

[**Read more about *Dietmar Detering \(CC\) v. Jackson Hole*, and other Appeals Division cases**](#)

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