



BenchNOTES Newsletter

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BenchNOTES - March 2017

Last Month's OATH Decisions

Licensing

Humane destruction recommended for dogs who mauled woman.

Trial was held to determine whether two dogs, German shepherd and American bull mix, are dangerous.

[*Dep't of Health & Mental Hygiene v. Schoentube*](#), OATH Index No. 1677/17 (Mar. 10, 2017).

[Read more](#)

Personnel

30-day suspension recommended for inefficiency, discourtesy.

Eligibility specialist was found to have inefficiently performed her duties by holding seven cases for 22 or more days and delaying the processing of a client's application for months.

[*Human Resources Admin. v. Hines*](#), OATH Index No. 0073/17 (Mar. 17, 2017).

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Prevailing Wage

Contractor failed to pay supplements on 2 public works contracts.

ALJ Kevin F. Casey determined that public works contractor failed to pay prevailing wages and supplements to five workers on two Parks Department contracts.

[*Office of the Comptroller v. Professional Pavers Corp.*](#), OATH Index No. 1654/16 (Mar. 17, 2017).

[Read more](#)

Contracts

CDRB denies claim as untimely.

Process serving company with contract with the Administration for Children's Services sought additional compensation for alleged extra costs incurred serving documents due to changes in City laws.

[*JDG Investigations, Inc. v. Admin. for Children's Services*](#), OATH Index No. 547/17, mem. dec. (Mar. 7, 2017).

[Read more](#)

Real Property

Protected status recommended for all but one loft tenant.

Nine tenants filed a coverage application with the Loft Board. ALJ Astrid B. Gloade found that the building is covered by the Loft Law and that eight of the tenants are protected occupants of their units.

[*Matter of Tenants of 79 Lorimer Street*](#), OATH Index No. 1020/16 (Mar. 23, 2017).

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