



# Dismissal Report

## November 2017

- Vehicle For Hire & Taxi Hearings
- Health & Restaurant Hearings
  - ECB Hearings
  - DCA Hearings



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**FIDEL F. DEL VALLE**

COMMISSIONER &  
CHIEF ADMINISTRATIVE LAW JUDGE  
THE CITY OF NEW YORK  
OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

**December 20<sup>th</sup> , 2017**

- **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, 2017.**
- **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 18 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	350	416	387	403	350								1,906
	Dismissed No Jurisdiction	3	-	2	1	1								7
	Dismissed Defective Service	5	5	4	6	-								20
	Dismissed Defective Summons/charge (defective on its face)	4	6	5	3	5								23
	Dismissed - Failure to Prosecute	14	14	6	34	16								84
	Dismissed - Successfully Disputed Ownership	-	-	-	-	-								-
	Dismissed - Wrong Party Named	-	-	-	2	-								2
	Dismissed - No Prima Facie Case	17	33	23	26	14								113
	Withdrawal	1	15	12	14	31								73
	Dismissed - Administrative Dismissal	-	-											-
<b>TLC</b>	<b>Total Dismissed</b>	<b>394</b>	<b>489</b>	<b>439</b>	<b>489</b>	<b>417</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2,228</b>
<b>NYPD</b>	Dismissed No Violation/On the Merits	29	7	18	15	5								74
	Dismissed No Jurisdiction	-	-	-	-	-								-
	Dismissed Defective Service	-	1	1	1	-								3
	Dismissed Defective Summons/charge (defective on its face)	11	10	24	13	3								61
	Dismissed - Failure to Prosecute	-	-	1	-	-								1
	Dismissed - Successfully Disputed Ownership	-	-	-	-	-								-
	Dismissed - Wrong Party Named	-	-	-	-	-								-
	Dismissed - No Prima Facie Case	3	2	24	9	-								38
	Withdrawal	-	-	-	-	-								-
	Dismissed - Administrative Dismissal	-	-											-
<b>NYPD</b>	<b>Total Dismissed</b>	<b>43</b>	<b>20</b>	<b>68</b>	<b>38</b>	<b>8</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>177</b>
<b>Port Authority</b>	Dismissed No Violation/On the Merits	17	2	17	12	2								50
	Dismissed No Jurisdiction	0	0	0	-	-								-
	Dismissed Defective Service	-	-	-	-	-								-
	Dismissed Defective Summons/charge (defective on its face)	-	-	6	-	-								6
	Dismissed - Failure to Prosecute	-	-	3	-	-								3
	Dismissed - Successfully Disputed Ownership	-	-	-	-	-								-
	Dismissed - Wrong Party Named	-	-	-	-	-								-
	Dismissed - No Prima Facie Case	-	1	3	1	1								6
	Withdrawal	-	-	-	-	-								-
	Dismissed - Administrative Dismissal	-	-											-
<b>Port Authority</b>	<b>Total Dismissed</b>	<b>17</b>	<b>3</b>	<b>29</b>	<b>13</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>65</b>
<b>Grand Total</b>		<b>454</b>	<b>512</b>	<b>536</b>	<b>540</b>	<b>428</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2,470</b>

\*by charge

**FY 18 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	1,874	1,989	1,843	2,099	2,028								9,833
	Dismissed No Jurisdiction	2	4	-	2	1								9
	Dismissed Defective Service	17	7	10	18	17								69
	Dismissed Defective Summons/charge (defective on its face)	24	52	27	20	24								147
	Dismissed - Failure to Prosecute	-	-	1	1	1								3
	Dismissed - Successfully Disputed Ownership	1	-	-	-	-								1
	Dismissed - Wrong Party Named	2	1	3	2	12								20
	Dismissed - No Prima Facie Case	188	211	165	195	160								919
	Withdrawal	13	1	4	18	7								43
	Dismissed - Administrative Dismissal	-	-	-	-	-								-
	<b>Grand Total</b>	<b>2,121</b>	<b>2,265</b>	<b>2,053</b>	<b>2,355</b>	<b>2,250</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

\*by charge















FY 18 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	52	28	63	50	41								234
	Dismissed No Jurisdiction	1	-	-	-	-								1
	Dismissed Defective Service	6	3	12	9	4								34
	Dismissed Defective Summons/charge (defective on its face)	-	1	1	3	2								7
	Dismissed - Failure to Prosecute	1	2	-	3	1								7
	Dismissed - Successfully Disputed Ownership	1	-	-	-	-								1
	Dismissed - Wrong Party Named	1	13	2	-	2								18
	Dismissed - No Prima Facie Case	-	-	2	1	5								8
	Withdrawal	12	27	41	29	23								132
	Dismissed - Administrative Dismissal	-	-											-
	<b>Grand Total</b>		74	74	121	95	78	-	-	-	-	-	-	-

\*by charge