



# OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

## Dismissal Report May 2022

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



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**ASIM REHMAN**

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

**June 20<sup>th</sup>, 2022**

- **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 May 2022.**
- **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 22 Vehicle for Hire & Taxi Hearings\***

AGENCY	Dismissals	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Grand Total
<b>TLC</b>	Dismissed No Violation/On the Merits	165	154	148	119	145	134	130	116	149	159	156		1,575
	Dismissed No Jurisdiction	1			1	1		1						4
	Dismissed Defective Service	5		1		1						2		9
	Dismissed Defective Summons/charge (defective on its face)	22	59	32	3	15	21	10	25	34	19	38		278
	Dismissed - Failure to Prosecute	2	1	4	4	1	5		7	4	7			35
	Dismissed - Successfully Disputed Ownership					1				1				2
	Dismissed - Wrong Party Named		1			1								2
	Dismissed - No Prima Facie Case	37	99	30	15	19	15	21	23	42	39	36		376
	Withdrawal	16	9	4	11	6	9	14	3	14	27	9		122
	Dismissed - Administrative Dismissal													
<b>TLC</b>	<b>Total Dismissed</b>	<b>248</b>	<b>323</b>	<b>219</b>	<b>153</b>	<b>190</b>	<b>184</b>	<b>176</b>	<b>174</b>	<b>244</b>	<b>251</b>	<b>241</b>	<b>-</b>	<b>2,403</b>
<b>NYPD</b>	Dismissed No Violation/On the Merits	2	2	2	5	4	2	1	2	2	2	3		27
	Dismissed No Jurisdiction						1							1
	Dismissed Defective Service					3	1	1	3					8
	Dismissed Defective Summons/charge (defective on its face)	10	10	12	18	27	23	9	10	8	12	11		150
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership						1							1
	Dismissed - Wrong Party Named		1				1							2
	Dismissed - No Prima Facie Case	2	5	1	1		2	2	2		6	3		24
	Withdrawal					1								1
	Dismissed - Administrative Dismissal													
<b>NYPD</b>	<b>Total Dismissed</b>	<b>14</b>	<b>18</b>	<b>15</b>	<b>24</b>	<b>35</b>	<b>31</b>	<b>13</b>	<b>17</b>	<b>10</b>	<b>20</b>	<b>17</b>	<b>-</b>	<b>214</b>
<b>Port Authority</b>	Dismissed No Violation/On the Merits	2	1	1				2	2	2				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	1		4						1	2			8
	Withdrawal													-
	Dismissed - Administrative Dismissal													-
<b>Port Authority</b>	<b>Total Dismissed</b>	<b>3</b>	<b>1</b>	<b>5</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>18</b>
<b>Grand Total</b>		<b>265</b>	<b>342</b>	<b>239</b>	<b>177</b>	<b>225</b>	<b>215</b>	<b>191</b>	<b>193</b>	<b>257</b>	<b>273</b>	<b>258</b>	<b>-</b>	<b>2,635</b>

\*by charge

FY 22 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	264	428	557	665	761	905	1,073	992	1,313	1,068	1,479		9,505
	Dismissed No Jurisdiction	1			8		1	7	2	1	3			23
	Dismissed Defective Service	20	11	20	40	31	17	44	46	28	50	64		371
	Dismissed Defective Summons/charge (defective on its face)	13	15	15	30	27	26	31	26	40	27	53		303
	Dismissed - Failure to Prosecute	1			1	2		4	1	3	3	23		38
	Dismissed - Successfully Disputed Ownership	9	13	28	23	17	13	21	19	27	16	21		207
	Dismissed - Wrong Party Named	22	15	20	22	19	13	21	22	47	9	46		256
	Dismissed - No Prima Facie Case	100	117	99	140	144	202	285	265	369	290	383		2,394
	Withdrawn prior to hearing	5	5	1	2	1	4	3	15	5	1	14		56
	Dismissed - Administrative Dismissal													
<b>Grand Total</b>	<b>435</b>	<b>604</b>	<b>740</b>	<b>931</b>	<b>1,002</b>	<b>1,181</b>	<b>1,489</b>	<b>1,388</b>	<b>1,833</b>	<b>1,467</b>	<b>2,083</b>	<b>-</b>	<b>13,153</b>	

\*by charge

FY 22 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	16	11	40	7	32	13	25	22	9	26	23		224
	Dismissed No Jurisdiction			2										2
	Dismissed Defective Service									3				3
	Dismissed Defective Summons/charge (defective on its face)				2			1	2					5
	Dismissed - Failure to Prosecute		3		4				1					8
	Dismissed - Successfully Disputed Ownership		1								1			2
	Dismissed - Wrong Party Named								4			1		5
	Dismissed - No Prima Facie Case	1		2		1		2		2				8
	Withdrawn prior to hearing	6	20	35	21	14	20	57	2	42	67	21		305
	Dismissed - Administrative Dismissal													
<b>Grand Total</b>		<b>23</b>	<b>35</b>	<b>79</b>	<b>34</b>	<b>47</b>	<b>33</b>	<b>85</b>	<b>31</b>	<b>56</b>	<b>94</b>	<b>45</b>	<b>-</b>	<b>562</b>

\*by charge

FY 22 ECB Hearings

Agency Group	Issuing Agency	Dismissal Reason	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Grand Total			
BUILDINGS(DOB)	DOB-DEPT OF BUILDINGS	ADMIN. DISMISSAL ECB	26	15	12	32	37	38	27	19	29	19	22		276			
		DEFECTIVE NOV	24	20	9	17	20	26	23	25	23	36	32		255			
		DEFECTIVE SERVICE	155	116	98	109	101	90	131	128	161	106	179		1374			
		DISPUTED OWNERSHIP	26	17	15	16	20	26	15	23	23	13	20		214			
		IMPROPER PARTY CITED	104	72	59	83	63	86	75	85	94	109	72		902			
		NO ECB JURISDICTION	4	3	3	2	3	6	2	7	6		4		40			
		NO VIOL. DISMISS ON MERITS	809	682	581	641	703	666	679	717	1015	860	875		8228			
		PROSECUTION WITHDRAWN	135	85	152	75	66	123	174	153	186	80	212		1441			
		UNASSIGNED REASON				1	2									3		
		WORK DONE BY PREV. OWNER																
		DATA CORRECTION																
		FAILURE TO PROSECUTE	17	4	16	16	10	7	21	11	15	31	15			163		
		NO PRIMA FACIA CASE	49	60	40	41	66	53	52	48	66	88	85			648		
		WITHDRAWAL AFTER ADJUDICATE				1										1		
		INTEREST OF JUSTICE																
		<b>DOB-DEPT OF BUILDINGS Total</b>			<b>1349</b>	<b>1074</b>	<b>986</b>	<b>1035</b>	<b>1089</b>	<b>1121</b>	<b>1199</b>	<b>1216</b>	<b>1618</b>	<b>1342</b>	<b>1516</b>		<b>13545</b>	
		810-DEPT OF BUILDINGS 810	810-DEPT OF BUILDINGS 810	ADMIN. DISMISSAL ECB				1	2					2		1	6	
				IMPROPER PARTY CITED			1	1				1	1					4
				DEFECTIVE NOV		5	1	7	2		3				4	1		23
				DEFECTIVE SERVICE		5				3	3	2	4	2	1	3	3	26
NO PRIMA FACIA CASE				1	2	3	1	2	2	5	5	7	2	2		32		
FAILURE TO PROSECUTE							1			1	1					3		
NO VIOL. DISMISS ON MERITS				6	23	22	13	12	14	24	12	11	12	10		159		
DISPUTED OWNERSHIP										1						1		
<b>810-DEPT OF BUILDINGS 810 Total</b>				<b>17</b>	<b>27</b>	<b>34</b>	<b>22</b>	<b>17</b>	<b>21</b>	<b>36</b>	<b>21</b>	<b>21</b>	<b>21</b>	<b>17</b>		<b>254</b>		
774-BUILDINGS DEPT	ADMIN. DISMISSAL ECB															1		
774-BUILDINGS DEPT Total														1				
<b>BUILDINGS(DOB) Total</b>			<b>1366</b>	<b>1101</b>	<b>1020</b>	<b>1057</b>	<b>1106</b>	<b>1142</b>	<b>1235</b>	<b>1237</b>	<b>1640</b>	<b>1363</b>	<b>1533</b>		<b>13800</b>			
ENVIRONMENTAL PROTECTION(DEP)	824-DEP - MVC	ADMIN. DISMISSAL ECB						1							1			
		DEFECTIVE NOV												1	1			
		DEFECTIVE SERVICE			1	1										2		
		DISPUTED OWNERSHIP																
		IMPROPER PARTY CITED																
		NO VIOL. DISMISS ON MERITS		1		1					1		2			5		
		PROSECUTION WITHDRAWN				1	3		6	3	1	2	1			17		
		FAILURE TO PROSECUTE					1		1			1				3		
		NO PRIMA FACIA CASE		1		1										2		
		<b>824-DEP - MVC Total</b>			<b>2</b>	<b>1</b>	<b>3</b>	<b>5</b>	<b>1</b>	<b>7</b>	<b>3</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>1</b>		<b>31</b>	
	825-DEP - BUREAU OF CUST SRV	825-DEP - BUREAU OF CUST SRV	ADMIN. DISMISSAL ECB	4	11	13	6	5		1		9	1	20		70		
			DEFECTIVE NOV															
			DEFECTIVE SERVICE		1			11	3								15	
			DISPUTED OWNERSHIP						1								1	
			IMPROPER PARTY CITED			1		1									2	
			FAILURE TO PROSECUTE															
			NO VIOL. DISMISS ON MERITS	9	2		5	1		1	2	1	3	6			30	
			PROSECUTION WITHDRAWN															
			WORK DONE BY PREV. OWNER															
			NO PRIMA FACIA CASE															
<b>825-DEP - BUREAU OF CUST SRV Total</b>			<b>13</b>	<b>14</b>	<b>14</b>	<b>11</b>	<b>18</b>	<b>4</b>	<b>2</b>	<b>2</b>	<b>10</b>	<b>4</b>	<b>26</b>		<b>118</b>			
826-DEP - BUREAU OF ENV. COMP	826-DEP - BUREAU OF ENV. COMP	ADMIN. DISMISSAL ECB																
		DEFECTIVE SERVICE																
		DISPUTED OWNERSHIP																
		IMPROPER PARTY CITED																
		NO VIOL. DISMISS ON MERITS												1		1		
		PROSECUTION WITHDRAWN																
		NO PRIMA FACIA CASE																
<b>826-DEP - BUREAU OF ENV. COMP Total</b>													<b>1</b>	<b>1</b>				
989-DEP POLICE	989-DEP POLICE	ADMIN. DISMISSAL ECB																
		DEFECTIVE NOV						1							1			
		NO VIOL. DISMISS ON MERITS																
		NO PRIMA FACIA CASE																
<b>989-DEP POLICE Total</b>								<b>1</b>						<b>1</b>				
ASB-ASBESTOS CONTROL PROGRAM	ASB-ASBESTOS CONTROL PROGRAM	ADMIN. DISMISSAL ECB				1									1			
		DEFECTIVE NOV							1							1		
		DEFECTIVE SERVICE									1					1		
		DISPUTED OWNERSHIP									1					1		
		IMPROPER PARTY CITED			2							2	1			5		
		FAILURE TO PROSECUTE	6	1	1	4	2			2		2	6			24		
		NO VIOL. DISMISS ON MERITS	2	6	9	5	16	13	6	8	7	11	7			90		
		PROSECUTION WITHDRAWN	3		2		2	1	3	5	2	3	4			25		
		NO ECB JURISDICTION																
		NO PRIMA FACIA CASE	2						1				6			9		
		<b>ASB-ASBESTOS CONTROL PROGRAM Total</b>			<b>13</b>	<b>9</b>	<b>13</b>	<b>9</b>	<b>20</b>	<b>16</b>	<b>11</b>	<b>15</b>	<b>13</b>	<b>27</b>	<b>11</b>		<b>157</b>	

FY 22 ECB Hearings

BAR-DEP BUREAU OF ENV COMPL	ADMIN. DISMISSAL ECB	17	3	8	21	11	5	14	6	3	2	90			
	UNASSIGNED REASON	1	1							1	3	6			
	DEFECTIVE NOV	5	3		1	4	2	3	2	7	2	29			
	DEFECTIVE SERVICE	3	5	8	7	2	4	2	3	5	6	46			
	DISPUTED OWNERSHIP	2	2				2	2	2	2		12			
	IMPROPER PARTY CITED	24	32	27	26	33	30	7	12	8	17	230			
	NO ECB JURISDICTION				1				1			2			
	NO VIOL. DISMISS ON MERITS	68	80	50	80	69	55	77	51	80	95	80	785		
	PROSECUTION WITHDRAWN	3	2		2				1			6	34		
	WORK DONE BY PREV. OWNER									1			1		
	FAILURE TO PROSECUTE	12	15	7	28	35	11	5	7	7	15	6	148		
	NO PRIMA FACIA CASE		6	11	6	12	12	5	13	19	23	8	115		
	<b>BAR-DEP BUREAU OF ENV COMPL Total</b>		<b>118</b>	<b>163</b>	<b>106</b>	<b>157</b>	<b>174</b>	<b>127</b>	<b>106</b>	<b>130</b>	<b>175</b>	<b>150</b>	<b>1512</b>		
	803-DEP RIGHT TO KNOW	ADMIN. DISMISSAL ECB													
		DEFECTIVE NOV													
		DEFECTIVE SERVICE							1				1		
		DISPUTED OWNERSHIP													
INTEREST OF JUSTICE															
IMPROPER PARTY CITED					1					1		2			
NO ECB JURISDICTION															
NO VIOL. DISMISS ON MERITS		1						2	1	1		5			
NO PRIMA FACIA CASE							1				1	2			
FAILURE TO PROSECUTE										1		1			
UNASSIGNED REASON															
<b>803-RIGHT TO KNOW Total</b>		<b>1</b>			<b>1</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>3</b>	<b>1</b>		<b>11</b>			
822-DEP - BWSO	ADMIN. DISMISSAL ECB	1	3	1	4		2				2	13			
	DEFECTIVE NOV	1	3	5								9			
	DEFECTIVE SERVICE	3		4		1	3	2				13			
	DISPUTED OWNERSHIP	1										1			
	IMPROPER PARTY CITED					4				1	3	8			
	NO ECB JURISDICTION								1			1			
	NO VIOL. DISMISS ON MERITS	14	22	11	3	11	2	6	2	4	2	14	91		
	PROSECUTION WITHDRAWN	5		2		2	1	2			2	1	15		
	FAILURE TO PROSECUTE	24	11	4	3	7	1	5	1	6	8		70		
	NO PRIMA FACIA CASE			1					1				2		
	WITHDRAWAL AFTER ADJUDICATE														
<b>822-DEP - BWSO Total</b>		<b>49</b>	<b>39</b>	<b>28</b>	<b>10</b>	<b>25</b>	<b>9</b>	<b>16</b>	<b>4</b>	<b>10</b>	<b>13</b>	<b>20</b>	<b>223</b>		
<b>ENVIRONMENTAL PROTECTION(DEP) Total</b>		<b>196</b>	<b>226</b>	<b>164</b>	<b>192</b>	<b>239</b>	<b>165</b>	<b>141</b>	<b>130</b>	<b>169</b>	<b>223</b>	<b>209</b>	<b>2054</b>		
FIRE(FDNY)	FIR-FIRE DEPARTMENT NYC	ADMIN. DISMISSAL ECB	82	109	51	74	73	88	51	46	53	71	96	794	
		DEFECTIVE NOV	6	4	1	4	2	2	6	3	3	2	5	38	
		DEFECTIVE SERVICE	5	16	4	13	19	43	20	18	25	12	21	196	
		DISPUTED OWNERSHIP	4	4	10	4	5	5		5	2	3	6	48	
		IMPROPER PARTY CITED	10	12	11	9	17	18	13	11	16	9	16	142	
		NO ECB JURISDICTION	9	8	1	5	3	1	4	5	4	6	7	53	
		NO VIOL. DISMISS ON MERITS	33	37	33	34	29	40	34	25	33	21	46	365	
		PROSECUTION WITHDRAWN	5	10	3	6	5	4	3	9	13	9	5	72	
		UNASSIGNED REASON	1			1			2					4	
		FAILURE TO PROSECUTE	31	50	34	23	34	22	17	31	23	31	34	330	
		NO PRIMA FACIA CASE	15	10	7	8	9	11	11	11	7	9	8	106	
		WITHDRAWAL AFTER ADJUDICATE													
		<b>FIR-FIRE DEPARTMENT NYC Total</b>		<b>201</b>	<b>260</b>	<b>155</b>	<b>181</b>	<b>196</b>	<b>234</b>	<b>161</b>	<b>164</b>	<b>179</b>	<b>173</b>	<b>244</b>	<b>2148</b>
		823-FIRE DEPARTMENT 823	NO VIOL. DISMISS ON MERITS								1		1		2
			DISPUTED OWNERSHIP									1			1
		<b>823-FIRE DEPARTMENT 823 Total</b>									<b>1</b>	<b>1</b>			<b>3</b>
		<b>FIRE(FDNY) Total</b>		<b>201</b>	<b>260</b>	<b>155</b>	<b>181</b>	<b>196</b>	<b>234</b>	<b>161</b>	<b>165</b>	<b>180</b>	<b>174</b>	<b>244</b>	<b>2151</b>
HEALTH(DOHMH)	816-DOHMENTAL HEALTH	ADMIN. DISMISSAL ECB			4	6						1	11		
		DEFECTIVE NOV			1	4	1	4			1	9	2	22	
		DEFECTIVE SERVICE				2					3	1	11	17	
		DISPUTED OWNERSHIP													
		IMPROPER PARTY CITED		3	9	5		1						18	
		NO ECB JURISDICTION													
		NO VIOL. DISMISS ON MERITS	12	14	17	14	15	11	21	21	44	45	33	247	
		PROSECUTION WITHDRAWN	1		1		4			2				8	
		UNASSIGNED REASON													
		FAILURE TO PROSECUTE	1											1	
		NO PRIMA FACIA CASE	2	1	2	3	2	4	4	4	12	8	10	52	
		WITHDRAWAL AFTER ADJUDICATE													
		INTEREST OF JUSTICE													
		<b>816-DOHMENTAL HEALTH Total</b>		<b>16</b>	<b>18</b>	<b>34</b>	<b>34</b>	<b>22</b>	<b>20</b>	<b>25</b>	<b>27</b>	<b>60</b>	<b>63</b>	<b>57</b>	<b>376</b>
		812-VETERINARY DOHMH	DEFECTIVE NOV												
			ADMIN. DISMISSAL ECB												
			DEFECTIVE SERVICE												
DISPUTED OWNERSHIP															
IMPROPER PARTY CITED															
WITHDRAWAL AFTER ADJUDICATE															
NO VIOL. DISMISS ON MERITS										4			4		
PROSECUTION WITHDRAWN															
NO PRIMA FACIA CASE															
<b>812-VETERINARY DOHMH Total</b>										<b>4</b>			<b>4</b>		









