



# BenchNOTES Newsletter

March 2023

## OATH NEWS

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

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#### COVID-19 Update

Pursuant to an order of the Chief Administrative Law Judge, hearings, trials, and other OATH operations are available by telephone, videoconferencing, online, or mail. In-person appearances are also available. For more information, visit OATH's website at [www.nyc.gov/oath](http://www.nyc.gov/oath).

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## **Trials Division**

### **Personnel**

Suspension recommended for procurement specialist charged with excessive lateness.

ALJ Julia H. Lee recommended a 5-day suspension for a procurement specialist who was late on 40 separate occasions over a period of eight months.

[\*Dep't of Housing Preservation & Development v. Abdullah\*](#), OATH Index No. 217/22 (Feb. 23, 2023), *adopted*, Comm'r Dec. (Mar. 20, 2023).

[Read more about \*Dep't of Housing Preservation & Development v. Abdullah\*](#)

### **Licensing**

ALJ recommends lifting suspension of taxi driver's license.

ALJ Orlando Rodriguez recommended lifting the suspension of a TLC license for a driver who had been arrested for strangulation in the second degree.

[\*Taxi & Limousine Comm'n v. Escano-Escano\*](#), OATH Index No. 1878/23 (Feb. 7, 2023), *adopted*, Comm'r Dec. (Feb. 13, 2023).

[Read more about \*Taxi & Limousine Comm'n v. Escano-Escano\* and other Licensing cases](#)

## Real Property

ALJ recommends denying Loft Law protection.

ALJ Noel R. Garcia recommended denying protected occupancy status to tenants in a building covered by the Loft Law, finding that the unit was previously deregulated by a valid sale of rights.

[\*\*Matter of Postelnicu\*\*](#), OATH Index No. 1170/21 (Feb. 15, 2023).

[\*\*Read more about Matter of Postelnicu\*\*](#)

## Appeals Division Decisions

### (Appeals from the Hearings Division)

Violation against taxi driver for running stop signs reversed based on driver's dashcam footage.

The Appeals Division reversed a hearing decision sustaining a violation against a taxi driver for running two stop signs.

[\*\*TLC v. Md Abdul Kadir Khan\*\*](#), Appeal No. 73230494A (February 24, 2023).

[\*\*Read more about TLC v. Md Abdul Kadir Khan, and other Appeals Division cases\*\*](#)

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