



# OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

## Dismissal Report November 2022

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



---

**ASIM REHMAN**

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

**November 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 November 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 23 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	1,012	1,110	1,143	934	1,098								5,297
	Dismissed No Jurisdiction	1	1	4	5	1								12
	Dismissed Defective Service	122	135	185	162	362								966
	Dismissed Defective Summons/charge (defective on its face)	34	25	17	23	35								134
	Dismissed - Failure to Prosecute	9		3	1	3								16
	Dismissed - Successfully Disputed Ownership	12	22	22	13	20								89
	Dismissed - Wrong Party Named	27	31	28	23	11								120
	Dismissed - No Prima Facie Case	275	230	150	69	87								811
	Withdrawn prior to hearing	10	30	9	9	7								65
	Dismissed - Administrative Dismissal													
<b>Grand Total</b>		<b>1,502</b>	<b>1,584</b>	<b>1,561</b>	<b>1,239</b>	<b>1,624</b>	-	-	-	-	-	-	-	<b>7,510</b>

\*by charge







FY 23 ECB Hearings

Agency Group	Issuing Agency	Dismissal Reason	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Grand Total
<b>ENVIRONMENTAL PROTECTION(DEP) Total</b>			120	193	182	131	133								759
FIRE(FDNY)	FIR-FIRE DEPARTMENT NYC	ADMIN. DISMISSAL ECB	105	73	54	67	61								360
		DEFECTIVE NOV	3	3	4	2	1								13
		DEFECTIVE SERVICE	8	16	11	25	13								73
		DISPUTED OWNERSHIP	3	4	3	2	8								20
		IMPROPER PARTY CITED	11	12	11	6	15								55
		NO ECB JURISDICTION		4	6	7	2								19
		NO VIOL. DISMISS ON MERITS	30	31	20	24	33								138
		PROSECUTION WITHDRAWN	2	3	1	4									10
		UNASSIGNED REASON	4												4
		FAILURE TO PROSECUTE	36	27	30	22	17								132
		NO PRIMA FACIA CASE	11	12	10	5	9								47
		WITHDRAWAL AFTER ADJUDICATE													
	<b>FIR-FIRE DEPARTMENT NYC Total</b>		213	185	150	164	159								871
	823-FIRE DEPARTMENT 823	NO VIOL. DISMISS ON MERITS													
		DISPUTED OWNERSHIP													
	<b>823-FIRE DEPARTMENT 823 Total</b>														
<b>FIRE(FDNY) Total</b>			213	185	150	164	159								871
HEALTH(DOHMH)	816-DOH/MENTAL HEALTH	ADMIN. DISMISSAL ECB													
		DEFECTIVE NOV				1	1	3							5
		DEFECTIVE SERVICE	9	4	3		7								23
		DISPUTED OWNERSHIP													
		IMPROPER PARTY CITED	1		1										2
		NO ECB JURISDICTION					1								1
		NO VIOL. DISMISS ON MERITS	22	20	23	18	25								108
		PROSECUTION WITHDRAWN													
		UNASSIGNED REASON													
		FAILURE TO PROSECUTE													
		NO PRIMA FACIA CASE	7	8	12	6	5								38
		WITHDRAWAL AFTER ADJUDICATE													
		INTEREST OF JUSTICE													
	<b>816-DOH/MENTAL HEALTH Total</b>		39	32	40	26	40								177
	812-VETERINARY DOHMH	DEFECTIVE NOV													
		ADMIN. DISMISSAL ECB													
		DEFECTIVE SERVICE													
		DISPUTED OWNERSHIP													
		IMPROPER PARTY CITED													
		WITHDRAWAL AFTER ADJUDICATE													
		NO VIOL. DISMISS ON MERITS													
		PROSECUTION WITHDRAWN													
		NO PRIMA FACIA CASE													
	<b>812-VETERINARY DOHMH Total</b>														
	813-VECTOR DOHMH	ADMIN. DISMISSAL ECB													
		DEFECTIVE NOV													
		DEFECTIVE SERVICE													
		DISPUTED OWNERSHIP													
		IMPROPER PARTY CITED													
		NO VIOL. DISMISS ON MERITS													
		PROSECUTION WITHDRAWN													
		UNASSIGNED REASON													
		NO PRIMA FACIA CASE													
		FAILURE TO PROSECUTE													
	<b>813-VECTOR DOHMH Total</b>														
	814-BED BUGS DOHMH	ADMIN. DISMISSAL ECB													
		DEFECTIVE NOV						4							1
		DEFECTIVE SERVICE						1							1
		NO VIOL. DISMISS ON MERITS			1			3							4
		NO PRIMA FACIA CASE				2		3							5
	<b>814-BED BUGS DOHMH Total</b>			1	2			11							14











