



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Dismissal Report July 2023

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



ASIM REHMAN

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

August 20th, 2023

- **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 July 2023.**
- **Please be advised that the numbers for OATH's Health, DCWP 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 24 Vehicle for Hire & Taxi Hearings*

AGENCY	Dismissals	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Grand Total
TLC	Dismissed No Violation/On the Merits	126												126
	Dismissed No Jurisdiction													-
	Dismissed Defective Service	2												2
	Dismissed Defective Summons/charge (defective on its face)	66												66
	Dismissed - Failure to Prosecute	2												2
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	75												75
	Withdrawal	4												4
	Dismissed - Administrative Dismissal													-
TLC	Total Dismissed	275	-	-	-	-	-	-	-	-	-	-	-	275
NYPD	Dismissed No Violation/On the Merits	1												1
	Dismissed No Jurisdiction													-
	Dismissed Defective Service	1												1
	Dismissed Defective Summons/charge (defective on its face)	4												4
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	3												3
	Withdrawal													-
	Dismissed - Administrative Dismissal													-
NYPD	Total Dismissed	9	-	-	-	-	-	-	-	-	-	-	-	9
Port Authority	Dismissed No Violation/On the Merits													-
	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													-
	Withdrawal													-
	Dismissed - Administrative Dismissal													-
Port Authority	Total Dismissed	-	-	-	-	-	-	-	-	-	-	-	-	-
Grand Total		284	-	-	-	-	-	-	-	-	-	-	-	284

*by charge

FY 24 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	1,251												1,251
	Dismissed No Jurisdiction	3												3
	Dismissed Defective Service	73												73
	Dismissed Defective Summons/charge (defective on its face)	34												34
	Dismissed - Failure to Prosecute	4												4
	Dismissed - Successfully Disputed Ownership	8												8
	Dismissed - Wrong Party Named	17												17
	Dismissed - No Prima Facie Case	69												69
	Withdrawn prior to hearing	13												13
	Dismissed - Administrative Dismissal													-
	Grand Total	1,472	-	-	-	-	-	-	-	-	-	-	-	1,472

*by charge

FY 24 DCWP Hearings

AGENCY	Dismissals	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Grand Total
DCWP*	Dismissed No Violation/On the Merits	21												21
	Dismissed No Jurisdiction													-
	Dismissed Defective Service													-
	Dismissed Defective Summons/charge (defective on its face)													-
	Dismissed - Failure to Prosecute	4												4
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named	7												7
	Dismissed - No Prima Facie Case	5												5
	Withdrawn prior to hearing	18												18
	Dismissed - Administrative Dismissal													-
	Grand Total	55	-	-	-	-	-	-	-	-	-	-	-	55

*by charge

Agency Group	Licensing 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	2												2	
		DEFECTIVE NOV	8												8	
		DEFECTIVE SERVICE	75													75
		DISPUTED OWNERSHIP	3													3
		IMPROPER PARTY CITED	23													23
		NO ECB JURISDICTION														
		NO VIOL. DISMISS ON MERITS	215													215
		PROSECUTION WITHDRAWN	36													36
		UNASSIGNED REASON														
		WORK DONE BY PREV. OWNER														
		DATA CORRECTION														
		FAILURE TO PROSECUTE	6													6
		NO PRIMA FACIA CASE	17													17
		WITHDRAWAL AFTER ADJUDICATE														
	INTEREST OF JUSTICE															
	DOB-DEPT OF BUILDINGS Total		385													385
	§10-DEPT OF BUILDINGS §10	ADMIN. DISMISSAL ECB														
		IMPROPER PARTY CITED														
		DEFECTIVE NOV														
		DEFECTIVE SERVICE														
		NO PRIMA FACIA CASE														
FAILURE TO PROSECUTE																
NO VIOL. DISMISS ON MERITS																
§10-DEPT OF BUILDINGS §10 Total																
774-BUILDINGS DEPT	ADMIN. DISMISSAL ECB															
774-BUILDINGS DEPT Total																
BUILDINGS(DOB) Total			385												385	
ENVIRONMENTAL PROTECTION(DEP)	§24-DEP - IWC	ADMIN. DISMISSAL ECB														
		DEFECTIVE NOV														
		DEFECTIVE SERVICE														
		DISPUTED OWNERSHIP														
		IMPROPER PARTY CITED														
		NO VIOL. DISMISS ON MERITS														
		PROSECUTION WITHDRAWN														
		FAILURE TO PROSECUTE														
		NO PRIMA FACIA CASE														
	§24-DEP - IWC Total															
	§25-DEP - BUREAU OF CUST SRV	ADMIN. DISMISSAL ECB	3													3
		DEFECTIVE NOV														
		DEFECTIVE SERVICE														
		DISPUTED OWNERSHIP														
		IMPROPER PARTY CITED														
		FAILURE TO PROSECUTE	1													1
		NO VIOL. DISMISS ON MERITS	8													8
		PROSECUTION WITHDRAWN														
	WORK DONE BY PREV. OWNER															
	NO PRIMA FACIA CASE	2													2	
	§25-DEP - BUREAU OF CUST SRV Total		14													14
§26-DEP - BUREAU OF ENV. COMP	ADMIN. DISMISSAL ECB															
	DEFECTIVE SERVICE															
	DISPUTED OWNERSHIP															
	IMPROPER PARTY CITED															
	NO VIOL. DISMISS ON MERITS															
	PROSECUTION WITHDRAWN															
§26-DEP - BUREAU OF ENV. COMP Total																
989-DEP POLICE	ADMIN. DISMISSAL ECB															
	DEFECTIVE NOV	1													1	
	NO VIOL. DISMISS ON MERITS															
	NO PRIMA FACIA CASE															
989-DEP POLICE Total		1													1	
ASB-ASBESTOS CONTROL PROGRAM	ADMIN. DISMISSAL ECB															
	DEFECTIVE NOV															
	DEFECTIVE SERVICE															
	DISPUTED OWNERSHIP															
	IMPROPER PARTY CITED															
	FAILURE TO PROSECUTE	4													4	
	NO VIOL. DISMISS ON MERITS	2													2	
	PROSECUTION WITHDRAWN															
	NO ECB JURISDICTION															
	NO PRIMA FACIA CASE															
	ASB-ASBESTOS CONTROL PROGRAM Total		6													6

Agency Group	Filing Agency	Dismissal Reason	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Grand Total
	BAR-DEP BUREAU OF ENV COMPL	ADMIN. DISMISSAL ECB	3												3
		UNASSIGNED REASON	4												4
		DEFECTIVE NOV	3												3
		DEFECTIVE SERVICE													
		DISPUTED OWNERSHIP													
		IMPROPER PARTY CITED	11												11
		NO ECB JURISDICTION													
		NO VIOL. DISMISS ON MERITS	191												191
		PROSECUTION WITHDRAWN	47												47
		WORK DONE BY PREV. OWNER													
		FAILURE TO PROSECUTE	3												3
		NO PRIMA FACIA CASE	7												7
	BAR-DEP BUREAU OF ENV COMPL Total		269												269
	§04-DEP - HAZARDOUS MATERIALS	DEFECTIVE SERVICE													
		NO VIOL. DISMISS ON MERITS													
		NO PRIMA FACIA CASE													
	§04-DEP-HAZARDOUS COMP Total														
	§03-DEP RIGHT TO KNOW	ADMIN. DISMISSAL ECB													
		DEFECTIVE NOV													
		DEFECTIVE SERVICE													
		DISPUTED OWNERSHIP													
		INTEREST OF JUSTICE													
		IMPROPER PARTY CITED													
		NO ECB JURISDICTION													
		NO VIOL. DISMISS ON MERITS	1												1
		NO PRIMA FACIA CASE													
		FAILURE TO PROSECUTE													
		UNASSIGNED REASON													
		UNASSIGNED REASON													
	§03-RIGHT TO KNOW Total		1												1
	§22-DEP - BWSO	ADMIN. DISMISSAL ECB	1												1
		DEFECTIVE NOV													
		DEFECTIVE SERVICE	1												1
		DISPUTED OWNERSHIP	1												1
		IMPROPER PARTY CITED	1												1
		NO ECB JURISDICTION													
		NO VIOL. DISMISS ON MERITS	17												17
		PROSECUTION WITHDRAWN	6												6
		FAILURE TO PROSECUTE	9												9
		NO PRIMA FACIA CASE													
		WITHDRAWAL AFTER ADJUDICATE													
	§22-DEP - BWSO Total		36												36
	SWP-STORM WATER PROCESSING														
	SWP-STORM WATER PROCESSING - Total														
ENVIRONMENTAL PROTECTION(DEF) Total			327											327	
FIRE(FDNY)	FIR-FIRE DEPARTMENT NYC	ADMIN. DISMISSAL ECB	5												5
		DEFECTIVE NOV	1											1	
		DEFECTIVE SERVICE	9											9	
		DISPUTED OWNERSHIP	5											5	
		IMPROPER PARTY CITED	10											10	
		NO ECB JURISDICTION	5											5	
		NO VIOL. DISMISS ON MERITS	24											24	
		PROSECUTION WITHDRAWN	21											21	
		UNASSIGNED REASON													
		FAILURE TO PROSECUTE	8											8	
		NO PRIMA FACIA CASE	6											6	
		WITHDRAWAL AFTER ADJUDICATE													
	FIR-FIRE DEPARTMENT NYC Total		94											94	
	§23-FIRE DEPARTMENT §23	NO VIOL. DISMISS ON MERITS													
		DISPUTED OWNERSHIP													
	§23-FIRE DEPARTMENT §23 Total														
	FIRE(FDNY) Total			94											94
HEALTH(DOHMH)	§16-DOH/MENTAL HEALTH	ADMIN. DISMISSAL ECB													
		DEFECTIVE NOV	16											16	
		DEFECTIVE SERVICE	7											7	
		DISPUTED OWNERSHIP													
		IMPROPER PARTY CITED													
		NO ECB JURISDICTION													
		NO VIOL. DISMISS ON MERITS	81											81	
		PROSECUTION WITHDRAWN	5											5	
		UNASSIGNED REASON													
		FAILURE TO PROSECUTE	4											4	
		NO PRIMA FACIA CASE	20											20	
		WITHDRAWAL AFTER ADJUDICATE													
	INTEREST OF JUSTICE														
	§16-DOH/MENTAL HEALTH Total		133											133	
	§12-VETERINARY DOHMH	DEFECTIVE NOV													
		ADMIN. DISMISSAL ECB													
		DEFECTIVE SERVICE	21												21
DISPUTED OWNERSHIP															
IMPROPER PARTY CITED															
WITHDRAWAL AFTER ADJUDICATE															
NO VIOL. DISMISS ON MERITS		16												16	
PROSECUTION WITHDRAWN	1												1		
NO PRIMA FACIA CASE															
§12-VETERINARY DOHMH Total		38												38	

FY 24 ECB Hearings

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Agency Group	Issuing Agency	Dismissal Reason	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Grand Total	
MARKET CASES(BIC)	850-MARKET CSAES(BIC)	ADMIN. DISMISSAL ECB														
		DEFECTIVE NOV														
		DEFECTIVE SERVICE														
		DISPUTED OwNERSHIP														
		IMPROPER PARTY CITED														
		NO VIOL. DISMISS ON MERITS														
		PROSECUTION WITHDRAWN														
		FAILURE TO PROSECUTE														
		NO PRIMA FACIA CASE														
850-MARKET CSAES(BIC) Total																
MARKET CASES(BIC) Total																
PARKS(DPR)	846-DEPT OF PARKS	ADMIN. DISMISSAL ECB	1												1	
		DEFECTIVE NOV	2												2	
		DEFECTIVE SERVICE	1												1	
		DISPUTED OwNERSHIP														
		IMPROPER PARTY CITED														
		NO ECB JURISDICTION														
		NO VIOL. DISMISS ON MERITS	11												11	
		WITHDRAWAL AFTER ADJUDICATE														
		PROSECUTION WITHDRAWN														
846-DEPT OF PARKS Total		6												6		
PARKS(DPR) Total		21												21		
POLICE	055-NYPD TRANSPORT INTELL DIV	ADMIN. DISMISSAL ECB														
		DEFECTIVE NOV	3												3	
		DEFECTIVE SERVICE														
		DISPUTED OwNERSHIP	1												1	
		IMPROPER PARTY CITED	5												5	
		NO ECB JURISDICTION														
		FAILURE TO PROSECUTE														
		NO VIOL. DISMISS ON MERITS	55												55	
		PROSECUTION WITHDRAWN														
	056-POLICE DEPT	UNASSIGNED REASON	2												2	
		NO PRIMA FACIA CASE	6												6	
		WITHDRAWAL AFTER ADJUDICATE														
		INTEREST OF JUSTICE														
		055-NYPD TRANSPORT INTELL DIV Total		72											72	
		056-POLICE DEPT	ADMIN. DISMISSAL ECB	45												45
			DEFECTIVE NOV	176												176
			DEFECTIVE SERVICE	1631												1631
			DISPUTED OwNERSHIP													
	IMPROPER PARTY CITED															
	NO ECB JURISDICTION		25												25	
	NO VIOL. DISMISS ON MERITS		68												68	
PROSECUTION WITHDRAWN																
UNASSIGNED REASON																
056-POLICE DEPT Total	WORK DONE BY PREV. OWNER															
	DATA CORRECTION															
	FAILURE TO PROSECUTE															
	NO PRIMA FACIA CASE	30												30		
	INTEREST OF JUSTICE															
	056-POLICE DEPT Total		2035											2035		
	385-SEAGATE POLICE	ADMIN. DISMISSAL ECB														
		DEFECTIVE NOV														
		DEFECTIVE SERVICE														
NO ECB JURISDICTION																
NO VIOL. DISMISS ON MERITS																
385-SEAGATE POLICE Total																
002-OFF OF SPECIAL ENFORCMNT	NO PRIMA FACIA CASE															
	PROSECUTION WITHDRAWN															
	DEFECTIVE SERVICE															
	ADMIN. DISMISSAL ECB	1												1		
	DEFECTIVE NOV															
	IMPROPER PARTY CITED															
002-OFF OF SPECIAL ENFORCMNT Total	NO VIOL. DISMISS ON MERITS															
	DISPUTED OwNERSHIP															
	NO PRIMA FACIA CASE															
	PROSECUTION WITHDRAWN															
POLICE Total		2168												2168		

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Agency Group	Issuing Agency	Dismissal Reason	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Grand Total	
PUBLIC TELEPHONE(DOITT)	858-PUBLIC TELEPHONE(DOITT)	ADMIN. DISMISSAL ECB														
		DEFECTIVE NOV														
		DEFECTIVE SERVICE														
		DISPUTED OWNERSHIP														
		NO ECB JURISDICTION														
		NO VIOL. DISMISS ON MERITS														
		PROSECUTION WITHDRAWN	8													
		FAILURE TO PROSECUTE														
		NO PRIMA FACIA CASE														
858-DOITT Total			8												8	
PUBLIC TELEPHONE(DOITT) Total			8												8	
SANITATION(DSNY)	827-DOS - ENFORCEMENT AGENTS	ADMIN. DISMISSAL ECB														
		DEFECTIVE NOV	1													1
		DEFECTIVE SERVICE	6													6
		DISPUTED OWNERSHIP	65													65
		IMPROPER PARTY CITED	14													14
		NO ECB JURISDICTION														
		NO VIOL. DISMISS ON MERITS	627													627
		PROSECUTION WITHDRAWN	5													5
		UNASSIGNED REASON														
		DATA CORRECTION														
		FAILURE TO PROSECUTE														
		NO PRIMA FACIA CASE	12													12
		WITHDRAWAL AFTER ADJUDICATE														
	INTEREST OF JUSTICE															
	827-DOS - ENFORCEMENT AGENTS Total			730												730
	828-SANITATION POLICE	ADMIN. DISMISSAL ECB														
		DEFECTIVE NOV														
		DEFECTIVE SERVICE														
		DISPUTED OWNERSHIP														
		IMPROPER PARTY CITED														
NO ECB JURISDICTION																
NO VIOL. DISMISS ON MERITS		12													12	
PROSECUTION WITHDRAWN																
DATA CORRECTION																
FAILURE TO PROSECUTE																
WITHDRAWAL AFTER ADJUDICATE																
NO PRIMA FACIA CASE	1													1		
828-SANITATION POLICE Total			13												13	
829-SANITATION OTHERS	ADMIN. DISMISSAL ECB															
	DEFECTIVE NOV	4													4	
	DEFECTIVE SERVICE	11													11	
	DISPUTED OWNERSHIP	158													158	
	IMPROPER PARTY CITED	27													27	
	NO ECB JURISDICTION	2													2	
	NO VIOL. DISMISS ON MERITS	898													898	
	PROSECUTION WITHDRAWN	8													8	
	DATA CORRECTION															
	UNASSIGNED REASON															
	FAILURE TO PROSECUTE	1													1	
	NO PRIMA FACIA CASE	54													54	
INTEREST OF JUSTICE																
829-SANITATION OTHERS Total			1163												1163	
830-SANITATION PIU	IMPROPER PARTY CITED															
	DEFECTIVE NOV															
	NO ECB JURISDICTION															
	DISPUTED OWNERSHIP															
	PROSECUTION WITHDRAWN															
	NO VIOL. DISMISS ON MERITS															
	FAILURE TO PROSECUTE	1													1	
NO PRIMA FACIA CASE																
830-SANITATION PIU Total			1												1	

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Agency Group	Issuing Agency	Dismissal Reason	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Grand Total	
SANITATION(DSNY)	§31-SANITATION RECYCLING	ADMIN. DISMISSAL ECB	2												2	
		DEFECTIVE NOV														
		DEFECTIVE SERVICE														
		DISPUTED OWNERSHIP	7												7	
		IMPROPER PARTY CITED	6												6	
		NO ECB JURISDICTION	1												1	
		NO VIOL. DISMISS ON MERITS														
		PROSECUTION WITHDRAWN	73												73	
		UNASSIGNED REASON														
		FAILURE TO PROSECUTE														
	§31-SANITATION RECYCLING Total	NO PRIMA FACIA CASE	5												5	
		WITHDRAWAL AFTER ADJUDICATE														
		INTEREST OF JUSTICE														
			94												94	
§32-SANITATION ENVR POLICE	ADMIN. DISMISSAL ECB															
	DEFECTIVE SERVICE															
	IMPROPER PARTY CITED															
	DISPUTED OWNERSHIP															
	FAILURE TO PROSECUTE															
	NO ECB JURISDICTION															
	NO VIOL. DISMISS ON MERITS	2												2		
	PROSECUTION WITHDRAWN															
	NO PRIMA FACIA CASE															
§32-SANITATION ENVR POLICE Total		2												2		
SANITATION(DSNY) Total		2003												2003		
TRANSPORTATION(DOT)	§41-DEPT OF TRANSPORTATION	ADMIN. DISMISSAL ECB														
		DEFECTIVE NOV	1												1	
		DEFECTIVE SERVICE														
		DISPUTED OWNERSHIP														
		IMPROPER PARTY CITED	6												6	
		NO ECB JURISDICTION														
		NO VIOL. DISMISS ON MERITS	138												138	
		PROSECUTION WITHDRAWN	62												62	
		UNASSIGNED REASON														
		FAILURE TO PROSECUTE	16												16	
	§41-DEPT OF TRANSPORTATION Total	WORK DONE BY PREV. OWNER														
		DATA CORRECTION														
		NO PRIMA FACIA CASE	2												2	
		WITHDRAWAL AFTER ADJUDICATE														
		INTEREST OF JUSTICE														
		225												225		
		225												225		
TRANSPORTATION(DOT) Total		225												225		
96MISCELLANEOUS AGENCIES(999)	999-MISCELLANEOUS AGENCIES	ADMIN. DISMISSAL ECB														
		DEFECTIVE NOV	13												13	
		DEFECTIVE SERVICE	14												14	
		IMPROPER PARTY CITED														
		PROSECUTION WITHDRAWN	4												4	
		NO ECB JURISDICTION	2												2	
		NO VIOL. DISMISS ON MERITS	15												15	
		FAILURE TO PROSECUTE	1												1	
		NO PRIMA FACIA CASE	2												2	
	999-MISCELLANEOUS AGENCIES Total		51												51	
	96MISCELLANEOUS AGENCIES(999) Total		51												51	
	97AGENCY CODE MISSING OR INVALID	000-AGENCY CODE MISSING	ADMIN. DISMISSAL ECB	1												1
			DEFECTIVE NOV													
			DEFECTIVE SERVICE													
DISPUTED OWNERSHIP																
IMPROPER PARTY CITED																
FAILURE TO PROSECUTE																
NO VIOL. DISMISS ON MERITS																
PROSECUTION WITHDRAWN																
NO PRIMA FACIA CASE																
000-AGENCY CODE MISSING Total		1												1		
97AGENCY CODE MISSING OR INVALID Total		1												1		
NYC-SHERIFF		§37-NYC-SHERIFF	DEFECTIVE SERVICE													
			ADMIN. DISMISSAL ECB													
			IMPROPER PARTY CITED													
	NO PRIMA FACIA CASE		1												1	
	PROSECUTION WITHDRAWN															
	FAILURE TO PROSECUTE		1												1	
	NO VIOL. DISMISS ON MERITS		9												9	
	§37-NYC-SHERIFF Total		11												11	
	NYC-SHERIFF Total		11												11	
	VENDOR CASES(DCWP)	§66-DEPT OF CONSUMER AND WORKER PROTECTION	ADMIN. DISMISSAL ECB													
			NO VIOL. DISMISS ON MERITS													
			DEFECTIVE SERVICE													
PROSECUTION WITHDRAWN																
NO PRIMA FACIA CASE																
DEFECTIVE NOV																
IMPROPER PARTY CITED																
§66-DEPT OF CONSUMER AFFAIRS Total																
VENDOR CASES(DCA) Total																
Total		6020												6020		