



Dismissal Report

December 2016

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



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

January 20th , 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 December, 2016.**
- **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 17 Vehicle for Hire & Taxi Hearings*

FY 2017	AGENCY	Dismissals	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Grand Total
	TLC	Dismissed No Violation/On the Merits	208	219	276	313	315	415							1,746
		Dismissed No Jurisdiction	0	5	0	0	2	1							8
		Dismissed Defective Service	6	2	6	3	2	6							25
		Dismissed Defective Summons/charge (defective on its face)	2	6	4	43	60	41							156
		Dismissed - Failure to Prosecute	9	9	17	9	11	26							81
		Dismissed - Successfully Disputed Ownership	0	0	0	0	0	0							-
		Dismissed - Wrong Party Named	0	2	0	3	0	0							5
		Dismissed - No Prima Facie Case	38	50	47	37	11	18							201
		Withdrawal	22	43	90	103	101	71							430
		Dismissed - Administrative Dismissal	0	0	0	0	0	0							-
	TLC	Total Dismissed	285	336	440	511	502	578	0	0	0	0	0	0	2,652
	NYPD	Dismissed No Violation/On the Merits	15	15	12	21	18	24							105
		Dismissed No Jurisdiction	0	0	0	0	0	0							-
		Dismissed Defective Service	0	4	2	1	0	0							7
		Dismissed Defective Summons/charge (defective on its face)	1	8	11	9	4	5							38
		Dismissed - Failure to Prosecute	2	5	0	3	0	0							10
		Dismissed - Successfully Disputed Ownership	0	0	0	0	0	0							-
		Dismissed - Wrong Party Named	1	0	0	0	0	1							2
		Dismissed - No Prima Facie Case	5	4	6	3	11	5							34
		Withdrawal	0	0	0	0	101	0							101
		Dismissed - Administrative Dismissal	0	0	0	0	0	0							-
	NYPD	Total Dismissed	24	36	31	37	134	35	0	0	0	0	0	0	297
	Port Authority	Dismissed No Violation/On the Merits	2	3	0	14	23	0							42
		Dismissed No Jurisdiction	0	0	0	0	0	0							-
		Dismissed Defective Service	0	0	0	0	0	3							3
		Dismissed Defective Summons/charge (defective on its face)	0	2	0	0	1	9							12
		Dismissed - Failure to Prosecute	1	0	3	1	0	0							5
		Dismissed - Successfully Disputed Ownership	0	0	0	0	0	0							-
		Dismissed - Wrong Party Named	0	0	0	0	0	0							-
		Dismissed - No Prima Facie Case	3	1	1	10	0	0							15
		Withdrawal	0	0	0	1	0	0							1
		Dismissed - Administrative Dismissal	0	0	0	0	0	0							-
	Port Authority	Total Dismissed	6	6	4	26	24	12	0	0	0	0	0	0	78
	Grand Total		315	378	475	574	660	625	0	0	0	0	0	0	3,027

*by charge

FY 17 Health & Restaurant Hearings*

FY2017	AGENCY	Dismissals	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Grand Total
	DOHMH*	Dismissed No Violation/On the Merits	2,513	2,706	2,664	2,551	2,379	2,156							14,969
		Dismissed No Jurisdiction	-	4	1	1	7	2							15
		Dismissed Defective Service	1	4	9	7	17	24							62
		Dismissed Defective Summons/charge (defective on its face)	57	31	36	15	30	26							195
		Dismissed - Failure to Prosecute	-	4	15	74	12	7							112
		Dismissed - Successfully Disputed Ownership	2	-	-	8	-	7							17
		Dismissed - Wrong Party Named	-	18	2	7	2	-							29
		Dismissed - No Prima Facie Case	253	325	228	203	176	170							1,355
		Withdrawal	98	31	9	6	20	3							167
		Dismissed - Administrative Dismissal	-	-	-	-	-	-							-
		Grand Total	2,924	3,123	2,964	2,872	2,643	2,395	-	-	-	-	-	-	16,921

*by charge

FY 17 ECB Hearings

Agency Group	Issuing Agency	Dismissal Reason	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Grand Total	
LANDMARKS(LPC)	LPC-LANDMARK PRESERVATION	DEFECTIVE NOV						1							1	
		DEFECTIVE SERVICE														
		DISPUTED OWNERSHIP				1										1
		NO VIOL. DISMISS ON MERITS						1								1
		FAILURE TO PROSECUTE							1							1
LPC-LANDMARK PRESERVATION Total						1	1	1							3	
LANDMARKS(LPC) Total																3
MARKET CASES(BIC)	850-BIC	ADMIN. DISMISSAL ECB			1										1	
		DEFECTIVE NOV														
		IMPROPER PARTY CITED			1											1
		NO VIOL. DISMISS ON MERITS					1	2								3
		PROSECUTION WITHDRAWN			2	1										3
850-BIC Total				4	1	1	2								8	
MARKET CASES(BIC) Total																8
PARKS(DPR)	846-DEPT OF PARKS	ADMIN. DISMISSAL ECB			1										1	
		DEFECTIVE NOV	26	28	15	19	25	29								142
		DEFECTIVE SERVICE	1			2	10			1						14
		DISPUTED OWNERSHIP														
		IMPROPER PARTY CITED		3	4				1							8
		NO ECB JURISDICTION														
		NO VIOL. DISMISS ON MERITS	52	92	46	78	91	53								412
		PROSECUTION WITHDRAWN	1							1						2
		UNASSIGNED REASON								1						1
		846-DEPT OF PARKS Total			80	123	68	107	116	86						
PARKS(DPR) Total																580
POLICE	055-NYPD TRANSPORT INTELL DIV	ADMIN. DISMISSAL ECB	2												2	
		DEFECTIVE NOV	11	6	9	14	4	8							52	
		DISPUTED OWNERSHIP														
		IMPROPER PARTY CITED	3	2		3		2								10
		NO ECB JURISDICTION				1	1	3								5
	NO VIOL. DISMISS ON MERITS	53	50	46	75	64	55								343	
	PROSECUTION WITHDRAWN				2										2	
	055-NYPD TRANSPORT INTELL DIV Total			69	58	57	93	69	68							414
	056-POLICE DEPT	ADMIN. DISMISSAL ECB	17	64	13	41	8	31								174
		DEFECTIVE NOV	97	142	138	148	143	145								813
		DEFECTIVE SERVICE	88	63	116	182	99	155								703
		DISPUTED OWNERSHIP														
		IMPROPER PARTY CITED			1			2	2							5
		NO ECB JURISDICTION	1	3		2	1	4								11
		NO VIOL. DISMISS ON MERITS	104	132	161	147	120	154								818
UNASSIGNED REASON				1	1										2	
DATA CORRECTION																
056-POLICE DEPT Total			307	406	429	520	373	491							2526	
985-SEAGATE POLICE	ADMIN. DISMISSAL ECB															
	DEFECTIVE NOV						1	1							2	
	DEFECTIVE SERVICE							30							30	
	NO ECB JURISDICTION						1	1							2	
NO VIOL. DISMISS ON MERITS			1	5		4	6							16		
985-SEAGATE POLICE Total				1	5		36	8							50	
POLICE Total																2990
PUBLIC TELEPHONE(DOITT)	858-DOITT	ADMIN. DISMISSAL ECB														
		DEFECTIVE NOV	2													2
		DISPUTED OWNERSHIP														
		NO ECB JURISDICTION														
		NO VIOL. DISMISS ON MERITS	14	12	7	7	3	19								62
858-DOITT Total			16	12	7	7	3	19							64	
PUBLIC TELEPHONE(DOITT) Total																64

