



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Dismissal Report September 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

October 20th, 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 September 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 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	130	162										418
	Dismissed No Jurisdiction													-
	Dismissed Defective Service													-
	Dismissed Defective Summons/charge (defective on its face)	10	19	38										67
	Dismissed - Failure to Prosecute	23	7	18										48
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	31	38	46										115
	Withdrawal	4	3	12										19
Dismissed - Administrative Dismissal													-	
TLC	Total Dismissed	194	197	276	-	-	-	-	-	-	-	-	-	667
NYPD	Dismissed No Violation/On the Merits	1	5	8										14
	Dismissed No Jurisdiction		1											1
	Dismissed Defective Service		1											1
	Dismissed Defective Summons/charge (defective on its face)	7	8	12										27
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case		2	1										3
	Withdrawal													-
Dismissed - Administrative Dismissal													-	
NYPD	Total Dismissed	8	17	21	-	-	-	-	-	-	-	-	-	46
Port Authority	Dismissed No Violation/On the Merits		1											1
	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	-	1	-	-	-	-	-	-	-	-	-	-	1
Grand Total		202	215	297	-	-	-	-	-	-	-	-	-	714

*by charge

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										3,265	
	Dismissed No Jurisdiction	1	1	4										6	
	Dismissed Defective Service	122	135	185										442	
	Dismissed Defective Summons/charge (defective on its face)	34	25	17										76	
	Dismissed - Failure to Prosecute	9		3										12	
	Dismissed - Successfully Disputed Ownership	12	22	22										56	
	Dismissed - Wrong Party Named	27	31	28										86	
	Dismissed - No Prima Facie Case	275	230	150										655	
	Withdrawn prior to hearing	10	30	9										49	
	Dismissed - Administrative Dismissal														-
	Grand Total	1,502	1,584	1,561	-	-	-	-	-	-	-	-	-	-	4,647

*by charge

FY 23 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	12	11	50										73
	Dismissed No Jurisdiction		4	5										9
	Dismissed Defective Service	3												3
	Dismissed Defective Summons/charge (defective on its face)	2		1										3
	Dismissed - Failure to Prosecute	1												1
	Dismissed - Successfully Disputed Ownership	3												3
	Dismissed - Wrong Party Named		2	3										5
	Dismissed - No Prima Facie Case	1	2	2										5
	Withdrawn prior to hearing	77	57	41										175
	Dismissed - Administrative Dismissal													-
	Grand Total	99	76	102	-	-	-	-	-	-	-	-	-	-

*by charge

FY 23 ECB Hearings

MARKET CASES(BIC)	850-BIC	ADMIN. DISMISSAL ECB								
		DEFECTIVE NOV								
		DEFECTIVE SERVICE								
		DISPUTED OWNERSHIP								
		IMPROPER PARTY CITED								
		NO VIOL. DISMISS ON MERITS								
		PROSECUTION WITHDRAWN	1					1		
		FAILURE TO PROSECUTE	1					1		
		NO PRIMA FACIA CASE								
		850-BIC Total	2						2	
MARKET CASES(BIC) Total		2						2		
PARKS(DPR)	846-DEPT OF PARKS	ADMIN. DISMISSAL ECB			2			2		
		DEFECTIVE NOV	1	4	4			9		
		DEFECTIVE SERVICE		1	1			2		
		DISPUTED OWNERSHIP								
		IMPROPER PARTY CITED								
		NO ECB JURISDICTION				1		1		
		NO VIOL. DISMISS ON MERITS	6	11	16			33		
		WITHDRAWAL AFTER ADJUDICATE								
		PROSECUTION WITHDRAWN				1		1		
		NO PRIMA FACIA CASE	6	9	6			21		
		846-DEPT OF PARKS Total	13	25	31				69	
		PARKS(DPR) Total		13	25	31				69
		POLICE	055-NYPD TRANSPORT INTELL DIV	ADMIN. DISMISSAL ECB						
DEFECTIVE NOV				5				5		
DEFECTIVE SERVICE										
DISPUTED OWNERSHIP										
IMPROPER PARTY CITED	1			2	2			5		
NO ECB JURISDICTION										
FAILURE TO PROSECUTE	2							2		
NO VIOL. DISMISS ON MERITS	35			62	54			151		
PROSECUTION WITHDRAWN										
UNASSIGNED REASON										
NO PRIMA FACIA CASE				6				6		
WITHDRAWAL AFTER ADJUDICATE										
INTEREST OF JUSTICE										
055-NYPD TRANSPORT INTELL DIV Total	38			75	56				169	
056-POLICE DEPT				ADMIN. DISMISSAL ECB	13	19	26			58
				DEFECTIVE NOV	76	208	137			421
				DEFECTIVE SERVICE	1284	1768	1516			4568
		DISPUTED OWNERSHIP								
		IMPROPER PARTY CITED			2			2		
		NO ECB JURISDICTION	11	17	7			35		
		NO VIOL. DISMISS ON MERITS	42	86	69			197		
		PROSECUTION WITHDRAWN								
		UNASSIGNED REASON	1	1				2		
		WORK DONE BY PREV. OWNER								
		DATA CORRECTION								
		FAILURE TO PROSECUTE	1					1		
		NO PRIMA FACIA CASE	59	81	81			221		
		INTEREST OF JUSTICE								
056-POLICE DEPT Total	1487	2180	1838				5505			
985-SEAGATE POLICE										
985-SEAGATE POLICE Total										
002-OFF OF SPECIAL ENFORCMNT		DEFECTIVE SERVICE								
		ADMIN. DISMISSAL ECB	1					1		
		DEFECTIVE NOV								
		IMPROPER PARTY CITED								
		NO VIOL. DISMISS ON MERITS								
		DISPUTED OWNERSHIP								
		NO PRIMA FACIA CASE					1	1		
PROSECUTION WITHDRAWN										
002-OFF OF SPECIAL ENFORCMNT Total	1						2			
POLICE Total	1526	2255	1895				5676			

