



Printer Friendly

Email a Friend

Translate This Page

Text Size: A A A

Home

About OATH

News

OATH Trials Division

- OATH Trials Division Data
- Rules of Practice
- Hearing Calendar
- Guides & Brochures
- Forms
- Administrative Judicial Institute
- **BenchNOTES**
- Contact OATH Trials Division

Health and Consumer
HearingsTaxi & Vehicle for Hire
Hearings

ECB Hearings

Frequently Asked Questions
(FAQs)

Contact OATH

BenchNOTES

Last Month's OATH Decisions

The documents below are in PDF format. [Download the Adobe Reader now.](#)

Personnel

Eligibility specialist coerced client for groceries.

ALJ Alessandra F. Zorogniotti found that an eligibility specialist used her position to coerce a client into purchasing over \$150 in groceries with her benefits for respondent's personal use.

[Human Resources Admin. v. Bonner](#), OATH Index No. 472/17 (Dec. 5, 2016).

[Read more](#)

Human Rights

Eatery refused to seat blind patron and service dog.

In a default hearing, the Commission on Human Rights proved that a NYC eatery and its employee failed to accommodate a legally blind patron by demanding that he and his service dog leave the restaurant.

[Comm'n on Human Rights ex rel. Gibson v. New York City Fried Chicken Corp.](#), OATH Index No. 279/17 (Dec. 29, 2016).

[Read more](#)

Licensing

Cab driver harassed passenger.

ALJ Zorogniotti found that petitioner proved that a taxicab driver harassed and used physical force against a female passenger by touching her private parts, grabbing her by the neck while making a lewd remark prompting the passenger and her mother to exit the taxi on a dark highway.

[Taxi & Limousine Comm'n v. Hussain](#), OATH Index No. 2214/16 (Dec. 20, 2016), adopted, Comm'r Dec. (Jan. 6, 2017).

[Read more](#)

Prevailing Wage

ALJ found prevailing wage law violations.

ALJ Susan J. Pogoda found that respondents, a contractor and its president, failed to pay prevailing wages and supplemental benefits to 36 workers on seven public works projects, falsified payroll records and engaged in a kickback scheme.

[Office of the Comptroller v. K.S. Contracting Corp.](#), OATH Index No. 1086/16 (Dec. 30, 2016).

[Read more](#)

Real Property

Former tenant not protected by Loft Law.

A former tenant filed an application with the Loft Board seeking findings that the building and the unit that she had leased with her estranged boyfriend were covered by the Loft Law and that she is the protected occupant of the leased unit.

Resources

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[Search OATH Decisions \(Issued After 2004\) Using OATH Tribunal Database](#)

[Forfeiture Cases: Information on Seized Cars](#)

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OATH Recent Decisions

[Eligibility specialist coerced client for groceries.](#)



« 2 of 8 »

**Administrative Judicial
Institute**

[Matter of Lasciak](#), OATH Index No. 2080/16 (Dec. 30, 2016).

[Read more](#)

Contracts

CDRB dismissed claim as time-barred.

On a contract for the construction and renovation of carbon addition facilities at five wastewater treatment plants, the contractor sought an additional \$65,039 for providing temporary heating to complete concrete topping work.

[WDF, Inc. v. Dep't of Environmental Protection](#), OATH Index No. 421/17, mem. dec. (Dec. 15, 2016).

[Read more](#)

Practice and Procedure

Request to remove name from published decision denied.

City worker charged with intoxication on duty asked to have his name withheld from the published decision to protect his privacy because the decision references his medical information.

[Human Resources Admin. v. Holman](#), OATH Index No. 223/17 (Dec. 22, 2016).

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