



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Dismissal Report January 2023

- 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

February 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 January 2023.**
- **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	133	144	120	160						975
	Dismissed No Jurisdiction													-
	Dismissed Defective Service				4	2	1	1						8
	Dismissed Defective Summons/charge (defective on its face)	10	19	38	19	15	22	20						143
	Dismissed - Failure to Prosecute	23	7	18	4	10	3	5						70
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	31	38	46	29	40	46	76						306
	Withdrawal	4	3	12	11	7	3							40
	Dismissed - Administrative Dismissal								9					
TLC	Total Dismissed	194	197	276	200	218	195	271	-	-	-	-	-	1,551
NYPD	Dismissed No Violation/On the Merits	1	5	8				1						15
	Dismissed No Jurisdiction		1											1
	Dismissed Defective Service		1			1	1							3
	Dismissed Defective Summons/charge (defective on its face)	7	8	12	3	13	15	4						62
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership						1							1
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case		2	1	1	5	1	1						11
	Withdrawal													-
	Dismissed - Administrative Dismissal													-
NYPD	Total Dismissed	8	17	21	4	19	18	6	-	-	-	-	-	93
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	204	237	213	277	-	-	-	-	-	1,645

*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	934	1,098	1,082	1,198						7,577
	Dismissed No Jurisdiction	1	1	4	5	1	1	13						26
	Dismissed Defective Service	122	135	185	162	362	455	501						1,922
	Dismissed Defective Summons/charge (defective on its face)	34	25	17	23	35	28	34						196
	Dismissed - Failure to Prosecute	9		3	1	3	5	-						21
	Dismissed - Successfully Disputed Ownership	12	22	22	13	20	11	18						118
	Dismissed - Wrong Party Named	27	31	28	23	11	16	23						159
	Dismissed - No Prima Facie Case	275	230	150	69	87	104	124						1,039
	Withdrawn prior to hearing	10	30	9	9	7	8	22						95
	Dismissed - Administrative Dismissal													
Grand Total		1,502	1,584	1,561	1,239	1,624	1,710	1,933	-	-	-	-	-	11,153

*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	29	29	32	17						180	
	Dismissed No Jurisdiction		4	5										9	
	Dismissed Defective Service	3				1		1						5	
	Dismissed Defective Summons/charge (defective on its face)	2		1	1	1	1							6	
	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		2		5						12	
	Withdrawn prior to hearing	77	57	41	8	14	21	34						252	
	Dismissed - Administrative Dismissal														-
	Grand Total		99	76	102	38	47	54	57	-	-	-	-	-	473

*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			
BUILDINGS(DOB)	DOB-DEPT OF BUILDINGS	ADMIN. DISMISSAL ECB	9	15	3	2	6	11	11							57		
		DEFECTIVE NOV	35	39	43	38	24	32	35								246	
		DEFECTIVE SERVICE	97	205	103	93	123	105	74								800	
		DISPUTED OWNERSHIP	17	18	13	6	20	15	18								107	
		IMPROPER PARTY CITED	91	88	87	83	100	56	67								572	
		NO ECB JURISDICTION		4	5	2	1	23									35	
		NO VIOL. DISMISS ON MERITS	710	854	641	537	622	537	438								4329	
		PROSECUTION WITHDRAWN	120	130	195	111	63	58	149								826	
		UNASSIGNED REASON				1											1	
		WORK DONE BY PREV. OWNER																
		DATA CORRECTION																
		FAILURE TO PROSECUTE	9	14	16	5	3	5	8								60	
		NO PRIMA FACIA CASE	72	105	47	46	61	44	59								424	
		WITHDRAWAL AFTER ADJUDICATE							1								1	
		INTEREST OF JUSTICE																
		DOB-DEPT OF BUILDINGS Total			1160	1472	1154	923	1023	887	859						7478	
		BUILDINGS(DOB)	810-DEPT OF BUILDINGS 810	ADMIN. DISMISSAL ECB														
				IMPROPER PARTY CITED														
				DEFECTIVE NOV	1	1	1		1		1							5
				DEFECTIVE SERVICE	1		1	3		1								6
NO PRIMA FACIA CASE	3			1		1				2						7		
FAILURE TO PROSECUTE				1	1											2		
NO VIOL. DISMISS ON MERITS	7			8	5	6	6	3	3							38		
DISPUTED OWNERSHIP				1												1		
810-DEPT OF BUILDINGS 810 Total			12	12	8	10	7	4	6						59			
774-BUILDINGS DEPT	ADMIN. DISMISSAL ECB																	
774-BUILDINGS DEPT Total																		
BUILDINGS(DOB) Total			1172	1484	1162	933	1030	891	865						7527			
ENVIRONMENTAL PROTECTION(DEP)	824-DEP - IWC	ADMIN. DISMISSAL ECB																
		DEFECTIVE NOV																
		DEFECTIVE SERVICE																
		DISPUTED OWNERSHIP																
		IMPROPER PARTY CITED																
		NO VIOL. DISMISS ON MERITS																
		PROSECUTION WITHDRAWN		1		4										5		
		FAILURE TO PROSECUTE				2										2		
		NO PRIMA FACIA CASE		1												1		
		824-DEP - IWC Total			2		6										8	
		825-DEP - BUREAU OF CUST SRV	ADMIN. DISMISSAL ECB		2	1	7		1	2							13	
			DEFECTIVE NOV							1							1	
			DEFECTIVE SERVICE							1							1	
			DISPUTED OWNERSHIP															
			IMPROPER PARTY CITED	1	1		1				1						4	
			FAILURE TO PROSECUTE							2							2	
			NO VIOL. DISMISS ON MERITS	3	3	17	7	9	11	10							60	
			PROSECUTION WITHDRAWN															
			WORK DONE BY PREV. OWNER															
			NO PRIMA FACIA CASE	2	2				1								5	
825-DEP - BUREAU OF CUST SRV Total			6	8	18	15	9	16	14						86			
826-DEP - BUREAU OF ENV. COMP	ADMIN. DISMISSAL ECB																	
	DEFECTIVE SERVICE																	
	DISPUTED OWNERSHIP																	
	IMPROPER PARTY CITED																	
	NO VIOL. DISMISS ON MERITS																	
	PROSECUTION WITHDRAWN																	
	NO PRIMA FACIA CASE		1												1			
	826-DEP - BUREAU OF ENV. COMP Total			1												1		
989-DEP POLICE	ADMIN. DISMISSAL ECB																	
	DEFECTIVE NOV																	
	NO VIOL. DISMISS ON MERITS																	
	NO PRIMA FACIA CASE									2					2			
989-DEP POLICE Total										2					2			
ASB-ASBESTOS CONTROL PROGRAM	ADMIN. DISMISSAL ECB																	
	DEFECTIVE NOV																	
	DEFECTIVE SERVICE								1						1			
	DISPUTED OWNERSHIP																	
	IMPROPER PARTY CITED			1		1	1								3			
	FAILURE TO PROSECUTE		2	2	1	1									6			
	NO VIOL. DISMISS ON MERITS	17	9	16	5	5	1	1							54			
	PROSECUTION WITHDRAWN	3	3	1	3		4	2							16			
	NO ECB JURISDICTION																	
	NO PRIMA FACIA CASE			1											1			
ASB-ASBESTOS CONTROL PROGRAM Total			20	16	19	10	7	6	3						81			

FY 23 ECB Hearings

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 ECD															
		DEFECTIVE NOV															
		DEFECTIVE SERVICE															
		DISPUTED OWNERSHIP															
		NO ECD JURISDICTION															
		NO VIOL. DISMISS ON MERITS								8						8	
		FAILURE TO PROSECUTE			11		2			2						15	
		NO PRIMA FACIA CASE															
	858-DOITT T.t.l.l			12		2		18							24		
PUBLIC TELEPHONE(DOITT) T.t.l.l			12		2		18								24		
SANITATION(DSHY)	827-DO5 - ENFORCEMENT AGENTS	ADMIN. DISMISSAL ECD					1	1	1						3		
		DEFECTIVE NOV	2	5	5	2	4	3	2							23	
		DEFECTIVE SERVICE	8	1	4	17	12	6	4								52
		DISPUTED OWNERSHIP	11	153	64	56	48	75	18								423
		IMPROPER PARTY CITED	5	24	37	31	8	11	18								134
		NO ECD JURISDICTION	4	1	1			1	1								8
		NO VIOL. DISMISS ON MERITS	282	583	243	212	327	233	722								2582
		PROSECUTION WITHDRAWN	627	157		2	8	1	14								809
		UNASSIGNED REASON															
		DATA CORRECTION															
		FAILURE TO PROSECUTE						1								1	
		NO PRIMA FACIA CASE	3	5	3	8			17	28							62
		WITHDRAWAL AFTER ADJUDICATE															
		INTEREST OF JUSTICE						13									13
			827-DO5 - ENFORCEMENT AGENTS T.t.l.l		348	855	357	328	428	488	888						4116
		828-SANITATION POLICE	ADMIN. DISMISSAL ECD														
			DEFECTIVE NOV	1				1									2
			DEFECTIVE SERVICE			1		1	1	1							5
			DISPUTED OWNERSHIP	2	18	7		3		1							29
			IMPROPER PARTY CITED	1		3				1							5
NO ECD JURISDICTION	1														1		
NO VIOL. DISMISS ON MERITS	14		27	33	23	13	3	6							137		
PROSECUTION WITHDRAWN																	
DATA CORRECTION																	
FAILURE TO PROSECUTE	1															1	
WITHDRAWAL AFTER ADJUDICATE																	
NO PRIMA FACIA CASE	2		1	1	1	1										6	
	828-SANITATION POLICE T.t.l.l			22	38	45	38	25	18	8						178	
823-SANITATION OTHERS	ADMIN. DISMISSAL ECD			1		1		1	3						6		
	DEFECTIVE NOV	44	18	8	5	18	14	5							184		
	DEFECTIVE SERVICE	24	27	7	26	14	14	8							128		
	DISPUTED OWNERSHIP	68	84	38	66	213	186	64							689		
	IMPROPER PARTY CITED	34	51	88	53	41	68	34							361		
	NO ECD JURISDICTION	18	1	2	2	7	2	8							32		
	NO VIOL. DISMISS ON MERITS	888	384	767	785	513	844	743							5636		
	PROSECUTION WITHDRAWN	6	33	12	2	13	18	2							78		
	DATA CORRECTION																
	UNASSIGNED REASON																
	FAILURE TO PROSECUTE																
	NO PRIMA FACIA CASE	38	38	27	13	25	22	23								178	
	INTEREST OF JUSTICE																
	823-SANITATION OTHERS T.t.l.l		1816	1143	1881	873	1256	1873	836						7264		
831-SANITATION PIU	IMPROPER PARTY CITED																
	DEFECTIVE NOV																
	NO ECD JURISDICTION																
	DISPUTED OWNERSHIP								1						1		
	PROSECUTION WITHDRAWN																
	NO VIOL. DISMISS ON MERITS									1					1		
	FAILURE TO PROSECUTE									1					1		
NO PRIMA FACIA CASE																	
	831-SANITATION PIU T.t.l.l							1	2						3		

