



Dismissal Report

August 2018

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



FIDEL F. DEL VALLE

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

September 20th , 2018

- **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 August, 2018.**
- **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 19 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	361	391											752
	Dismissed No Jurisdiction		3											3
	Dismissed Defective Service													-
	Dismissed Defective Summons/charge (defective on its face)	12	8											20
	Dismissed - Failure to Prosecute	10	16											26
	Dismissed - Successfully Disputed Ownership		1											1
	Dismissed - Wrong Party Named		5											5
	Dismissed - No Prima Facie Case	31	31											62
	Withdrawal	19	39											58
	Dismissed - Administrative Dismissal	-	-	-	-	-	-	-	-	-	-	-	-	-
TLC	Total Dismissed	433	494	-	-	-	-	-	-	-	-	-	-	927
NYPD	Dismissed No Violation/On the Merits	11	19											30
	Dismissed No Jurisdiction		1											1
	Dismissed Defective Service													-
	Dismissed Defective Summons/charge (defective on its face)	21	17											38
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	7	6											13
	Withdrawal													-
	Dismissed - Administrative Dismissal	-	-	-	-	-	-	-	-	-	-	-	-	-
NYPD	Total Dismissed	39	43	-	-	-	-	-	-	-	-	-	-	82
Port Authority	Dismissed No Violation/On the Merits	3	1											4
	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		4											4
	Withdrawal													-
	Dismissed - Administrative Dismissal	-	-	-	-	-	-	-	-	-	-	-	-	-
Port Authority	Total Dismissed	3	5	-	-	-	-	-	-	-	-	-	-	8
Grand Total		475	542	-	-	-	-	-	-	-	-	-	-	1,017

*by charge

FY 19 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	2,748	2,747											5,495	
	Dismissed No Jurisdiction	15	3											18	
	Dismissed Defective Service	15	37											52	
	Dismissed Defective Summons/charge (defective on its face)	13	28											41	
	Dismissed - Failure to Prosecute	11	-											11	
	Dismissed - Successfully Disputed Ownership	1	5											6	
	Dismissed - Wrong Party Named	10	11											21	
	Dismissed - No Prima Facie Case	216	256											472	
	Withdrawal	4	7											11	
	Dismissed - Administrative Dismissal	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Grand Total	3,033	3,094	-	-	-	-	-	-	-	-	-	-	-	6,127

*by charge

FY 19 ECB Hearings

HEALTH(DOHMH) Total	813-VECTOR DOHMH	ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV	1					1	
		DEFECTIVE SERVICE	1	3				4	
		DISPUTED OWNERSHIP	1	2				3	
		IMPROPER PARTY CITED	1	1				2	
		NO VIOL. DISMISS ON MERITS	5	17				22	
		PROSECUTION WITHDRAWN	1					1	
		NO PRIMA FACIA CASE							
		813-VECTOR DOHMH Total		10	23			33	
	814-BED BUGS DOHMH	ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV	6	3					
		DEFECTIVE SERVICE			1				1
		NO VIOL. DISMISS ON MERITS	1	2					3
		PROSECUTION WITHDRAWN							
		NO PRIMA FACIA CASE	1	2					3
		814-BED BUGS DOHMH Total		8	8			16	
	815-PCS DOHMH	ADMIN. DISMISSAL ECB	1						1
		DEFECTIVE NOV	8	5					13
		DEFECTIVE SERVICE	72	62					134
DISPUTED OWNERSHIP		10	13					23	
IMPROPER PARTY CITED		6	15					21	
NO ECB JURISDICTION			6					6	
NO VIOL. DISMISS ON MERITS		243	251					494	
PROSECUTION WITHDRAWN		5	3					8	
UNASSIGNED REASON									
FAILURE TO PROSECUTE									
NO PRIMA FACIA CASE		3	14					17	
WITHDRAWAL AFTER ADJUDICATE									
INTEREST OF JUSTICE									
		815-PCS DOHMH Total	348	369				717	
818-COOLING TWRDOHMH	ADMIN. DISMISSAL ECB		2					2	
	DEFECTIVE NOV	228	268					496	
	DEFECTIVE SERVICE	11	12					23	
	DISPUTED OWNERSHIP		8					8	
	IMPROPER PARTY CITED	84	22					106	
	NO ECB JURISDICTION	10						10	
	NO VIOL. DISMISS ON MERITS	392	425					817	
	PROSECUTION WITHDRAWN	21	8					29	
	FAILURE TO PROSECUTE		5					5	
	NO PRIMA FACIA CASE	1012	1347					2359	
	WITHDRAWAL AFTER ADJUDICATE								
		818-COOLING TWRDOHMH Total	1758	2097				3855	
	998-PETER COOPER VLG STY TWN	DEFECTIVE NOV	1						1
		DEFECTIVE SERVICE			1				1
DISPUTED OWNERSHIP									
NO PRIMA FACIA CASE			2					2	
NO VIOL. DISMISS ON MERITS			1					1	
		998-PETER COOPER VLG STY TWN Total	1	4				5	
	HEALTH(DOHMH) Total	2287	2709				4996		
LANDMARKS(LPC)	LPC-LANDMARK PRESERVATION	DEFECTIVE NOV							
		DEFECTIVE SERVICE							
		DISPUTED OWNERSHIP							
		NO VIOL. DISMISS ON MERITS							
		IMPROPER PARTY CITED							
		FAILURE TO PROSECUTE							
		LPC-LANDMARK PRESERVATION Total							
802-HFD	IMPROPER PARTY CITED								
	802-HFD Total								
	LANDMARKS(LPC) Total								

FY 19 ECB Hearings

PUBLIC TELEPHONE(DOITT)	858-DOITT	ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV							
		DEFECTIVE SERVICE							
		DISPUTED OWNERSHIP							
		NO ECB JURISDICTION							
		NO VIOL. DISMISS ON MERITS	24					24	
		FAILURE TO PROSECUTE							
		NO PRIMA FACIA CASE							
858-DOITT Total								24	
PUBLIC TELEPHONE(DOITT) Total								24	
SANITATION(DSNY)	827-DOS - ENFORCEMENT AGENTS	ADMIN. DISMISSAL ECB	6	11				17	
		DEFECTIVE NOV	9	6				15	
		DEFECTIVE SERVICE	118	19				137	
		DISPUTED OWNERSHIP	133	88				221	
		IMPROPER PARTY CITED	108	36				144	
		NO ECB JURISDICTION	5	8				13	
		NO VIOL. DISMISS ON MERITS	787	799				1586	
		PROSECUTION WITHDRAWN	110	214				324	
		UNASSIGNED REASON		1				1	
		FAILURE TO PROSECUTE	8					8	
		NO PRIMA FACIA CASE	8	15				23	
		WITHDRAWAL AFTER ADJUDICATE							
		INTEREST OF JUSTICE							
		827-DOS - ENFORCEMENT AGENTS Total		1292	1197				2489
		828-SANITATION POLICE	ADMIN. DISMISSAL ECB	3	3				6
			DEFECTIVE NOV	2	1				3
			DEFECTIVE SERVICE	4					4
DISPUTED OWNERSHIP	5		4				9		
IMPROPER PARTY CITED	6		3				9		
NO ECB JURISDICTION			1				1		
NO VIOL. DISMISS ON MERITS	57		92				149		
PROSECUTION WITHDRAWN	1		1				2		
FAILURE TO PROSECUTE	1						1		
WORK DONE BY PREV. OWNER									
NO PRIMA FACIA CASE	1		6				7		
828-SANITATION POLICE Total		80	111				191		
829-SANITATION OTHERS	ADMIN. DISMISSAL ECB	15	26				41		
	DEFECTIVE NOV	131	100				231		
	DEFECTIVE SERVICE	258	224				482		
	DISPUTED OWNERSHIP	86	80				166		
	IMPROPER PARTY CITED	81	37				118		
	NO ECB JURISDICTION	10	5				15		
	NO VIOL. DISMISS ON MERITS	1274	1281				2555		
	PROSECUTION WITHDRAWN	6	3				9		
	DATA CORRECTION		1						
	UNASSIGNED REASON								
	WORK DONE BY PREV. OWNER								
	FAILURE TO PROSECUTE		2				2		
	NO PRIMA FACIA CASE	32	58				90		
	WITHDRAWAL AFTER ADJUDICATE								
INTEREST OF JUSTICE									
829-SANITATION OTHERS Total		1893	1817				3710		
830-SANITATION PIU	ADMIN. DISMISSAL ECB								
	DEFECTIVE NOV								
	DEFECTIVE SERVICE								
	DISPUTED OWNERSHIP								
	IMPROPER PARTY CITED								
	NO VIOL. DISMISS ON MERITS	3	3				6		
PROSECUTION WITHDRAWN									
NO PRIMA FACIA CASE									
830-SANITATION PIU Total		3	3				6		

FY 19 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	24	39											63
	Dismissed No Jurisdiction	-	1											1
	Dismissed Defective Service	-	4											4
	Dismissed Defective Summons/charge (defective on its face)	1	1											2
	Dismissed - Failure to Prosecute	-	-											-
	Dismissed - Successfully Disputed Ownership	-	-											-
	Dismissed - Wrong Party Named	1	-											1
	Dismissed - No Prima Facie Case	-	-											-
	Withdrawal	19	28											47
	Dismissed - Administrative Dismissal	-	-	-	-	-	-	-	-	-	-	-	-	-
Grand Total		45	73	-	-	-	-	-	-	-	-	-	-	118

*by charge