



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Dismissal Report February 2022

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



JONI KLETTER

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

March 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 February 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 22 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	165	154	148	119	145	134	130	116					1,111
	Dismissed No Jurisdiction	1			1	1		1						4
	Dismissed Defective Service	5		1		1								7
	Dismissed Defective Summons/charge (defective on its face)	22	59	32	3	15	21	10	25					187
	Dismissed - Failure to Prosecute	2	1	4	4	1	5		7					24
	Dismissed - Successfully Disputed Ownership					1								1
	Dismissed - Wrong Party Named		1			1								2
	Dismissed - No Prima Facie Case	37	99	30	15	19	15	21	23					259
	Withdrawal	16	9	4	11	6	9	14	3					72
	Dismissed - Administrative Dismissal													
TLC	Total Dismissed	248	323	219	153	190	184	176	174	-	-	-	-	1,667
NYPD	Dismissed No Violation/On the Merits	2	2	2	5	4	2	1	2					20
	Dismissed No Jurisdiction						1							1
	Dismissed Defective Service					3	1	1	3					8
	Dismissed Defective Summons/charge (defective on its face)	10	10	12	18	27	23	9	10					119
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership						1							1
	Dismissed - Wrong Party Named		1				1							2
	Dismissed - No Prima Facie Case	2	5	1	1		2	2	2					15
	Withdrawal					1								1
	Dismissed - Administrative Dismissal													
NYPD	Total Dismissed	14	18	15	24	35	31	13	17	-	-	-	-	167
Port Authority	Dismissed No Violation/On the Merits	2	1	1				2	2					8
	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	1		4										5
	Withdrawal													-
	Dismissed - Administrative Dismissal													
Port Authority	Total Dismissed	3	1	5	-	-	-	2	2	-	-	-	-	13
Grand Total		265	342	239	177	225	215	191	193	-	-	-	-	1,847

*by charge

FY 22 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	264	428	557	665	761	905	1,073	992					5,645
	Dismissed No Jurisdiction	1			8		1	7	2					19
	Dismissed Defective Service	20	11	20	40	31	17	44	46					229
	Dismissed Defective Summons/charge (defective on its face)	13	15	15	30	27	26	31	26					183
	Dismissed - Failure to Prosecute	1			1	2		4	1					9
	Dismissed - Successfully Disputed Ownership	9	13	28	23	17	13	21	19					143
	Dismissed - Wrong Party Named	22	15	20	22	19	13	21	22					154
	Dismissed - No Prima Facie Case	100	117	99	140	144	202	285	265					1,352
	Withdrawn prior to hearing	5	5	1	2	1	4	3	15					36
	Dismissed - Administrative Dismissal													
Grand Total	435	604	740	931	1,002	1,181	1,489	1,388	-	-	-	-	7,770	

*by charge

FY 22 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	16	11	40	7	32	13	25	22					166	
	Dismissed No Jurisdiction			2										2	
	Dismissed Defective Service													-	
	Dismissed Defective Summons/charge (defective on its face)				2			1	2					5	
	Dismissed - Failure to Prosecute		3		4				1					8	
	Dismissed - Successfully Disputed Ownership		1											1	
	Dismissed - Wrong Party Named								4					4	
	Dismissed - No Prima Facie Case	1		2		1		2						6	
	Withdrawn prior to hearing	6	20	35	21	14	20	57	2					175	
	Dismissed - Administrative Dismissal														-
	Grand Total		23	35	79	34	47	33	85	31	-	-	-	-	367

*by charge

FY 22 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	26	15	12	32	37	38	27	19						206	
		DEFECTIVE NOV	24	20	9	17	20	26	23	25						164	
		DEFECTIVE SERVICE	155	116	98	109	101	90	131	128						928	
		DISPUTED OWNERSHIP	26	17	15	16	20	26	15	23						158	
		IMPROPER PARTY CITED	104	72	59	83	63	86	75	85						627	
		NO ECB JURISDICTION	4	3	3	2	3	6	2	7						30	
		NO VIOL. DISMISS ON MERITS	809	682	581	641	703	666	679	717						5478	
		PROSECUTION WITHDRAWN	135	85	152	75	66	123	174	153						963	
		UNASSIGNED REASON				1	2									3	
		WORK DONE BY PREV. OWNER															
		DATA CORRECTION															
		FAILURE TO PROSECUTE	17	4	16	16	10	7	21	11						102	
		NO PRIMA FACIA CASE	49	60	40	41	66	53	52	48						409	
		WITHDRAWAL AFTER ADJUDICATE					1									1	
		INTEREST OF JUSTICE															
		DOB-DEPT OF BUILDINGS Total			1349	1074	986	1035	1089	1121	1199	1216					9069
		810-DEPT OF BUILDINGS 810		ADMIN. DISMISSAL ECB			1	2									3
				IMPROPER PARTY CITED			1	1				1	1				4
				DEFECTIVE NOV	5	1	7	2		3							18
				DEFECTIVE SERVICE	5			3	3	2	4	2					19
NO PRIMA FACIA CASE	1			2	3	1	2	2	5	5					21		
FAILURE TO PROSECUTE						1			1	1					3		
NO VIOL. DISMISS ON MERITS	6			23	22	13	12	14	24	12					126		
DISPUTED OWNERSHIP									1						1		
810-DEPT OF BUILDINGS 810 Total					17	27	34	22	17	21	36	21					195
BUILDINGS(DOB) Total					1366	1101	1020	1057	1106	1142	1235	1237					9264
ENVIRONMENTAL PROTECTION (DEP)	824-DEP - IWC	ADMIN. DISMISSAL ECB					1								1		
		DEFECTIVE NOV															
		DEFECTIVE SERVICE		1	1										2		
		DISPUTED OWNERSHIP															
		IMPROPER PARTY CITED															
		NO VIOL. DISMISS ON MERITS	1		1					1				3			
		PROSECUTION WITHDRAWN				1	3		6	3	1			14			
		FAILURE TO PROSECUTE					1		1					2			
		NO PRIMA FACIA CASE	1			1								2			
824-DEP - IWC Total			2	1	3	5	1	7	3	2					24		
825-DEP - BUREAU OF CUST SRV		ADMIN. DISMISSAL ECB	4	11	13	6	5			1					40		
		DEFECTIVE NOV															
		DEFECTIVE SERVICE		1			11	3							15		
		DISPUTED OWNERSHIP							1						1		
		IMPROPER PARTY CITED				1		1							2		
		FAILURE TO PROSECUTE															
		NO VIOL. DISMISS ON MERITS	9	2		5	1			1	2				20		
		PROSECUTION WITHDRAWN															
		WORK DONE BY PREV. OWNER															
		NO PRIMA FACIA CASE															
825-DEP - BUREAU OF CUST SRV Total			13	14	14	11	18	4	2	2					78		
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															
826-DEP - BUREAU OF ENV. COMP Total																	
989-DEP POLICE		ADMIN. DISMISSAL ECB															
		DEFECTIVE NOV															
		NO VIOL. DISMISS ON MERITS							1							1	
		NO PRIMA FACIA CASE															
989-DEP POLICE Total									1						1		
ASB-ASBESTOS CONTROL PROGRAM		ADMIN. DISMISSAL ECB				1									1		
		DEFECTIVE NOV							1						1		
		DEFECTIVE SERVICE									1				1		
		DISPUTED OWNERSHIP									1				1		
		IMPROPER PARTY CITED			2										2		
		FAILURE TO PROSECUTE	6	1	1	4	2			2					16		
		NO VIOL. DISMISS ON MERITS	2	6	9	5	16	13	6	8					65		
		PROSECUTION WITHDRAWN	3		2		2	1	3	5					16		
		NO ECB JURISDICTION															
		NO PRIMA FACIA CASE	2						1							3	
ASB-ASBESTOS CONTROL PROGRAM Total			13	9	13	9	20	16	11	15					106		

