



Dismissal Report

March 2018

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



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

April 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 March, 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 18 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	350	416	387	403	350	363	346	311	305				3,231
	Dismissed No Jurisdiction	3	-	2	1	1	-	2	-	1				10
	Dismissed Defective Service	5	5	4	6	-	4	-	1	-				25
	Dismissed Defective Summons/charge (defective on its face)	4	6	5	3	5	5	4	3	12				47
	Dismissed - Failure to Prosecute	14	14	6	34	16	19	20	25	18				166
	Dismissed - Successfully Disputed Ownership	-	-	-	-	-	-	1	-	-				1
	Dismissed - Wrong Party Named	-	-	-	2	-	-	-	-	-				2
	Dismissed - No Prima Facie Case	17	33	23	26	14	45	35	23	54				270
	Withdrawal	1	15	12	14	31	31	42	19	9				174
	Dismissed - Administrative Dismissal	-	-	-	-	-	-	-	-	-				-
TLC	Total Dismissed	394	489	439	489	417	467	450	382	399	-	-	-	3,926
NYPD	Dismissed No Violation/On the Merits	29	7	18	15	5	10	4	5	6				99
	Dismissed No Jurisdiction	-	-	-	-	-	-	-	-	-				-
	Dismissed Defective Service	-	1	1	1	-	-	-	-	1				4
	Dismissed Defective Summons/charge (defective on its face)	11	10	24	13	3	30	13	22	17				143
	Dismissed - Failure to Prosecute	-	-	1	-	-	-	-	-	-				1
	Dismissed - Successfully Disputed Ownership	-	-	-	-	-	-	-	-	-				-
	Dismissed - Wrong Party Named	-	-	-	-	-	-	-	1	-				1
	Dismissed - No Prima Facie Case	3	2	24	9	-	8	2	5	2				55
	Withdrawal	-	-	-	-	-	-	-	-	-				-
	Dismissed - Administrative Dismissal	-	-	-	-	-	-	-	-	-				-
NYPD	Total Dismissed	43	20	68	38	8	48	19	33	26	-	-	-	303
Port Authority	Dismissed No Violation/On the Merits	17	2	17	12	2	7	3	20	8				88
	Dismissed No Jurisdiction	0	-	0	-	-	-	-	-	-				-
	Dismissed Defective Service	-	-	-	-	-	4	-	-	-				4
	Dismissed Defective Summons/charge (defective on its face)	-	-	6	-	-	5	-	2	-				13
	Dismissed - Failure to Prosecute	-	-	3	-	-	19	2	2	-				26
	Dismissed - Successfully Disputed Ownership	-	-	-	-	-	-	-	-	-				-
	Dismissed - Wrong Party Named	-	-	-	-	-	-	2	-	-				2
	Dismissed - No Prima Facie Case	-	1	3	1	1	45	2	-	2				55
	Withdrawal	-	-	-	-	-	31	-	1	-				32
	Dismissed - Administrative Dismissal	-	-	-	-	-	-	-	-	-				-
Port Authority	Total Dismissed	17	3	29	13	3	111	9	25	10	-	-	-	220
Grand Total		454	512	536	540	428	626	478	440	435	-	-	-	4,449

*by charge

FY 18 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	1,874	1,989	1,843	2,099	2,028	1,834	1,920	2,154	2,360				18,101
	Dismissed No Jurisdiction	2	4	-	2	1	-	1	2	2				14
	Dismissed Defective Service	17	7	10	18	17	3	6	11	15				104
	Dismissed Defective Summons/charge (defective on its face)	24	52	27	20	24	17	29	22	21				236
	Dismissed - Failure to Prosecute	-	-	1	1	1	-	12	-	11				26
	Dismissed - Successfully Disputed Ownership	1	-	-	-	-	2	-	13	-				16
	Dismissed - Wrong Party Named	2	1	3	2	12	3	2	1	6				32
	Dismissed - No Prima Facie Case	188	211	165	195	160	208	188	178	238				1,731
	Withdrawal	13	1	4	18	7	15	4	4	7				73
	Dismissed - Administrative Dismissal	-	-	-	-	-	-	-	-	-				-
	Grand Total	2,121	2,265	2,053	2,355	2,250	2,082	2,162	2,385	2,660	-	-	-	20,333

*by charge

FY 18 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	13	16	4	3	29	3	9	5	4				86		
		DEFECTIVE NOV	45	51	69	49	45	58	57	54	54					482	
		DEFECTIVE SERVICE	61	68	109	91	88	90	109	88	90						794
		DISPUTED OWNERSHIP	97	47	45	26	33	31	43	45	80						447
		IMPROPER PARTY CITED	56	54	50	53	54	101	104	73	70						615
		NO ECB JURISDICTION	2	1	1		1	4	4	11	3						27
		NO VIOL. DISMISS ON MERITS	418	503	425	541	520	539	662	669	732						5009
		PROSECUTION WITHDRAWN	97	85	98	886	132	175	137	121	135						1866
		UNASSIGNED REASON	1			1	2	1			1	1					7
		WORK DONE BY PREV. OWNER	35	40	47	53	53	36	66	38	54						422
		DATA CORRECTION	13	6	3	3	6	6	6	5	6						54
		FAILURE TO PROSECUTE	2	5	4	3	1	6	4	1	2						28
		NO PRIMA FACIA CASE	25	33	54	32	40	48	39	57	55						383
		WITHDRAWAL AFTER ADJUDICATE	1	3	1	2	1	1	3	1	1						14
		INTEREST OF JUSTICE	4	3	1	1											9
		DOB-DEPT OF BUILDINGS Total			870	915	911	1744	1005	1099	1243	1169	1287				10243
		810-DEPT OF BUILDINGS 810	ADMIN. DISMISSAL ECB					1	1			4					6
			IMPROPER PARTY CITED							1							1
			DEFECTIVE NOV						1	1							2
			DEFECTIVE SERVICE			1			1	2	3						7
			NO VIOL. DISMISS ON MERITS	3	2	1	4	6	6	4	2						28
			NO PRIMA FACIA CASE						1								1
		810-DEPT OF BUILDINGS 810 Total			3	3	1	5	10	10	7	6					45
		BUILDINGS(DOB) Total			873	918	912	1749	1015	1109	1250	1175	1287				10288
		ENVIRONMENTAL PROTECTION(DEP)	824-DEP - MVC	ADMIN. DISMISSAL ECB					1	1							2
DEFECTIVE NOV									1						1		
DEFECTIVE SERVICE						2	1			1	1	1				6	
DISPUTED OWNERSHIP	3			1					1							5	
NO VIOL. DISMISS ON MERITS										1	3					4	
PROSECUTION WITHDRAWN					1	1	3	7	2		4					18	
824-DEP - MVC Total					3	2	3	4	8	4	3	8	1				36
825-DEP - BUREAU OF CUST SRV	ADMIN. DISMISSAL ECB					1	10	7	10	4	16	3	12				63
	DEFECTIVE NOV			1	1						2						4
	DEFECTIVE SERVICE					2	5	1		2	4		1				15
	DISPUTED OWNERSHIP			2	5												7
	IMPROPER PARTY CITED					1				1							2
	NO ECB JURISDICTION																
	NO VIOL. DISMISS ON MERITS			9	12	4	2	2	1		4	2					36
	PROSECUTION WITHDRAWN							1	1								2
	NO PRIMA FACIA CASE											1	1				2
	825-DEP - BUREAU OF CUST SRV Total				12	22	19	11	12	9	22	8	16				131
826-DEP - BUREAU OF ENV. COMP	ADMIN. DISMISSAL ECB									1							1
	DEFECTIVE NOV			2		1			4			1					8
	DEFECTIVE SERVICE			1	1	1			3								6
	DISPUTED OWNERSHIP			2													2
	IMPROPER PARTY CITED			4		1						1	2				8
	NO VIOL. DISMISS ON MERITS			4	3	1	15	8	2	5	2	2					42
	PROSECUTION WITHDRAWN			6	8	11	7	9	9	1	3	2					56
	NO PRIMA FACIA CASE			1													1
	WITHDRAWAL AFTER ADJUDICATE		3	1											4		
	826-DEP - BUREAU OF ENV. COMP Total			20	15	16	22	24	12	6	7	6				128	
989-DEP POLICE	ADMIN. DISMISSAL ECB				3										3		
	DEFECTIVE NOV	2	4		2										8		
	DEFECTIVE SERVICE			4		1									5		
	DISPUTED OWNERSHIP	3	4												7		
	NO VIOL. DISMISS ON MERITS	1	4	2					1						8		
	NO PRIMA FACIA CASE			1											1		
989-DEP POLICE Total			6	13	9	2	1		1						32		
999-MISCELLANEOUS AGENCIES	DEFECTIVE SERVICE											1			1		
	NO VIOL. DISMISS ON MERITS												4		4		
999-MISCELLANEOUS AGENCIES Total													5		5		
ASB-ASBESTOS CONTROL PROGRAM	ADMIN. DISMISSAL ECB														2		
	DEFECTIVE NOV								2						2		
	DEFECTIVE SERVICE					1			1						2		
	DISPUTED OWNERSHIP				1				2						3		
	IMPROPER PARTY CITED					2	3	1		1					7		
	NO ECB JURISDICTION								1						1		
	NO VIOL. DISMISS ON MERITS	4	2	2	5	5	3	2	8	18					49		
	PROSECUTION WITHDRAWN	3	3	1	3	2	1	3	4	1					21		
	DATA CORRECTION					1									1		
	NO PRIMA FACIA CASE			3	4	3	1	4	1	2					18		
ASB-ASBESTOS CONTROL PROGRAM Total			7	5	7	15	14	6	15	14	21				104		

FY 18 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	52	28	63	50	41	34	61	39	25				393
	Dismissed No Jurisdiction	1	-	-	-	-	-	-	-	1				2
	Dismissed Defective Service	6	3	12	9	4	13	1	3	1				52
	Dismissed Defective Summons/charge (defective on its face)	-	1	1	3	2	1	7	3	2				20
	Dismissed - Failure to Prosecute	1	2	-	3	1	2	17	7	15				48
	Dismissed - Successfully Disputed Ownership	1	-	-	-	-	-	-	-	-				1
	Dismissed - Wrong Party Named	1	13	2	-	2	1	-	1	-				20
	Dismissed - No Prima Facie Case	-	-	2	1	5	3	5	3	2				21
	Withdrawal	12	27	41	29	23	30	7	5	17				191
	Dismissed - Administrative Dismissal	-	-	-	-	-	-	-	-	-				-
	Grand Total	74	74	121	95	78	84	98	61	63	-	-	-	748

*by charge