



Dismissal Report

July 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

August 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 July, 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												361
	Dismissed No Jurisdiction													-
	Dismissed Defective Service													-
	Dismissed Defective Summons/charge (defective on its face)	12												12
	Dismissed - Failure to Prosecute	10												10
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	31												31
	Withdrawal	19												19
Dismissed - Administrative Dismissal	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TLC	Total Dismissed	433	-	-	-	-	-	-	-	-	-	-	-	433
NYPD	Dismissed No Violation/On the Merits	11												11
	Dismissed No Jurisdiction													-
	Dismissed Defective Service													-
	Dismissed Defective Summons/charge (defective on its face)	21												21
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	7												7
	Withdrawal													-
Dismissed - Administrative Dismissal	-	-	-	-	-	-	-	-	-	-	-	-	-	-
NYPD	Total Dismissed	39	-	-	-	-	-	-	-	-	-	-	-	39
Port Authority	Dismissed No Violation/On the Merits	3												3
	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	3	-	-	-	-	-	-	-	-	-	-	-	3
Grand Total		475	-	-	-	-	-	-	-	-	-	-	-	475

*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												2,748
	Dismissed No Jurisdiction	15												15
	Dismissed Defective Service	15												15
	Dismissed Defective Summons/charge (defective on its face)	13												13
	Dismissed - Failure to Prosecute	11												11
	Dismissed - Successfully Disputed Ownership	1												1
	Dismissed - Wrong Party Named	10												10
	Dismissed - No Prima Facie Case	216												216
	Withdrawal	4												4
	Dismissed - Administrative Dismissal	-	-	-	-	-	-	-	-	-	-	-	-	-
Grand Total	3,033	-	-	-	-	-	-	-	-	-	-	-	-	3,033

*by charge

FY 19 ECB Hearings

MARKET CASES(BIC)	850-BIC	ADMIN. DISMISSAL ECB																						
		DEFECTIVE SERVICE																						
		IMPROPER PARTY CITED																						
		NO VIOL. DISMISS ON MERITS																						
		PROSECUTION WITHDRAWN																						
		NO PRIMA FACIA CASE																						
		850-BIC Total																						
MARKET CASES(BIC) Total																								
PARKS(DPR)	846-DEPT OF PARKS	ADMIN. DISMISSAL ECB																						
		DEFECTIVE NOV	12																		12			
		DEFECTIVE SERVICE	9																			9		
		DISPUTED OWNERSHIP																						
		IMPROPER PARTY CITED	1																			1		
		NO ECB JURISDICTION																						
		NO VIOL. DISMISS ON MERITS	71																			71		
		PROSECUTION WITHDRAWN																						
		NO PRIMA FACIA CASE	20																			20		
		846-DEPT OF PARKS Total																				113		
		PARKS(DPR) Total																						
POLICE	055-NY PD TRANSPORT INTELL DIV	ADMIN. DISMISSAL ECB																						
		DEFECTIVE NOV	15																			15		
		DEFECTIVE SERVICE	14																			14		
		DISPUTED OWNERSHIP																						
		IMPROPER PARTY CITED	10																			10		
		NO ECB JURISDICTION																						
		NO VIOL. DISMISS ON MERITS	53																			53		
		PROSECUTION WITHDRAWN																						
		NO PRIMA FACIA CASE	4																				4	
		WITHDRAWAL AFTER ADJUDICATE	1																				1	
		INTEREST OF JUSTICE																						
		055-NY PD TRANSPORT INTELL DIV Total																				97		
		056-POLICE DEPT	056-POLICE DEPT	ADMIN. DISMISSAL ECB																				
				DEFECTIVE NOV	339																			339
				DEFECTIVE SERVICE	1063																			1063
				DISPUTED OWNERSHIP																				
IMPROPER PARTY CITED	4																					4		
NO ECB JURISDICTION	7																					7		
NO VIOL. DISMISS ON MERITS	193																					193		
PROSECUTION WITHDRAWN	6																					6		
UNASSIGNED REASON	1																						1	
WORK DONE BY PREV. OWNER																								
DATA CORRECTION																								
FAILURE TO PROSECUTE	3																					3		
NO PRIMA FACIA CASE	123																					123		
INTEREST OF JUSTICE																								
056-POLICE DEPT Total																						2112		
985-SEAGATE POLICE	985-SEAGATE POLICE	ADMIN. DISMISSAL ECB																						
		DEFECTIVE NOV																						
		DEFECTIVE SERVICE																						
		DISPUTED OWNERSHIP																						
		NO VIOL. DISMISS ON MERITS																						
		NO PRIMA FACIA CASE																						
985-SEAGATE POLICE Total																								
002-MAYORS OFF OF MIDTOWN ENF	002-MAYORS OFF OF MIDTOWN ENF	DEFECTIVE SERVICE	1																		1			
		IMPROPER PARTY CITED	1																			1		
		NO VIOL. DISMISS ON MERITS	1																			1		
		PROSECUTION WITHDRAWN	4																			4		
		NO PRIMA FACIA CASE	1																			1		
002-MAYORS OFF OF MIDTOWN ENF Total																				8				
POLICE 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					24		
PUBLIC TELEPHONE(DOITT) Total										
858-DOITT Total			24						24	
SANITATION(DSNY)	827-DOS - ENFORCEMENT AGENTS	ADMIN. DISMISSAL ECB	6						6	
		DEFECTIVE NOV	9						9	
		DEFECTIVE SERVICE	118						118	
		DISPUTED OWNERSHIP	133						133	
		IMPROPER PARTY CITED	108						108	
		NO ECB JURISDICTION	5						5	
		NO VIOL. DISMISS ON MERITS	787						787	
		PROSECUTION WITHDRAWN	110						110	
		UNASSIGNED REASON								
		FAILURE TO PROSECUTE	8						8	
		NO PRIMA FACIA CASE	8						8	
		WITHDRAWAL AFTER ADJUDICATE								
		INTEREST OF JUSTICE								
		827-DOS - ENFORCEMENT AGENTS Total			1292					1292
		828-SANITATION POLICE	ADMIN. DISMISSAL ECB	3						3
DEFECTIVE NOV	2							2		
DEFECTIVE SERVICE	4							4		
DISPUTED OWNERSHIP	5							5		
IMPROPER PARTY CITED	6							6		
NO ECB JURISDICTION										
NO VIOL. DISMISS ON MERITS	57							57		
PROSECUTION WITHDRAWN	1							1		
FAILURE TO PROSECUTE	1							1		
WORK DONE BY PREV. OWNER										
NO PRIMA FACIA CASE	1						1			
828-SANITATION POLICE Total			80					80		
829-SANITATION OTHERS	ADMIN. DISMISSAL ECB	15						15		
	DEFECTIVE NOV	131						131		
	DEFECTIVE SERVICE	258						258		
	DISPUTED OWNERSHIP	86						86		
	IMPROPER PARTY CITED	81						81		
	NO ECB JURISDICTION	10						10		
	NO VIOL. DISMISS ON MERITS	1274						1274		
	PROSECUTION WITHDRAWN	6						6		
	UNASSIGNED REASON									
	WORK DONE BY PREV. OWNER									
	FAILURE TO PROSECUTE									
	NO PRIMA FACIA CASE	32						32		
WITHDRAWAL AFTER ADJUDICATE										
INTEREST OF JUSTICE										
829-SANITATION OTHERS Total			1893					1893		
830-SANITATION PIU	ADMIN. DISMISSAL ECB									
	DEFECTIVE NOV									
	DEFECTIVE SERVICE									
	DISPUTED OWNERSHIP									
	IMPROPER PARTY CITED									
	NO VIOL. DISMISS ON MERITS	3						3		
PROSECUTION WITHDRAWN										
NO PRIMA FACIA CASE										
830-SANITATION PIU Total			3					3		

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

*by charge