

BenchNOTES Newsletter

August 2018

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Licensing

Suspended TLC license restored.

The Taxi and Limousine Commission ("TLC") can immediately suspend a license "for good cause shown relating to a direct and substantial threat to public health or safety".

[*Taxi & Limousine Comm'n v. El Boutari*](#), OATH Index No. 2729/18 (July 9, 2018), *adopted*, Comm'r Dec. (July 18, 2018).

[Read more about *Taxi & Limousine Comm'n v. El Boutari*](#)

Personnel

Correction officers made false report.

Respondents, two correction officers, were charged with making false reports about a use of force incident.

[*Dep't of Correction v. Hamil & Villodas*](#), OATH Index Nos. 1213/18 & 1215/18 (July 9, 2018).

[Read more about *Dep't of Correction v. Hamil & Villodas*](#)

Real Property

Loft building owner reduced service.

Loft tenant brought an application alleging that owner unlawfully reduced services by demanding that he vacate a parking space, which had been provided by the previous owner for a monthly fee.

[*Matter of Ohanesian*](#), OATH Index No. 359/18 (June 14, 2018).

[Read more about *Matter of Ohanesian*](#)

Contracts

CDRB awards contractor an additional \$67,800.

The Contract Dispute Resolution Board ("CDRB"), chaired by ALJ Zorgniotti, awarded an electrical contractor \$67,800, plus permissible markups, for the cost to repair damaged HVAC ductwork insulation, finding the city did not show that the electrical contractor caused the damage after the City accepted the HVAC contractor's work.

[Siemens Electrical, LLC v. Dep't of Environmental Protection](#), OATH Index No. 1359/18, mem. dec. (July 23, 2018).

[Read more about Siemens Electrical, LLC v. Dep't of Environmental Protection](#)

Paid Sick Leave Law

Cleaning service penalized \$26,100 for non-compliance.

A cleaning service and its manager were charged with violating the City's Earned Sick Time Act ("ESTA") by failing to provide workers with paid sick leave, failing to pay an employee for the use of sick time, and failing to post or distribute a written sick time policy and required notices.

[Dep't of Consumer Affairs v. PCC Cleaning Service, Inc.](#), OATH Index No. 0088/18, mem. dec. (June 26, 2018).

[Read more about Dep't of Consumer Affairs v. PCC Cleaning Service, Inc.](#)

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