



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Dismissal Report April 2022

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



ASIM REHMAN

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

May 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 April 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	149	159			1,419
	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	34	19			240
	Dismissed - Failure to Prosecute	2	1	4	4	1	5		7	4	7			35
	Dismissed - Successfully Disputed Ownership					1				1				2
	Dismissed - Wrong Party Named		1			1								2
	Dismissed - No Prima Facie Case	37	99	30	15	19	15	21	23	42	39			340
	Withdrawal	16	9	4	11	6	9	14	3	14	27			113
	Dismissed - Administrative Dismissal													-
TLC	Total Dismissed	248	323	219	153	190	184	176	174	244	251	-	-	2,162
NYPD	Dismissed No Violation/On the Merits	2	2	2	5	4	2	1	2	2	2			24
	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	8	12			139
	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		6			21
	Withdrawal					1								1
	Dismissed - Administrative Dismissal													-
NYPD	Total Dismissed	14	18	15	24	35	31	13	17	10	20	-	-	197
Port Authority	Dismissed No Violation/On the Merits	2	1	1				2	2	2				10
	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						1	2			8
	Withdrawal													-
	Dismissed - Administrative Dismissal													-
Port Authority	Total Dismissed	3	1	5	-	-	-	2	2	3	2	-	-	18
Grand Total		265	342	239	177	225	215	191	193	257	273	-	-	2,377

*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	1,313	1,068			8,026
	Dismissed No Jurisdiction	1			8		1	7	2	1	3			23
	Dismissed Defective Service	20	11	20	40	31	17	44	46	28	50			307
	Dismissed Defective Summons/charge (defective on its face)	13	15	15	30	27	26	31	26	40	27			250
	Dismissed - Failure to Prosecute	1			1	2		4	1	3	3			15
	Dismissed - Successfully Disputed Ownership	9	13	28	23	17	13	21	19	27	16			186
	Dismissed - Wrong Party Named	22	15	20	22	19	13	21	22	47	9			210
	Dismissed - No Prima Facie Case	100	117	99	140	144	202	285	265	369	290			2,011
	Withdrawn prior to hearing	5	5	1	2	1	4	3	15	5	1			42
	Dismissed - Administrative Dismissal													-
	Grand Total	435	604	740	931	1,002	1,181	1,489	1,388	1,833	1,467	-	-	11,070

*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	9	26			201
	Dismissed No Jurisdiction			2										2
	Dismissed Defective Service									3				3
	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			2
	Dismissed - Wrong Party Named								4					4
	Dismissed - No Prima Facie Case	1		2		1		2		2				8
	Withdrawn prior to hearing	6	20	35	21	14	20	57	2	42	67			284
	Dismissed - Administrative Dismissal													-
	Grand Total	23	35	79	34	47	33	85	31	56	94	-	-	517

*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	29	19			254
		DEFECTIVE NOV	24	20	9	17	20	26	23	25	23	36			223
		DEFECTIVE SERVICE	155	116	98	109	101	90	131	128	161	106			1195
		DISPUTED OWNERSHIP	26	17	15	16	20	26	15	23	23	13			194
		IMPROPER PARTY CITED	104	72	59	83	63	86	75	85	94	109			830
		NO ECB JURISDICTION	4	3	3	2	3	6	2	7	6				36
		NO VIOL. DISMISS ON MERITS	809	682	581	641	703	666	679	717	1015	860			7353
		PROSECUTION WITHDRAWN	135	85	152	75	66	123	174	153	186	80			1229
		UNASSIGNED REASON				1	2								3
		WORK DONE BY PREV. OWNER													
		DATA CORRECTION													
		FAILURE TO PROSECUTE	17	4	16	16	10	7	21	11	15	31			148
		NO PRIMA FACIA CASE	49	60	40	41	66	53	52	48	66	88			563
		WITHDRAWAL AFTER ADJUDICATE				1									1
		INTEREST OF JUSTICE													
	DOB-DEPT OF BUILDINGS Total		1349	1074	986	1035	1089	1121	1199	1216	1618	1342			12029
	810-DEPT OF BUILDINGS 810	ADMIN. DISMISSAL ECB				1	2					2			5
		IMPROPER PARTY CITED			1	1				1	1				4
		DEFECTIVE NOV	5	1	7	2		3					4		22
		DEFECTIVE SERVICE	5			3	3	2	4	2	1	3			23
		NO PRIMA FACIA CASE	1	2	3	1	2	2	5	5	7	2			30
		FAILURE TO PROSECUTE				1			1	1					3
		NO VIOL. DISMISS ON MERITS	6	23	22	13	12	14	24	12	11	12			149
		DISPUTED OWNERSHIP							1						1
	810-DEPT OF BUILDINGS 810 Total		17	27	34	22	17	21	36	21	21	21			237
	774-BUILDINGS DEPT	ADMIN. DISMISSAL ECB										1			1
	774-BUILDINGS DEPT Total											1			1
BUILDINGS(DOB) Total			1366	1101	1020	1057	1106	1142	1235	1237	1640	1363			12267
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		2		5
		PROSECUTION WITHDRAWN				1	3		6	3	1	2	1		17
		FAILURE TO PROSECUTE					1		1			1			3
		NO PRIMA FACIA CASE	1				1								2
	824-DEP - IWC Total		2	1	3	5	1	7	3	2	3	3			30
	825-DEP - BUREAU OF CUST SRV	ADMIN. DISMISSAL ECB	4	11	13	6	5			1		9	1		50
		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	1	3		24
		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	10	4			92
	826-DEP - BUREAU OF ENV. COMP	ADMIN. DISMISSAL ECB													
		DEFECTIVE SERVICE													
		DISPUTED OWNERSHIP													
		IMPROPER PARTY CITED													
		NO VIOL. DISMISS ON MERITS													
		PROSECUTION WITHDRAWN													
	826-DEP - BUREAU OF ENV. COMP Total														
	989-DEP POLICE	ADMIN. DISMISSAL ECB													
		DEFECTIVE NOV							1						1
		NO VIOL. DISMISS ON MERITS													
		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	1		5
		FAILURE TO PROSECUTE	6	1	1	4	2		2		2	6			24
		NO VIOL. DISMISS ON MERITS	2	6	9	5	16	13	6	8	7	11			83
		PROSECUTION WITHDRAWN	3		2		2	1	3	5	2	3			21
		NO ECB JURISDICTION													
		NO PRIMA FACIA CASE	2					1				6			9
	ASB-ASBESTOS CONTROL PROGRAM Total		13	9	13	9	20	16	11	15	13	27			146

FY 22 ECB Hearings

	BAR-DEP BUREAU OF ENV COMPL	ADMIN. DISMISSAL ECB	1	17	3	8	21	11	5	14	6	3				88
		UNASSIGNED REASON	1	1								1				3
		DEFECTIVE NOV	5	3			1	4	2	3	2	7				27
		DEFECTIVE SERVICE	3	5	8	7	2	4	2	3	5	6				45
		DISPUTED OWNERSHIP	2	2					2	2	2	2				12
		IMPROPER PARTY CITED	24	32	27	26	33	30	7	12	8	17				216
		NO ECB JURISDICTION					1			1						2
		NO VIOL. DISMISS ON MERITS	68	80	50	80	69	55	77	51	80	95				705
		PROSECUTION WITHDRAWN	3	2					1			6				14
		WORK DONE BY PREV. OWNER									1					1
		FAILURE TO PROSECUTE	12	15	7	28	35	11	5	7	7	15				142
		NO PRIMA FACIA CASE		6	11	6	12	12	5	13	19	23				107
	BAR-DEP BUREAU OF ENV COMPL Total		118	163	106	157	174	127	106	106	130	175				1362
	803-DEP RIGHT TO KNOW	ADMIN. DISMISSAL ECB														
		DEFECTIVE NOV														
		DEFECTIVE SERVICE							1							1
		DISPUTED OWNERSHIP														
		INTEREST OF JUSTICE														
		IMPROPER PARTY CITED					1				1					2
		NO ECB JURISDICTION														
		NO VIOL. DISMISS ON MERITS	1						2	1	1					5
		NO PRIMA FACIA CASE						1				1				2
		FAILURE TO PROSECUTE									1					1
		UNASSIGNED REASON														
	803-RIGHT TO KNOW Total		1				1	1	3	1	3	1				11
	822-DEP - BWSO	ADMIN. DISMISSAL ECB	1	3	1	4		2								11
		DEFECTIVE NOV	1	3	5											9
		DEFECTIVE SERVICE	3		4		1	3	2							13
		DISPUTED OWNERSHIP	1													1
		IMPROPER PARTY CITED					4					1				5
		NO ECB JURISDICTION									1					1
		NO VIOL. DISMISS ON MERITS	14	22	11	3	11	2	6	2	4	2				77
		PROSECUTION WITHDRAWN	5		2		2	1	2			2				14
		FAILURE TO PROSECUTE	24	11	4	3	7	1	5	1	6	8				70
		NO PRIMA FACIA CASE			1				1							2
		WITHDRAWAL AFTER ADJUDICATE														
	822-DEP - BWSO Total		49	39	28	10	25	9	16	4	10	13				203
	ENVIRONMENTAL PROTECTION(DEP) Total		196	226	164	192	239	165	141	130	169	223				1845
FIRE(FDNY)	FIR-FIRE DEPARTMENT NYC	ADMIN. DISMISSAL ECB	82	109	51	74	73	88	51	46	53	71				698
		DEFECTIVE NOV	6	4	1	4	2	2	6	3	3	2				33
		DEFECTIVE SERVICE	5	16	4	13	19	43	20	18	25	12				175
		DISPUTED OWNERSHIP	4	4	10	4	5	5		5	2	3				42
		IMPROPER PARTY CITED	10	12	11	9	17	18	13	11	16	9				126
		NO ECB JURISDICTION	9	8	1	5	3	1	4	5	4	6				46
		NO VIOL. DISMISS ON MERITS	33	37	33	34	29	40	34	25	33	21				319
		PROSECUTION WITHDRAWN	5	10	3	6	5	4	3	9	13	9				67
		UNASSIGNED REASON	1			1			2							4
		FAILURE TO PROSECUTE	31	50	34	23	34	22	17	31	23	31				296
		NO PRIMA FACIA CASE	15	10	7	8	9	11	11	11	7	9				98
		WITHDRAWAL AFTER ADJUDICATE														
	FIR-FIRE DEPARTMENT NYC Total		201	260	155	181	196	234	161	164	179	173				1904
	823-FIRE DEPARTMENT 823	NO VIOL. DISMISS ON MERITS								1		1				2
		DISPUTED OWNERSHIP									1					1
	823-FIRE DEPARTMENT 823 Total									1	1	1				3
	FIRE(FDNY) Total		201	260	155	181	196	234	161	165	180	174				1907
HEALTH(DOHMH)	816-DOH/MENTAL HEALTH	ADMIN. DISMISSAL ECB			4	6										10
		DEFECTIVE NOV				1	4	1	4		1	9				20
		DEFECTIVE SERVICE				2					3	1				6
		DISPUTED OWNERSHIP														
		IMPROPER PARTY CITED		3	9	5		1								18
		NO ECB JURISDICTION														
		NO VIOL. DISMISS ON MERITS	12	14	17	14	15	11	21	21	44	45				214
		PROSECUTION WITHDRAWN	1		1		4			2						8
		UNASSIGNED REASON														
		FAILURE TO PROSECUTE	1													1
		NO PRIMA FACIA CASE	2	1	2	3	2	4	4	4	12	8				42
		WITHDRAWAL AFTER ADJUDICATE														
		INTEREST OF JUSTICE														
	816-DOH/MENTAL HEALTH Total		16	18	34	34	22	20	25	27	60	63				319
	812-VETERINARY DOHMH	DEFECTIVE NOV														
		ADMIN. DISMISSAL ECB														
		DEFECTIVE SERVICE														
		DISPUTED OWNERSHIP														
		IMPROPER PARTY CITED														
		WITHDRAWAL AFTER ADJUDICATE														
		NO VIOL. DISMISS ON MERITS									4					4
		PROSECUTION WITHDRAWN														
		NO PRIMA FACIA CASE														
	812-VETERINARY DOHMH Total										4					4

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