



Overview

Rules of Practice

Trial Calendar

Decisions

Select



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### Personnel

**ALJ dismisses charges where officer acted reasonably.**

Correction officer was charged with abandoning control room post to confront an inmate who had refused to provide pedigree information, failing to anticipate a use of force, using excessive force, and filing a false report.

[\*Dep't of Correction v. Echevarria\*](#), OATH Index No. 0005/18 (Jan. 12, 2018).

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### Vehicle Retention

**ALJ orders return of seized car.**

ALJ Ingrid M. Addison directed the Police Department to release a car that it had seized in connection the owner's arrest, finding the Department did not prove that it gave the owner notice of his right to a hearing in both English and Spanish at the time of arrest, as required by federal court order.

[\*Police Dep't v. Rios\*](#), OATH Index No. 1377/18, mem. dec. (Jan. 26, 2018).

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## Prevailing Wage

### **Subcontractor willfully failed to pay prevailing supplemental benefits.**

A subcontractor on a public works project was charged with willfully failing to pay prevailing supplemental benefits to two workers.

[\*Office of the Comptroller v. Heights Elevator Corp.\*](#), OATH Index No. 2387/17 (Jan. 9, 2018), adopted, Comptroller's Determination & Order (Jan. 17, 2018).

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## Contracts

### **Contractor not entitled to full payment for defective work.**

Petitioner contractor sought an additional \$53,014, representing full payment on emergency repair work performed at a residential building in Brooklyn.

[\*Combined Construction, Inc. v. Dep't of Housing Preservation & Development\*](#), OATH Index No. 2223/17, mem. dec. (Jan. 18, 2018).

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## Real Property

### **ALJ stays Loft Board trial.**

Loft building owner imposed rent increases after it obtained a residential certificate of occupancy.

[\*Matter of Moloney\*](#), OATH Index Nos. 1784/17, 2160/17, 2473/17, mem. dec. (Jan. 23, 2018).

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