



Overview

Rules of Practice

Trial Calendar

Decisions

Select



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### Licensing

**Marijuana charge dismissed where licensee had legal certification to use.**

ALJ Faye Lewis recommended dismissal of charges that a taxi driver is unfit to retain his TLC driver license because he tested positive for marijuana, a controlled substance.

[Taxi & Limousine Comm'n v. W.R.](#), OATH Index No. 2503/17 (July 14, 2017), **adopted**, Comm'r Dec. (July 25, 2017).

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### Personnel

**ALJ recommends separation under section 71.**

A construction laborer was charged with incompetence for excessive absenteeism under section 75 of the Civil Service Law ("CSL").

[Dep't of Environmental Protection v. Gavnoudias](#), OATH Index No. 648/17 (July 11, 2017).

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## Contracts

**CDRB dismisses claim as time-barred.**

Petitioner appealed to the Contract Dispute Resolution Board ("CDRB"), seeking \$19,264 in additional costs incurred for various repairs made to steam pipes at a residential site in Brooklyn.

[Metropolitan Heat & Power Company, Inc. v. Dep't of Housing Preservation and Development](#), OATH Index No. 179/17, mem. dec. (July 27, 2017).

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## Vehicle Retention

**NYPD may retain seized car.**

ALJ Joycelyn McGeachy-Kuls held that the Police Department was entitled to retain a vehicle seized in connection with an arrest for criminal impersonation, among other charges.

[Police Dep't v. Ahmed](#), OATH Index No. 0043/18, mem. dec. (July 18, 2017).

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## Real Property

**ALJ found two adjacent structures to be a single building.**

In a Loft Law coverage case, the parties sought summary judgment as to whether two adjoining structures on a single zoning lot constituted a single building.

[Matter of Higbee](#), OATH Index Nos. 222/14, 385/14, 2744/15, 1997/16, mem. dec. (July 26, 2017).

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