



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Dismissal Report October 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

November 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 October 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 23 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	126	130	162	133									551
	Dismissed No Jurisdiction													-
	Dismissed Defective Service				4									4
	Dismissed Defective Summons/charge (defective on its face)	10	19	38	19									86
	Dismissed - Failure to Prosecute	23	7	18	4									52
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	31	38	46	29									144
	Withdrawal	4	3	12	11									30
	Dismissed - Administrative Dismissal													-
TLC	Total Dismissed	194	197	276	200	-	-	-	-	-	-	-	-	867
NYPD	Dismissed No Violation/On the Merits	1	5	8										14
	Dismissed No Jurisdiction		1											1
	Dismissed Defective Service		1											1
	Dismissed Defective Summons/charge (defective on its face)	7	8	12	3									30
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case		2	1	1									4
	Withdrawal													-
	Dismissed - Administrative Dismissal													-
NYPD	Total Dismissed	8	17	21	4	-	-	-	-	-	-	-	-	50
Port Authority	Dismissed No Violation/On the Merits		1											1
	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	-	1	-	-	-	-	-	-	-	-	-	-	1
Grand Total		202	215	297	204	-	-	-	-	-	-	-	-	918

*by charge



FY 23 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	1,012	1,110	1,143	934									4,199
	Dismissed No Jurisdiction	1	1	4	5									11
	Dismissed Defective Service	122	135	185	162									604
	Dismissed Defective Summons/charge (defective on its face)	34	25	17	23									99
	Dismissed - Failure to Prosecute	9		3	1									13
	Dismissed - Successfully Disputed Ownership	12	22	22	13									69
	Dismissed - Wrong Party Named	27	31	28	23									109
	Dismissed - No Prima Facie Case	275	230	150	69									724
	Withdrawn prior to hearing	10	30	9	9									58
	Dismissed - Administrative Dismissal													-
	Grand Total	1,502	1,584	1,561	1,239	-	-	-	-	-	-	-	-	5,886

*by charge

FY 23 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	12	11	50	29									102
	Dismissed No Jurisdiction		4	5										9
	Dismissed Defective Service	3												3
	Dismissed Defective Summons/charge (defective on its face)	2		1	1									4
	Dismissed - Failure to Prosecute	1												1
	Dismissed - Successfully Disputed Ownership	3												3
	Dismissed - Wrong Party Named		2	3										5
	Dismissed - No Prima Facie Case	1	2	2										5
	Withdrawn prior to hearing	77	57	41	8									183
	Dismissed - Administrative Dismissal													-
	Grand Total	99	76	102	38	-	-	-	-	-	-	-	-	315

*by charge

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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	9	15	3	2									29		
		DEFECTIVE NOV	35	39	43	38										155	
		DEFECTIVE SERVICE	97	205	103	93											498
		DISPUTED OWNERSHIP	17	18	13	6											54
		IMPROPER PARTY CITED	91	88	87	83											349
		NO ECB JURISDICTION		4	5	2											11
		NO VIOL. DISMISS ON MERITS	710	854	641	537											2742
		PROSECUTION WITHDRAWN	120	130	195	111											556
		UNASSIGNED REASON			1												1
		WORK DONE BY PREV. OWNER															
		DATA CORRECTION															
		FAILURE TO PROSECUTE	9	14	16	5											44
		NO PRIMA FACIA CASE	72	105	47	46											270
		WITHDRAWAL AFTER ADJUDICATE INTEREST OF JUSTICE															
		DOB-DEPT OF BUILDINGS Total		1160	1472	1154	923										4709
		810-DEPT OF BUILDINGS 810	ADMIN. DISMISSAL ECB														
			IMPROPER PARTY CITED														
	DEFECTIVE NOV		1	1	1											3	
	DEFECTIVE SERVICE				1	3										5	
	NO PRIMA FACIA CASE		3	1		1										5	
	FAILURE TO PROSECUTE			1	1											2	
	NO VIOL. DISMISS ON MERITS		7	8	5	6										26	
	DISPUTED OWNERSHIP			1												1	
	810-DEPT OF BUILDINGS 810 Total		12	12	8	10										42	
	774-BUILDINGS DEPT	ADMIN. DISMISSAL ECB															
	774-BUILDINGS DEPT Total																
BUILDINGS(DOB) Total		1172	1484	1162	933										4751		
ENVIRONMENTAL PROTECTION(DEP)	824-DEP - IVC	ADMIN. DISMISSAL ECB															
		DEFECTIVE NOV															
		DEFECTIVE SERVICE															
		DISPUTED OWNERSHIP															
		IMPROPER PARTY CITED															
		NO VIOL. DISMISS ON MERITS															
		PROSECUTION WITHDRAWN		1		4										5	
		FAILURE TO PROSECUTE				2										2	
	NO PRIMA FACIA CASE		1												1		
	824-DEP - IVC Total		2		6											8	
	825-DEP - BUREAU OF CUST SRV	ADMIN. DISMISSAL ECB		2	1	7										10	
		DEFECTIVE NOV															
		DEFECTIVE SERVICE															
		DISPUTED OWNERSHIP															
		IMPROPER PARTY CITED	1	1		1										3	
		FAILURE TO PROSECUTE															
		NO VIOL. DISMISS ON MERITS	3	3	17	7										30	
		PROSECUTION WITHDRAWN															
	WORK DONE BY PREV. OWNER																
	NO PRIMA FACIA CASE	2	2													4	
	825-DEP - BUREAU OF CUST SRV Total		6	8	18	15										47	
	826-DEP - BUREAU OF ENV. COMP	ADMIN. DISMISSAL ECB															
		DEFECTIVE SERVICE															
		DISPUTED OWNERSHIP															
		IMPROPER PARTY CITED															
		NO VIOL. DISMISS ON MERITS															
		PROSECUTION WITHDRAWN															
		NO PRIMA FACIA CASE		1												1	
		826-DEP - BUREAU OF ENV. COMP Total		1													1
	989-DEP POLICE	ADMIN. DISMISSAL ECB															
		DEFECTIVE NOV															
		NO VIOL. DISMISS ON MERITS															
		NO PRIMA FACIA CASE															
	989-DEP POLICE Total																
	ASB-ASBESTOS CONTROL PROGRAM	ADMIN. DISMISSAL ECB															
DEFECTIVE NOV																	
DEFECTIVE SERVICE																	
DISPUTED OWNERSHIP																	
IMPROPER PARTY CITED			1		1										2		
FAILURE TO PROSECUTE			2	2	1										5		
NO VIOL. DISMISS ON MERITS		17	9	16	5										47		
PROSECUTION WITHDRAWN		3	3	1	3										10		
NO ECB JURISDICTION																	
NO PRIMA FACIA CASE			1												1		
ASB-ASBESTOS CONTROL PROGRAM Total			20	16	19	10										65	

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