



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Dismissal Report January 2022

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



JONI KLETTER

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

February 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 January 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						995
	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						162
	Dismissed - Failure to Prosecute	2	1	4	4	1	5							17
	Dismissed - Successfully Disputed Ownership					1								1
	Dismissed - Wrong Party Named		1			1								2
	Dismissed - No Prima Facie Case	37	99	30	15	19	15	21						236
	Withdrawal	16	9	4	11	6	9	14						69
Dismissed - Administrative Dismissal														-
TLC	Total Dismissed	248	323	219	153	190	184	176	-	-	-	-	-	1,493
NYPD	Dismissed No Violation/On the Merits	2	2	2	5	4	2	1						18
	Dismissed No Jurisdiction						1							1
	Dismissed Defective Service					3	1	1						5
	Dismissed Defective Summons/charge (defective on its face)	10	10	12	18	27	23	9						109
	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						13
	Withdrawal					1								1
Dismissed - Administrative Dismissal														-
NYPD	Total Dismissed	14	18	15	24	35	31	13	-	-	-	-	-	150
Port Authority	Dismissed No Violation/On the Merits	2	1	1				2						6
	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										5
	Withdrawal													-
Dismissed - Administrative Dismissal													-	
Port Authority	Total Dismissed	3	1	5	-	-	-	2	-	-	-	-	-	11
Grand Total		265	342	239	177	225	215	191	-	-	-	-	-	1,654

*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						4,653	
	Dismissed No Jurisdiction	1			8		1	7						17	
	Dismissed Defective Service	20	11	20	40	31	17	44						183	
	Dismissed Defective Summons/charge (defective on its face)	13	15	15	30	27	26	31						157	
	Dismissed - Failure to Prosecute	1			1	2		4						8	
	Dismissed - Successfully Disputed Ownership	9	13	28	23	17	13	21						124	
	Dismissed - Wrong Party Named	22	15	20	22	19	13	21						132	
	Dismissed - No Prima Facie Case	100	117	99	140	144	202	285						1,087	
	Withdrawn prior to hearing	5	5	1	2	1	4	3						21	
	Dismissed - Administrative Dismissal														-
	Grand Total	435	604	740	931	1,002	1,181	1,489	-	-	-	-	-	-	6,382

*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						144	
	Dismissed No Jurisdiction			2										2	
	Dismissed Defective Service													-	
	Dismissed Defective Summons/charge (defective on its face)				2			1						3	
	Dismissed - Failure to Prosecute		3		4									7	
	Dismissed - Successfully Disputed Ownership		1											1	
	Dismissed - Wrong Party Named														-
	Dismissed - No Prima Facie Case	1		2		1		2							6
	Withdrawn prior to hearing	6	20	35	21	14	20	57							173
	Dismissed - Administrative Dismissal														-
	Grand Total		23	35	79	34	47	33	85	-	-	-	-	-	336

*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						187		
		DEFECTIVE NOV	24	20	9	17	20	26	23						139		
		DEFECTIVE SERVICE	155	116	98	109	101	90	131						800		
		DISPUTED OWNERSHIP	26	17	15	16	20	26	15						135		
		IMPROPER PARTY CITED	104	72	59	83	63	86	75						542		
		NO ECB JURISDICTION	4	3	3	2	3	6	2						23		
		NO VIOL. DISMISS ON MERITS	809	682	581	641	703	666	679						4761		
		PROSECUTION WITHDRAWN	135	85	152	75	66	123	174						810		
		UNASSIGNED REASON				1	2									3	
		WORK DONE BY PREV. OWNER															
		DATA CORRECTION															
		FAILURE TO PROSECUTE	17	4	16	16	10	7	21							91	
		NO PRIMA FACIA CASE	49	60	40	41	66	53	52							361	
		WITHDRAWAL AFTER ADJUDICATE				1										1	
		INTEREST OF JUSTICE															
		DOB-DEPT OF BUILDINGS Total			1349	1074	986	1035	1089	1121	1199						7853
		810-DEPT OF BUILDINGS 810	ADMIN. DISMISSAL ECB				1	2									3
			IMPROPER PARTY CITED			1	1					1					3
			DEFECTIVE NOV	5	1	7	2			3							18
	DEFECTIVE SERVICE		5				3	3	2	4						17	
NO PRIMA FACIA CASE	1		2	3	1	2	2	5							16		
FAILURE TO PROSECUTE						1									2		
NO VIOL. DISMISS ON MERITS	6		23	22	13	12	14	24							114		
DISPUTED OWNERSHIP															1		
810-DEPT OF BUILDINGS 810 Total			17	27	34	22	17	21	36						174		
BUILDINGS(DOB) Total			1366	1101	1020	1057	1106	1142	1235						8027		
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										2		
		PROSECUTION WITHDRAWN				1	3		6	3					13		
		FAILURE TO PROSECUTE					1		1						2		
		NO PRIMA FACIA CASE	1			1									2		
824-DEP - IWC Total			2	1	3	5	1	7	3						22		
825-DEP - BUREAU OF CUST SRV	ADMIN. DISMISSAL ECB	4	11	13	6	5			1						40		
	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						18		
	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						76		
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																
826-DEP - BUREAU OF ENV. COMP Total																	
989-DEP POLICE	ADMIN. DISMISSAL ECB																
	DEFECTIVE NOV								1						1		
	NO VIOL. DISMISS ON MERITS																
989-DEP POLICE Total									1						1		
ASB-ASBESTOS CONTROL PROGRAM	ADMIN. DISMISSAL ECB				1										1		
	DEFECTIVE NOV								1						1		
	DEFECTIVE SERVICE																
	DISPUTED OWNERSHIP																
	IMPROPER PARTY CITED			2											2		
	FAILURE TO PROSECUTE	6	1	1	4	2			2						16		
	NO VIOL. DISMISS ON MERITS	2	6	9	5	16	13	6							57		
	PROSECUTION WITHDRAWN	3		2		2	1	3							11		
	NO ECB JURISDICTION																
	NO PRIMA FACIA CASE	2							1						3		
ASB-ASBESTOS CONTROL PROGRAM Total			13	9	13	9	20	16	11						91		

