



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Dismissal Report March 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

April 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 March 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				1,260
	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				221
	Dismissed - Failure to Prosecute	2	1	4	4	1	5		7	4				28
	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				301
	Withdrawal	16	9	4	11	6	9	14	3	14				86
Dismissed - Administrative Dismissal														-
TLC	Total Dismissed	248	323	219	153	190	184	176	174	244	-	-	-	1,911
NYPD	Dismissed No Violation/On the Merits	2	2	2	5	4	2	1	2	2				22
	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				127
	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					15
	Withdrawal					1								1
Dismissed - Administrative Dismissal														-
NYPD	Total Dismissed	14	18	15	24	35	31	13	17	10	-	-	-	177
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				6
	Withdrawal													-
Dismissed - Administrative Dismissal													-	
Port Authority	Total Dismissed	3	1	5	-	-	-	2	2	3	-	-	-	16
Grand Total		265	342	239	177	225	215	191	193	257	-	-	-	2,104

*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				6,958
	Dismissed No Jurisdiction	1			8		1	7	2	1				20
	Dismissed Defective Service	20	11	20	40	31	17	44	46	28				257
	Dismissed Defective Summons/charge (defective on its face)	13	15	15	30	27	26	31	26	40				223
	Dismissed - Failure to Prosecute	1			1	2		4	1	3				12
	Dismissed - Successfully Disputed Ownership	9	13	28	23	17	13	21	19	27				170
	Dismissed - Wrong Party Named	22	15	20	22	19	13	21	22	47				201
	Dismissed - No Prima Facie Case	100	117	99	140	144	202	285	265	369				1,721
	Withdrawn prior to hearing	5	5	1	2	1	4	3	15	5				41
	Dismissed - Administrative Dismissal													
Grand Total	435	604	740	931	1,002	1,181	1,489	1,388	1,833	-	-	-	9,603	

*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				175
	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
	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				217
	Dismissed - Administrative Dismissal													
Grand Total		23	35	79	34	47	33	85	31	56	-	-	-	423

*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				235			
		DEFECTIVE NOV	24	20	9	17	20	26	23	25	23					187		
		DEFECTIVE SERVICE	155	116	98	109	101	90	131	128	161					1089		
		DISPUTED OWNERSHIP	26	17	15	16	20	26	15	23	23					181		
		IMPROPER PARTY CITED	104	72	59	83	63	86	75	85	94					721		
		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					6493		
		PROSECUTION WITHDRAWN	135	85	152	75	66	123	174	153	186					1149		
		UNASSIGNED REASON				1	2									3		
		WORK DONE BY PREV. OWNER																
		DATA CORRECTION																
		FAILURE TO PROSECUTE	17	4	16	16	10	7	21	11	15					117		
		NO PRIMA FACIA CASE	49	60	40	41	66	53	52	48	66					475		
		WITHDRAWAL AFTER ADJUDICATE				1										1		
		INTEREST OF JUSTICE																
		DOB-DEPT OF BUILDINGS Total			1349	1074	986	1035	1089	1121	1199	1216	1618				10687	
		810-DEPT OF BUILDINGS 810	ADMIN. DISMISSAL ECB	ADMIN. DISMISSAL ECB			1	2									5	
				IMPROPER PARTY CITED		1	1				1	1					4	
				DEFECTIVE NOV	5	1	7	2		3							18	
				DEFECTIVE SERVICE	5			3	3	2	4	2	1				20	
NO PRIMA FACIA CASE	1			2	3	1	2	2	5	5	7				28			
FAILURE TO PROSECUTE						1			1	1					3			
NO VIOL. DISMISS ON MERITS	6			23	22	13	12	14	24	12	11				137			
DISPUTED OWNERSHIP										1					1			
810-DEPT OF BUILDINGS 810 Total					17	27	34	22	17	21	36	21	21				216	
774-BUILDINGS DEPT	ADMIN. DISMISSAL ECB															1		
774-BUILDINGS DEPT Total														1				
BUILDINGS(DOB) Total			1366	1101	1020	1057	1106	1142	1235	1237	1640				10904			
ENVIRONMENTAL PROTECTION(DEP)	824-DEP - MVC	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						3		
		PROSECUTION WITHDRAWN			1	3		6	3	1	2					16		
		FAILURE TO PROSECUTE				1		1			1					3		
		NO PRIMA FACIA CASE	1			1										2		
		824-DEP - MVC Total			2	1	3	5	1	7	3	2	3				27	
		825-DEP - BUREAU OF CUST SRV	ADMIN. DISMISSAL ECB	ADMIN. DISMISSAL ECB	4	11	13	6	5		1		9				49	
				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					21
				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				88			
826-DEP - BUREAU OF ENV. COMP	ADMIN. DISMISSAL ECB	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	ADMIN. DISMISSAL ECB							1						1			
		DEFECTIVE NOV																
		NO VIOL. DISMISS ON MERITS																
		NO PRIMA FACIA CASE																
989-DEP POLICE Total									1						1			
ASB-ASBESTOS CONTROL PROGRAM	ADMIN. DISMISSAL ECB	ADMIN. DISMISSAL ECB				1									1			
		DEFECTIVE NOV							1						1			
		DEFECTIVE SERVICE									1				1			
		DISPUTED OWNERSHIP										1			1			
		IMPROPER PARTY CITED		2									2		4			
		FAILURE TO PROSECUTE	6	1	1	4	2			2		2			18			
		NO VIOL. DISMISS ON MERITS	2	6	9	5	16	13	6	8	7					72		
		PROSECUTION WITHDRAWN	3		2		2	1	3	5	2					18		
		NO ECB JURISDICTION																
		NO PRIMA FACIA CASE	2						1							3		
		ASB-ASBESTOS CONTROL PROGRAM Total			13	9	13	9	20	16	11	15	13				119	

FY 22 ECB Hearings

MARKET CASES(BIC)	850-BIC	ADMIN. DISMISSAL ECB													
		DEFECTIVE NOV													
		DEFECTIVE SERVICE	1	2										3	
		DISPUTED OWNERSHIP													
		IMPROPER PARTY CITED													
		NO VIOL. DISMISS ON MERITS													
		PROSECUTION WITHDRAWN									1			1	
		FAILURE TO PROSECUTE													
		NO PRIMA FACIA CASE													
850-BIC Total		1	2							1			4		
MARKET CASES(BIC) Total		1	2							1			4		
PARKS(DPR)	846-DEPT OF PARKS	ADMIN. DISMISSAL ECB					1	1	1				3		
		DEFECTIVE NOV	3	1		5	1	5	5	4	5		29		
		DEFECTIVE SERVICE													
		DISPUTED OWNERSHIP													
		IMPROPER PARTY CITED					1						1		
		NO ECB JURISDICTION							1		1		2		
		NO VIOL. DISMISS ON MERITS	4	8	9	11	8	20	5	7	13			85	
		WITHDRAWAL AFTER ADJUDICATE													
		FAILURE TO PROSECUTE													
		NO PRIMA FACIA CASE	11	3	5	3	2	17	8	3	7			59	
		846-DEPT OF PARKS Total		18	12	14	19	13	44	19	15	25			179
		PARKS(DPR) Total		18	12	14	19	13	44	19	15	25			179
		POLICE	055-NYPD TRANSPORT INTELL DIV	ADMIN. DISMISSAL ECB				2						1	3
DEFECTIVE NOV	1						3	3	2	1	4		14		
DEFECTIVE SERVICE				1					2		1		4		
DISPUTED OWNERSHIP															
IMPROPER PARTY CITED	2					4	2		2		6		16		
NO ECB JURISDICTION					1								1		
FAILURE TO PROSECUTE					1	1					7		9		
NO VIOL. DISMISS ON MERITS	57			47	42	34	52	37	25	25	33			352	
PROSECUTION WITHDRAWN															
UNASSIGNED REASON															
NO PRIMA FACIA CASE	7			1	7	5	3		2		1			26	
WITHDRAWAL AFTER ADJUDICATE															
INTEREST OF JUSTICE															
055-NYPD TRANSPORT INTELL DIV Total			67	49	51	46	60	42	31	33	46			425	
056-POLICE DEPT	ADMIN. DISMISSAL ECB		5	9	25	8	18	14	9	12	17			117	
	DEFECTIVE NOV		42	68	44	58	46	58	67	36	37			456	
	DEFECTIVE SERVICE		286	374	253	384	350	458	442	358	386			3291	
	DISPUTED OWNERSHIP									1				1	
	IMPROPER PARTY CITED		1						1					2	
	NO ECB JURISDICTION		4	2	4	3	2	7	13	3	3			41	
	NO VIOL. DISMISS ON MERITS		26	27	37	25	36	46	46	26	36			305	
	PROSECUTION WITHDRAWN										1			1	
	UNASSIGNED REASON			2										2	
	WORK DONE BY PREV. OWNER														
	DATA CORRECTION														
	FAILURE TO PROSECUTE														
	NO PRIMA FACIA CASE	21	28	19	30	40	40	39	29	53			299		
INTEREST OF JUSTICE															
056-POLICE DEPT Total		385	510	382	508	492	624	617	464	533			4515		
985-SEAGATE POLICE	ADMIN. DISMISSAL ECB														
	DEFECTIVE NOV														
	DEFECTIVE SERVICE	7				1							8		
	NO ECB JURISDICTION														
	NO VIOL. DISMISS ON MERITS			1									1		
985-SEAGATE POLICE Total		7		1		1							9		
002-OFF OF SPECIAL ENFORCMNT	DEFECTIVE SERVICE				2	1	2		2	1			8		
	ADMIN. DISMISSAL ECB		1										1		
	DEFECTIVE NOV					3				1			4		
	IMPROPER PARTY CITED				2				1				3		
	NO VIOL. DISMISS ON MERITS	1	4	1	4	1	10	3	11	5			40		
	DISPUTED OWNERSHIP						1						1		
	NO PRIMA FACIA CASE				3	1	1			1			6		
002-OFF OF SPECIAL ENFORCMNT Total		1	5	6	7	6	13	4	14	7			63		
POLICE Total		460	564	440	561	559	679	652	511	586			5012		

