



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Dismissal Report July 2021

- 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

August 20th, 2021

- **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 July, 2021.**
- **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												165
	Dismissed No Jurisdiction	1												1
	Dismissed Defective Service	5												5
	Dismissed Defective Summons/charge (defective on its face)	22												22
	Dismissed - Failure to Prosecute	2												2
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	37												37
	Withdrawal	16												16
	Dismissed - Administrative Dismissal													-
TLC	Total Dismissed	248	-	248										
NYPD	Dismissed No Violation/On the Merits	2												2
	Dismissed No Jurisdiction													-
	Dismissed Defective Service													-
	Dismissed Defective Summons/charge (defective on its face)	10												10
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	2												2
	Withdrawal													-
	Dismissed - Administrative Dismissal													-
NYPD	Total Dismissed	14	-	14										
Port Authority	Dismissed No Violation/On the Merits	2												2
	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												1
	Withdrawal													-
	Dismissed - Administrative Dismissal													-
Port Authority	Total Dismissed	3	-	3										
Grand Total		265	-	265										

*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												264	
	Dismissed No Jurisdiction	1												1	
	Dismissed Defective Service	20												20	
	Dismissed Defective Summons/charge (defective on its face)	13												13	
	Dismissed - Failure to Prosecute	1												1	
	Dismissed - Successfully Disputed Ownership	9												9	
	Dismissed - Wrong Party Named	22													22
	Dismissed - No Prima Facie Case	100													100
	Withdrawal	5													5
	Dismissed - Administrative Dismissal														-
	Grand Total		435	-	-	-	-	-	-	-	-	-	-	-	435

*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												16	
	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													1
	Withdrawal	6													6
	Dismissed - Administrative Dismissal														-
Grand Total	23	-	23												

*by charge

FY 22 ECB Hearings

MARKET CASES(BIC)	850-BIC	ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV							
		DEFECTIVE SERVICE	1						1
		DISPUTED OWNERSHIP							
		IMPROPER PARTY CITED							
		NO VIOL. DISMISS ON MERITS							
		PROSECUTION WITHDRAWN							
		FAILURE TO PROSECUTE							
		NO PRIMA FACIA CASE							
		850-BIC Total	1						
MARKET CASES(BIC) Total			1						1
PARKS(DPR)	846-DEPT OF PARKS	ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV	3						3
		DEFECTIVE SERVICE							
		DISPUTED OWNERSHIP							
		IMPROPER PARTY CITED							
		NO ECB JURISDICTION							
		NO VIOL. DISMISS ON MERITS	4						4
		WITHDRAWAL AFTER ADJUDICATE							
		FAILURE TO PROSECUTE							
		NO PRIMA FACIA CASE	11						11
846-DEPT OF PARKS Total	18							18	
PARKS(DPR) Total			18						18
POLICE	055-NYPD TRANSPORT INTELL DIV	ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV	1						1
		DEFECTIVE SERVICE							
		DISPUTED OWNERSHIP							
		IMPROPER PARTY CITED	2						2
		NO ECB JURISDICTION							
		FAILURE TO PROSECUTE							
		NO VIOL. DISMISS ON MERITS	57						57
		PROSECUTION WITHDRAWN							
		UNASSIGNED REASON							
	NO PRIMA FACIA CASE	7						7	
	WITHDRAWAL AFTER ADJUDICATE								
	INTEREST OF JUSTICE								
	055-NYPD TRANSPORT INTELL DIV Total	67							67
	056-POLICE DEPT	ADMIN. DISMISSAL ECB	5						5
		DEFECTIVE NOV	42						42
		DEFECTIVE SERVICE	286						286
		DISPUTED OWNERSHIP							
		IMPROPER PARTY CITED	1						1
		NO ECB JURISDICTION	4						4
NO VIOL. DISMISS ON MERITS		26						26	
PROSECUTION WITHDRAWN									
UNASSIGNED REASON									
WORK DONE BY PREV. OWNER									
DATA CORRECTION									
FAILURE TO PROSECUTE									
NO PRIMA FACIA CASE	21						21		
INTEREST OF JUSTICE									
056-POLICE DEPT Total	385							385	
985-SEAGATE POLICE	ADMIN. DISMISSAL ECB								
	DEFECTIVE NOV								
	DEFECTIVE SERVICE	7						7	
	NO ECB JURISDICTION								
	NO VIOL. DISMISS ON MERITS								
NO PRIMA FACIA CASE									
985-SEAGATE POLICE Total	7							7	
002-OFF OF SPECIAL ENFORCMNT	DEFECTIVE SERVICE								
	ADMIN. DISMISSAL ECB								
	DEFECTIVE NOV								
	IMPROPER PARTY CITED								
	NO VIOL. DISMISS ON MERITS	1						1	
PROSECUTION WITHDRAWN									
NO PRIMA FACIA CASE									
002-OFF OF SPECIAL ENFORCMNT Total	1							1	
POLICE Total			460						460

FY 22 ECB Hearings

PUBLIC TELEPHONE(DOITT)	858-DOITT	ADMIN. DISMISSAL ECB						
		DEFECTIVE NOV						
		DEFECTIVE SERVICE						
		DISPUTED OWNERSHIP						
		NO ECB JURISDICTION						
		NO VIOL. DISMISS ON MERITS	2					2
		FAILURE TO PROSECUTE						
		NO PRIMA FACIA CASE						
		858-DOITT Total	2					2
		PUBLIC TELEPHONE(DOITT) Total	2					2
SANITATION(DSNY)	827-DOS - ENFORCEMENT AGENTS	ADMIN. DISMISSAL ECB						
		DEFECTIVE NOV	4					4
		DEFECTIVE SERVICE	3					3
		DISPUTED OWNERSHIP	61					61
		IMPROPER PARTY CITED	86					86
		NO ECB JURISDICTION						
		NO VIOL. DISMISS ON MERITS	327					327
		PROSECUTION WITHDRAWN	23					23
		UNASSIGNED REASON						
		DATA CORRECTION						
		FAILURE TO PROSECUTE						
		NO PRIMA FACIA CASE	4					4
		WITHDRAWAL AFTER ADJUDICATE						
	INTEREST OF JUSTICE							
	827-DOS - ENFORCEMENT AGENTS Total	508					508	
	828-SANITATION POLICE	ADMIN. DISMISSAL ECB						
		DEFECTIVE NOV						
		DEFECTIVE SERVICE						
		DISPUTED OWNERSHIP	6					6
		IMPROPER PARTY CITED	6					6
NO ECB JURISDICTION								
NO VIOL. DISMISS ON MERITS		13					13	
PROSECUTION WITHDRAWN		13					13	
DATA CORRECTION								
FAILURE TO PROSECUTE								
WITHDRAWAL AFTER ADJUDICATE								
NO PRIMA FACIA CASE	1					1		
828-SANITATION POLICE Total	39					39		
829-SANITATION OTHERS	ADMIN. DISMISSAL ECB	1					1	
	DEFECTIVE NOV	30					30	
	DEFECTIVE SERVICE	33					33	
	DISPUTED OWNERSHIP	144					144	
	IMPROPER PARTY CITED	52					52	
	NO ECB JURISDICTION	1					1	
	NO VIOL. DISMISS ON MERITS	1273					1273	
	PROSECUTION WITHDRAWN	13					13	
	DATA CORRECTION							
	UNASSIGNED REASON							
	FAILURE TO PROSECUTE							
NO PRIMA FACIA CASE	48					48		
INTEREST OF JUSTICE								
829-SANITATION OTHERS Total	1595					1595		
830-SANITATION PIU	ADMIN. DISMISSAL ECB							
	DEFECTIVE NOV							
	DEFECTIVE SERVICE							
	DISPUTED OWNERSHIP							
	PROSECUTION WITHDRAWN							
	NO VIOL. DISMISS ON MERITS							
FAILURE TO PROSECUTE	1					1		
NO PRIMA FACIA CASE								
830-SANITATION PIU Total	1					1		

