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BenchNOTES

Last Month's OATH Decisions

The documents below are in PDF format. [Download the Adobe Reader now.](#)

Contracts

OATH accepting applications for CDRB roster.

OATH is accepting applications from qualified persons who would like to serve on Contract Dispute Resolution Board (CDRB) panels.

For more information go to: [CDRB Notice 2015](#). For an application go to: [CDRB Panelist Application](#).

[Read more](#)

Practice and Procedure

Request to publish decision without names denied.

Applicant in a marriage license case requested that his name and the names of witnesses who submitted affidavits on his behalf be removed from the report and recommendation and that public access to documents submitted be restricted. [Office of the City Clerk v. Andino](#), OATH Index No. 1970/15 (May 22, 2015).

[Read more](#)

Personnel

AWOL charge dismissed.

In 2008 respondent was granted leave under the Family Medical Leave Act (FMLA) and was instructed to provide a certificate of clearance from his doctor before returning to duty. After his leave was exhausted, respondent failed to return to work. [DOITT v. Anonymous](#), OATH Index No. 051/15 (May 6, 2015).

[Read more](#)

Vehicle Retention

Police Department ordered to return car.

Police Department sought to retain car seized in connection with car owner's arrest for patronizing a prostitute and possession of a weapon. [Police Dep't v. Lutovic](#), OATH Index No. 2108/15, mem. dec. (Apr. 16, 2015).

[Read more](#)

Human Rights Law

Restaurant's ad violated law.

Under the City Human Rights Law (HRL), it is unlawful for an employer to discriminate in hiring based on gender. It is also unlawful for an employer to circulate an advertisement which expresses a direct or indirect limitation based on sex. [Comm'n on Human Rights v. Cu29 Copper Restaurant & Bar](#), OATH Index No. 647/15 (Apr. 7, 2015).

[Read more](#)

Real Property

ALJ recommends padlocking of property.

Petitioner sought closure of a lot in Queens allegedly being used for dead storage of motor vehicles, to store junk salvage, and for illegal auto repairs in a residentially zoned district. [Dep't of Buildings v. 159-08 132 Avenue Queens, New York](#), OATH Index No. 2026/15 (May 19, 2015).

Resources

[Search OATH Decisions](#)

[Search OATH Decisions \(Issued After 2004\) Using OATH Tribunal Database](#)

[Forfeiture Cases: Information on Seized Cars](#)

[BenchNOTES Archive](#)

OATH Recent Decisions

[OATH Launches New Website in Partnership with Columbia Law School.](#)

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Administrative Judicial Institute

[Read more](#)

Licensing

Taxi driver used force against passenger.

Respondent taxicab driver was charged with using force against a passenger who was eight months pregnant. Respondent did not appear and the hearing proceeded by inquest. [Taxi and Limousine Comm'n v. Issah](#), OATH Index No. 1879/15 (May 18, 2015).

[Read more](#)