



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Dismissal Report July 2019

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



TYNIA D. RICHARD

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

August 20th, 2019

- **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, 2019.**
- **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 20 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	521												521
	Dismissed No Jurisdiction													-
	Dismissed Defective Service	3												3
	Dismissed Defective Summons/charge (defective on its face)	112												112
	Dismissed - Failure to Prosecute	29												29
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named	1												1
	Dismissed - No Prima Facie Case	116												116
	Withdrawal	9												9
Dismissed - Administrative Dismissal													-	
TLC	Total Dismissed	791	-	-	-	-	-	-	-	-	-	-	-	791
NYPD	Dismissed No Violation/On the Merits	49												49
	Dismissed No Jurisdiction	1												1
	Dismissed Defective Service													-
	Dismissed Defective Summons/charge (defective on its face)	27												27
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	13												13
	Withdrawal													-
Dismissed - Administrative Dismissal													-	
NYPD	Total Dismissed	90	-	-	-	-	-	-	-	-	-	-	-	90
Port Authority	Dismissed No Violation/On the Merits	7												7
	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	7	-	-	-	-	-	-	-	-	-	-	-	7
Grand Total		888	-	-	-	-	-	-	-	-	-	-	-	888

*by charge

FY 20 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	3,043												3,043	
	Dismissed No Jurisdiction	13												13	
	Dismissed Defective Service	7												7	
	Dismissed Defective Summons/charge (defective on its face)	21												21	
	Dismissed - Failure to Prosecute	9												9	
	Dismissed - Successfully Disputed Ownership													-	
	Dismissed - Wrong Party Named	4												4	
	Dismissed - No Prima Facie Case	216												216	
	Withdrawal	8												8	
	Dismissed - Administrative Dismissal	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Grand Total	3,321	-	-	-	-	-	-	-	-	-	-	-	-	3,321

*by charge

FY 20 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	40												40	
	Dismissed No Jurisdiction	1												1	
	Dismissed Defective Service	3												3	
	Dismissed Defective Summons/charge (defective on its face)	20												20	
	Dismissed - Failure to Prosecute	3												3	
	Dismissed - Successfully Disputed Ownership														-
	Dismissed - Wrong Party Named	3													3
	Dismissed - No Prima Facie Case	3													3
	Withdrawal	7													7
	Dismissed - Administrative Dismissal														-
	Grand Total	80	-	-	-	-	-	-	-	-	-	-	-	-	80

*by charge

FY 20 ECB Hearings

	831-SANITATION RECYCLING	ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV	6						6
		DEFECTIVE SERVICE	6						6
		DISPUTED OWNERSHIP	24						24
		IMPROPER PARTY CITED	4						4
		NO ECB JURISDICTION							
		NO VIOL. DISMISS ON MERITS	210						210
		PROSECUTION WITHDRAWN	2						2
		UNASSIGNED REASON							
		FAILURE TO PROSECUTE							
		NO PRIMA FACIA CASE	1						1
831-SANITATION RECYCLING Total			253					253	
	832-SANITATION ENV R POLICE	DEFECTIVE NOV							
		DEFECTIVE SERVICE							
		PROSECUTION WITHDRAWN							
		DISPUTED OWNERSHIP							
		FAILURE TO PROSECUTE							
		NO VIOL. DISMISS ON MERITS	1						1
NO PRIMA FACIA CASE									
832-SANITATION ENV R POLICE Total			1					1	
SANITATION(DSNY) Total			2993					2993	
TRANSPORTATION(DOT)	841-DEPT OF TRANSPORTATION	ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV	8					8	
		DEFECTIVE SERVICE							
		DISPUTED OWNERSHIP							
		IMPROPER PARTY CITED	6					6	
		NO ECB JURISDICTION							
		NO VIOL. DISMISS ON MERITS	439					439	
		PROSECUTION WITHDRAWN	16					16	
		UNASSIGNED REASON							
		FAILURE TO PROSECUTE							
		DATA CORRECTION							
		NO PRIMA FACIA CASE	23					23	
		WITHDRAWAL AFTER ADJUDICATE							
		INTEREST OF JUSTICE							
841-DEPT OF TRANSPORTATION Total			492					492	
TRANSPORTATION(DOT) Total			492					492	
96MISCELLANEOUS AGENCIES(999)	999-MISCELLANEOUS AGENCIES	ADMIN. DISMISSAL ECB	1					1	
		DEFECTIVE NOV							
		DEFECTIVE SERVICE	1					1	
		NO ECB JURISDICTION							
		NO VIOL. DISMISS ON MERITS	1					1	
		NO PRIMA FACIA CASE	2					2	
999-MISCELLANEOUS AGENCIES Total			5					5	
96MISCELLANEOUS AGENCIES(999) Total			5					5	
97 AGENCY CODE MISSING OR INVALID	000-AGENCY CODE MISSING	ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV							
		DEFECTIVE SERVICE							
		DISPUTED OWNERSHIP							
		IMPROPER PARTY CITED							
		NO ECB JURISDICTION							
		NO VIOL. DISMISS ON MERITS	2					2	
		PROSECUTION WITHDRAWN	4					4	
		NO PRIMA FACIA CASE	1					1	
		000-AGENCY CODE MISSING Total			7				
97 AGENCY CODE MISSING OR INVALID Total			7					7	
DOF TOBACCO	837-DOF TOBACCO	NO PRIMA FACIA CASE							
		DEFECTIVE SERVICE							
		NO VIOL. DISMISS ON MERITS	1					1	
837-DOF TOBACCO Total			1					1	
DOF TOBACCO Total			1					1	
2020 Total			8383					8383	
Grand Total			8383					8383	