



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Dismissal Report August 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

September 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 August, 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	154											319
	Dismissed No Jurisdiction	1												1
	Dismissed Defective Service	5												5
	Dismissed Defective Summons/charge (defective on its face)	22	59											81
	Dismissed - Failure to Prosecute	2	1											3
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named		1											1
	Dismissed - No Prima Facie Case	37	99											136
	Withdrawal	16	9											25
Dismissed - Administrative Dismissal													-	
TLC	Total Dismissed	248	323	-	-	-	-	-	-	-	-	-	-	571
NYPD	Dismissed No Violation/On the Merits	2	2											4
	Dismissed No Jurisdiction													-
	Dismissed Defective Service													-
	Dismissed Defective Summons/charge (defective on its face)	10	10											20
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named		1											1
	Dismissed - No Prima Facie Case	2	5											7
	Withdrawal													-
Dismissed - Administrative Dismissal													-	
NYPD	Total Dismissed	14	18	-	-	-	-	-	-	-	-	-	-	32
Port Authority	Dismissed No Violation/On the Merits	2	1											3
	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	1	-	-	-	-	-	-	-	-	-	-	4
Grand Total		265	342	-	-	-	-	-	-	-	-	-	-	607

*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											692	
	Dismissed No Jurisdiction	1												1	
	Dismissed Defective Service	20	11											31	
	Dismissed Defective Summons/charge (defective on its face)	13	15											28	
	Dismissed - Failure to Prosecute	1												1	
	Dismissed - Successfully Disputed Ownership	9	13											22	
	Dismissed - Wrong Party Named	22	15											37	
	Dismissed - No Prima Facie Case	100	117											217	
	Withdrawn prior to hearing	5	5											10	
	Dismissed - Administrative Dismissal														-
	Grand Total	435	604	-	-	-	-	-	-	-	-	-	-	-	1,039

*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											27	
	Dismissed No Jurisdiction													-	
	Dismissed Defective Service													-	
	Dismissed Defective Summons/charge (defective on its face)													-	
	Dismissed - Failure to Prosecute		3											3	
	Dismissed - Successfully Disputed Ownership		1											1	
	Dismissed - Wrong Party Named														-
	Dismissed - No Prima Facie Case	1													1
	Withdrawn prior to hearing	6	20												26
	Dismissed - Administrative Dismissal														-
	Grand Total	23	35	-	-	-	-	-	-	-	-	-	-	-	58

*by charge

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									
		FAILURE TO PROSECUTE									
		NO PRIMA FACIA CASE									
		850-BIC Total				1	2				
MARKET CASES(BIC) Total					1	2				3	
PARKS(DPR)	846-DEPT OF PARKS	ADMIN. DISMISSAL ECB									
		DEFECTIVE NOV	3	1						4	
		DEFECTIVE SERVICE									
		DISPUTED OWNERSHIP									
		IMPROPER PARTY CITED									
		NO ECB JURISDICTION									
		NO VIOL. DISMISS ON MERITS	4	8							12
		WITHDRAWAL AFTER ADJUDICATE									
		FAILURE TO PROSECUTE									
		NO PRIMA FACIA CASE	11	3							14
846-DEPT OF PARKS Total				18	12					30	
PARKS(DPR) Total					18	12				30	
POLICE	055-NYPD TRANSPORT INTELL DIV	ADMIN. DISMISSAL ECB									
		DEFECTIVE NOV	1							1	
		DEFECTIVE SERVICE		1						1	
		DISPUTED OWNERSHIP									
		IMPROPER PARTY CITED	2							2	
		NO ECB JURISDICTION									
		FAILURE TO PROSECUTE									
		NO VIOL. DISMISS ON MERITS	57	47							104
		PROSECUTION WITHDRAWN									
		UNASSIGNED REASON									
	NO PRIMA FACIA CASE	7	1							8	
	WITHDRAWAL AFTER ADJUDICATE										
	INTEREST OF JUSTICE										
	055-NYPD TRANSPORT INTELL DIV Total				67	49					116
	056-POLICE DEPT	ADMIN. DISMISSAL ECB	5	9							14
		DEFECTIVE NOV	42	68							110
		DEFECTIVE SERVICE	286	374							660
		DISPUTED OWNERSHIP									
		IMPROPER PARTY CITED	1								1
		NO ECB JURISDICTION	4	2							6
		NO VIOL. DISMISS ON MERITS	26	27							53
		PROSECUTION WITHDRAWN									
UNASSIGNED REASON			2							2	
WORK DONE BY PREV. OWNER											
DATA CORRECTION											
FAILURE TO PROSECUTE											
NO PRIMA FACIA CASE	21	28							49		
INTEREST OF JUSTICE											
056-POLICE DEPT Total				385	510					895	
985-SEAGATE POLICE	ADMIN. DISMISSAL ECB										
	DEFECTIVE NOV										
	DEFECTIVE SERVICE	7								7	
	NO ECB JURISDICTION										
	NO VIOL. DISMISS ON MERITS										
985-SEAGATE POLICE Total				7						7	
002-OFF OF SPECIAL ENFORCMNT	DEFECTIVE SERVICE										
	ADMIN. DISMISSAL ECB		1							1	
	DEFECTIVE NOV										
	IMPROPER PARTY CITED										
	NO VIOL. DISMISS ON MERITS	1	4							5	
	PROSECUTION WITHDRAWN										
NO PRIMA FACIA CASE											
002-OFF OF SPECIAL ENFORCMNT Total				1	5					6	
POLICE Total					460	564				1024	

