



BenchNOTES Newsletter

January 2021

OATH NEWS

MEND NYC gets international recognition: The MEND NYC mediation program, a collaboration of OATH and the Office of Nightlife within the Mayor's Office of Media and Entertainment, was featured among the "Global Nightlife Wins of 2020" by Nighttime.org, which called the program "an innovative and essential alternative to formal enforcement, which can cause financial hardship and erode trust."

[Read more about OATH News](#)

COVID-19 Update

Pursuant to an order of the Chief Administrative Law Judge, all hearings, trials, and other OATH operations are being conducted by telephone, videoconferencing, online, or mail, and OATH will only allow in-person appearances in limited, pre-approved circumstances.

[Read more about COVID-19 update.](#)

Trials Division

Featured agency decision

Former City Councilman fined \$15,000 for City Conflicts law violations.

In a recent decision, the New York City Conflicts of Interest Board ("COIB") adopted the findings of fact and methods of calculating the

penalty contained in a report by ALJ Kara J. Miller recommending a fine of \$15,000 on a former member of the New York City Council.

[Conflicts of Interest Bd. v. Sanders, Jr., Conflicts of Interest Bd.](#)

Case No. 2017-110 (Dec. 8, 2020), *adopting*, OATH Index No. 0747/19 (Dec. 17, 2019).

[Read more about Conflicts of Interest Bd. v. Sanders, Jr., Conflicts of Interest Bd. Case No. 2017-110 \(Dec. 8, 2020\), adopting, OATH Index No. 747/19 \(Dec. 17, 2019\).](#)

Personnel

Termination of employment recommended for threatening statements.

An OATH ALJ recommended termination of a job opportunity specialist at the Department of Social Services (Human Resources Administration) for making discourteous and threatening statements towards staff members both at the workplace and on social media, culminating with making a statement, that "I'm going to shoot up this place."

[Dep't of Social Services \(Human Resources Admin.\) v. Miles](#), OATH Index No. 1432/20 (Dec. 10, 2020).

[Read more about Dep't of Social Services \(Human Resources Admin.\) v. Miles, OATH Index No. 1432/20 \(Dec. 10, 2020\).](#)

Licensing

ALJ recommends continued suspension based upon assault arrest.

ALJ Susan J. Pogoda recommended a continued suspension of a Taxi and Limousine Commission license where the driver was arrested and charged with assault in the third degree against his landlord's wife, following a rent dispute.

[**Taxi & Limousine Comm'n v. Amrani**](#), OATH Index No. 271/21 (Dec. 16, 2020).

[**Read more about Taxi & Limousine Comm'n v. Amrani, OATH Index No. 271/21 \(Dec. 16, 2020\).**](#)

Appeals Division decisions (appeals from the Hearings Division)

The Appeals Division reversed a hearing officer's decision finding that the respondent had failed to comply with the Governor's Executive Orders and State guidance prohibiting non-essential construction during the COVID 19 health emergency.

[**Dep't of Buildings v. Matthew Halloran, Appeal No. 2000966 \(Dec. 10, 2020\).**](#)

[**Read more about Dep't of Buildings v. Matthew Halloran, Appeal No. 2000966 \(Dec. 10, 2020\).**](#)

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