



BenchNOTES Newsletter

April 2025

OATH News

Job opportunities at OATH:

OATH Trial Division is hiring a Chief Law Clerk to head its legal research unit and help promote access to justice in New York City. The unit consists of Law Clerks who perform legal research and draft court documents for the OATH Administrative Law Judges. The Chief Law Clerk works directly with OATH's Administrative Law Judges on all matters that come before the Trials Division, including civil servant discipline, consumer and worker protection matters, taxi and rideshare licensing, contract disputes involving the city, as well as cases falling under the Campaign Finance Law, Human Rights Law, Conflict of Interest Law, and more. The Chief Law Clerk has a supervisory role. For more details visit <https://cityjobs.nyc.gov/> and search for Job ID 710250 (Chief Law Clerk).

The job requires admission to the New York State Bar; four years of recent full-time responsible, relevant, satisfactory legal experience following admission to any bar, 18 months of which must have been in the supervision of other attorneys, in an administrative, managerial or executive capacity. Experience handling highly complex and significant legal work is a plus. Incumbents must remain members of the New York State Bar in good standing for the duration of this employment.

Trials Division

Personnel

Dismissal of charges recommended.

ALJ Kevin F. Casey recommended dismissal of the disciplinary charges against a probation officer. [*Dep't of Probation v. Rivers*](#), OATH Index No. 767/25 (Mar. 24, 2025).

[Read more about *Dep't of Probation v. Rivers*.](#)

Licensing

Imposition of civil penalty and restitution recommended.

Chief ALJ Asim Rehman recommended imposing \$1,642,500 in civil penalties and \$2,255 in restitution against an employment agency for illegally collecting advance fees from customers, failing to refund advance fees, and providing documents that did not comply with legal requirements. [*Dep't of Consumer & Worker Protection v. CMP Employment Agency Corp.*](#), OATH Index No. 3574/24 (Mar. 27, 2025).

[Read more about *Dep't of Consumer & Worker Protection v. CMP Employment Agency Corp.*](#)

Real Property

Granting protected occupancy application recommended.

ALJ Astrid B. Gloade recommended granting a tenant's application for protected occupancy status after finding that the tenant's building was entitled to Loft Law protection as an interim multiple dwelling, and the tenant's unit was covered under those protections. [*Matter of Assante*](#), OATH Index Nos. 390/22 & 391/22 (Mar. 14, 2025).

[Read more about *Matter of Assante*.](#)

Human Rights

Dismissal of charges recommended.

ALJ Kara J. Miller recommended dismissal of a gender discrimination claim against a nightclub that petitioner alleged denied a woman entry because she was pregnant. [*Comm'n of Human Rights ex rel. Santana v. 417 W. Inc.*](#), OATH Index No. 1701/21 (Mar. 14, 2025).

[Read more about *Comm'n of Human Rights ex rel. Santana v. 417 W. Inc.*](#)

Appeals from the Hearings Division

Decision reversed in part.

An appeals decision reversed part of a hearing decision that sustained a violation of the Health Code against respondent, a food establishment, for improper drainage of liquid waste. [*DOHMH v. Earthly Eats Incorporated., Appeal No. 14401-24F0*](#) (Mar. 14, 2025)

[Read more about *DOHMH v. Earthly Eats Incorporated* and other appeals from the Hearings Division.](#)

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