

# **BenchNOTES Newsletter**

**November 2019**

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## **Licensing**

### **Hearing was untimely, license restored**

The Taxi and Limousine Commission (“TLC”) may suspend a license prior to hearing for “good cause shown relating to a direct and substantial threat to the public health or safety.”

[\*Taxi v. Limousine Comm’n v. Sow\*](#), OATH Index No. 467/20 (Oct. 15, 2019), *adopted*, Comm’r Dec. (Oct. 17, 2019).

[Read more about \*Taxi v. Limousine Comm’n v. Sow\*](#)

## **Vehicle Retention**

### **PD may retain seized van**

Petitioner sought to retain, pending the forfeiture proceeding, a van seized in connection with an arrest as the alleged instrumentality of a crime.

[\*Police Dep’t v. Jones & Brown\*](#), OATH Index No. 543/20, mem. dec. (Oct. 25, 2019).

[Read more about \*Police Dep’t v. Jones & Brown\*](#)

## **Personnel**

### **Misconduct charges dismissed**

An oiler was charged with insubordination and inefficient work performance when he left his assigned work before completion on two occasions.

[\*Dep’t of Correction v. Cronin\*](#), OATH Index No. 1861/19 (Oct. 22, 2019).

[Read more about \*Dep’t of Correction v. Cronin\*](#)

## **Contracts**

### **Contractor's claim denied**

The Contract Dispute Resolution Board (“CDRB”), chaired by ALJ John B. Spooner, dismissed a claim for over \$1,580,000 in unspent Medicaid funds to offset costs incurred due to a workers’ compensation insurance assessment.

*[Personal Touch Home Care, Inc. v. Human Resources Admin](#)*, OATH Index No. 2338/19, mem. dec. (Oct. 11, 2019) .

[Read more about \*Personal Touch Home Care, Inc. v. Human Resources Admin\*](#)

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