



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Dismissal Report September 2023

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



ASIM REHMAN

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

October 20th, 2023

- **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 September 2023.**
- **Please be advised that the numbers for OATH's Health, DCWP 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 24 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	126	152	117										395
	Dismissed No Jurisdiction			2										2
	Dismissed Defective Service	2		2										4
	Dismissed Defective Summons/charge (defective on its face)	66	35	56										157
	Dismissed - Failure to Prosecute	2	10	6										18
	Dismissed - Successfully Disputed Ownership			1										1
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	75	97	116										288
	Withdrawal	4	11	7										22
	Dismissed - Administrative Dismissal													-
TLC	Total Dismissed	275	305	307	-	-	-	-	-	-	-	-	-	887
NYPD	Dismissed No Violation/On the Merits	1	2											3
	Dismissed No Jurisdiction													-
	Dismissed Defective Service	1												1
	Dismissed Defective Summons/charge (defective on its face)	4	9	4										17
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	3	2											5
	Withdrawal													-
	Dismissed - Administrative Dismissal													-
NYPD	Total Dismissed	9	13	4	-	-	-	-	-	-	-	-	-	26
Port Authority	Dismissed No Violation/On the Merits													-
	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	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	Dismissed No Violation/On the Merits		5	3										8
	Dismissed - No Prima Facie Case													-
	Withdrawal													-
Other	Total Dismissed	-	5	3	-	-	-	-	-	-	-	-	-	8
Grand Total		284	323	314	-	-	-	-	-	-	-	-	-	921

*by charge



FY 24 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	1,251	1,338	951										3,540
	Dismissed No Jurisdiction	3		8										11
	Dismissed Defective Service	73	54	41										168
	Dismissed Defective Summons/charge (defective on its face)	34	30	21										85
	Dismissed - Failure to Prosecute	4	9	2										15
	Dismissed - Successfully Disputed Ownership	8	14	16										38
	Dismissed - Wrong Party Named	17	24	10										51
	Dismissed - No Prima Facie Case	69	91	72										232
	Withdrawn prior to hearing	13	8											21
	Dismissed - Administrative Dismissal													-
	Grand Total	1,472	1,568	1,121	-	-	-	-	-	-	-	-	-	4,161

*by charge

FY 24 DCWP Hearings

AGENCY	Dismissals	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Grand Total
DCWP*	Dismissed No Violation/On the Merits	21	18	15										54
	Dismissed No Jurisdiction													-
	Dismissed Defective Service		1											1
	Dismissed Defective Summons/charge (defective on its face)													-
	Dismissed - Failure to Prosecute	4		4										8
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named	7	2											9
	Dismissed - No Prima Facie Case	5												5
	Withdrawn prior to hearing	18	11	23										52
	Dismissed - Administrative Dismissal													-
	Grand Total	55	32	42	-	-	-	-	-	-	-	-	-	129

*by charge

1

Agency Group	Issuing Agency	Dismissal Reason	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Grand Total	
BUILDINGS(DOB)	DOB-DEPT OF BUILDINGS	ADMIN. DISMISSAL ECB	2	3	2										7	
		DEFECTIVE NOV	8	7	27										42	
		DEFECTIVE SERVICE	75	63	54											192
		DISPUTED OW'NERSHIP	3	5	20											28
		IMPROPER PARTY CITED	23	34	21											78
		NO ECB JURISDICTION														
		NO VIOL. DISMISS ON MERITS	215	232	253											700
		PROSECUTION WITHDRAW'N	36	39	41											116
		UNASSIGNED REASON														
		WORK DONE BY PREV. OW'NER														
		DATA CORRECTION														
		FAILURE TO PROSECUTE	6	16	6											28
		NO PRIMA FACIA CASE	17	34	36											87
		WITHDRAW'AL AFTER ADJUDICATE														
		INTEREST OF JUSTICE														
	DOB-DEPT OF BUILDINGS Total		385	433	466											1284
	810-DEPT OF BUILDINGS 810	ADMIN. DISMISSAL ECB														
		IMPROPER PARTY CITED														
		DEFECTIVE NOV														
		DEFECTIVE SERVICE				1										1
		NO PRIMA FACIA CASE														
		FAILURE TO PROSECUTE														
		NO VIOL. DISMISS ON MERITS														
	DISPUTED OW'NERSHIP															
	810-DEPT OF BUILDINGS 810 Total				1											1
	774-BUILDINGS DEPT	ADMIN. DISMISSAL ECB														
774-BUILDINGS DEPT Total																
BUILDINGS(DOB) Total		385	433	467											1285	
ENVIRONMENTAL PROTECTION(DEP)	824-DEP - Iw/C	ADMIN. DISMISSAL ECB														
		DEFECTIVE NOV														
		DEFECTIVE SERVICE														
		DISPUTED OW'NERSHIP														
		IMPROPER PARTY CITED														
		NO VIOL. DISMISS ON MERITS														
		PROSECUTION WITHDRAW'N		2											2	
		FAILURE TO PROSECUTE														
		NO PRIMA FACIA CASE														
	824-DEP - Iw/C Total		2												2	
	825-DEP - BUREAU OF CUST SRV	ADMIN. DISMISSAL ECB	3													3
		DEFECTIVE NOV														
		DEFECTIVE SERVICE		3												3
		DISPUTED OW'NERSHIP														
		IMPROPER PARTY CITED		1												1
		FAILURE TO PROSECUTE	1	2	1											4
		NO VIOL. DISMISS ON MERITS	8	4	14											26
		PROSECUTION WITHDRAW'N														
		WORK DONE BY PREV. OW'NER														
	NO PRIMA FACIA CASE	2		1											3	
	825-DEP - BUREAU OF CUST SRV Total		14	10	16											40
	826-DEP - BUREAU OF ENV. COMP	ADMIN. DISMISSAL ECB														
		DEFECTIVE SERVICE														
		DISPUTED OW'NERSHIP														
		IMPROPER PARTY CITED														
		NO VIOL. DISMISS ON MERITS														
PROSECUTION WITHDRAW'N																
NO PRIMA FACIA CASE																
826-DEP - BUREAU OF ENV. COMP Total																
863-DEP POLICE	ADMIN. DISMISSAL ECB															
	DEFECTIVE NOV	1													1	
	NO VIOL. DISMISS ON MERITS															
	NO PRIMA FACIA CASE															
863-DEP POLICE Total		1														

3

Agency Group	Issuing Agency	Dismissal Reason	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Grand Total
HEALTH(DOHMH)	816-DOH/MENTAL HEALTH	ADMIN. DISMISSAL ECB													
		DEFECTIVE NOV	16	10	5										31
		DEFECTIVE SERVICE	7	12	12										31
		DISPUTED OWNERSHIP													
		IMPROPER PARTY CITED													
		NO ECB JURISDICTION			4										4
		NO VIOL. DISMISS ON MERITS	81	91	62										234
		PROSECUTION WITHDRAWN	5												5
		UNASSIGNED REASON													
		FAILURE TO PROSECUTE	4	4											8
		NO PRIMA FACIA CASE	20	38	29										87
		WITHDRAWAL AFTER ADJUDICATE													
		INTEREST OF JUSTICE													
	816-DOH/MENTAL HEALTH Total		133	155	112										400
	812-VETERINARY DOHMH	DEFECTIVE NOV		2	1										3
		ADMIN. DISMISSAL ECB													
		DEFECTIVE SERVICE	21	1	3										25
		DISPUTED OWNERSHIP													
		NO ECB JURISDICTION			2										
		IMPROPER PARTY CITED													
		WITHDRAWAL AFTER ADJUDICATE													
		NO VIOL. DISMISS ON MERITS	16	31	8										55
		PROSECUTION WITHDRAWN	1												1
	NO PRIMA FACIA CASE		1	1										2	
	812-VETERINARY DOHMH Total		38	35	15										88
	813-VECTOR DOHMH	ADMIN. DISMISSAL ECB													
		DEFECTIVE NOV			1										1
		DEFECTIVE SERVICE	1		2										3
		DISPUTED OWNERSHIP													
		IMPROPER PARTY CITED		2											2
		NO VIOL. DISMISS ON MERITS	2	6	6										14
		PROSECUTION WITHDRAWN													
		UNASSIGNED REASON													
		NO PRIMA FACIA CASE			1										1
		FAILURE TO PROSECUTE													
	813-VECTOR DOHMH Total		3	8	10										21
	814-BED BUGS DOHMH	ADMIN. DISMISSAL ECB													
		DEFECTIVE NOV			1										
		DEFECTIVE SERVICE													
		IMPROPER PARTY CITED	1	1											
		NO VIOL. DISMISS ON MERITS	1	1											2
		PROSECUTION WITHDRAWN	2												
		NO PRIMA FACIA CASE													
	814-BED BUGS DOHMH Total		4	2	3										9
815-PCS DOHMH	ADMIN. DISMISSAL ECB		1	4										5	
	DEFECTIVE NOV	14	8	14										36	
	DEFECTIVE SERVICE	29	27	24										80	
	DISPUTED OWNERSHIP	6	12	14										32	
	IMPROPER PARTY CITED	14	19	7										40	
	NO ECB JURISDICTION	1		2										3	
	NO VIOL. DISMISS ON MERITS	423	484	472										1379	
	PROSECUTION WITHDRAWN	8	3	3										14	
	DATA CORRECTION														
	UNASSIGNED REASON														
	FAILURE TO PROSECUTE			2										2	
	NO PRIMA FACIA CASE	15	17	18										50	
	WITHDRAWAL AFTER ADJUDICATE														
	INTEREST OF JUSTICE														
	815-PCS DOHMH Total		510	571	560										1641

4

[illegible]

5

Agency Group	Issuing Agency	Dismissal Reason	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Grand Total	
POLICE	055-NYPD TRANSPORT INTELL DIV	ADMIN. DISMISSAL ECB														
		DEFECTIVE NOV	3		2										5	
		DEFECTIVE SERVICE														
		DISPUTED OWNERSHIP	1													1
		IMPROPER PARTY CITED	5	3	3											11
		NO ECB JURISDICTION														
		FAILURE TO PROSECUTE			1											1
		NO VIOL. DISMISS ON MERITS	55	51	42											148
		PROSECUTION WITHDRAWN														
		UNASSIGNED REASON	2													2
		NO PRIMA FACIA CASE	6	6	2											14
		WITHDRAWAL AFTER ADJUDICATE INTEREST OF JUSTICE														
	055-NYPD TRANSPORT INTELL DIV Total		72	60	50											182
	056-POLICE DEPT	ADMIN. DISMISSAL ECB	45	30	25											100
		DEFECTIVE NOV	176	203	228											607
		DEFECTIVE SERVICE	1691	2508	2407											6606
		DISPUTED OWNERSHIP														
		IMPROPER PARTY CITED			1											1
		NO ECB JURISDICTION	25	27	29											81
		NO VIOL. DISMISS ON MERITS	68	57	45											170
		PROSECUTION WITHDRAWN														
		UNASSIGNED REASON														
		WORK DONE BY PREV. OWNER														
		DATA CORRECTION														
		FAILURE TO PROSECUTE		1	1											2
	NO PRIMA FACIA CASE	90	73	69											232	
	INTEREST OF JUSTICE															
	056-POLICE DEPT Total		2095	2899	2805											7799
	985-SEAGATE POLICE	ADMIN. DISMISSAL ECB														
		DEFECTIVE NOV														
		DEFECTIVE SERVICE														
		NO ECB JURISDICTION														
		NO VIOL. DISMISS ON MERITS														
NO PRIMA FACIA CASE																
985-SEAGATE POLICE Total																
002-OFF OF SPECIAL ENFORCMNT	DEFECTIVE SERVICE															
	ADMIN. DISMISSAL ECB	1													1	
	DEFECTIVE NOV															
	IMPROPER PARTY CITED															
	NO VIOL. DISMISS ON MERITS															
	DISPUTED OWNERSHIP															
	NO PRIMA FACIA CASE															
	PROSECUTION WITHDRAWN															
002-OFF OF SPECIAL ENFORCMNT Total		1													1	
POLICE Total		2168	2959	2855											7982	
PUBLIC TELEPHONE(DOITT)	858-PUBLIC TELEPHONE(DOITT)	ADMIN. DISMISSAL ECB														
		DEFECTIVE NOV														
		DEFECTIVE SERVICE														
		DISPUTED OWNERSHIP														
		NO ECB JURISDICTION														
		NO VIOL. DISMISS ON MERITS														
		PROSECUTION WITHDRAWN	8		2											
		FAILURE TO PROSECUTE														
		NO PRIMA FACIA CASE														
	858-DOITT Total		8		2										10	
PUBLIC TELEPHONE(DOITT) Total		8		2											10	

Agency Group	Issuing Agency	Dismissal Reason	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Grand Total			
SANITATION(DSNV)	§27-DOS - ENFORCEMENT AGENTS	ADMIN. DISMISSAL ECB		1	1										2			
		DEFECTIVE NOV	1	1	4										6			
		DEFECTIVE SERVICE	6	11	11											28		
		DISPUTED OWNERSHIP	65	347	165											577		
		IMPROPER PARTY CITED	14	27	206											247		
		NO ECB JURISDICTION			1											1		
		NO VIOL. DISMISS ON MERITS	627	494	1424											2545		
		PROSECUTION WITHDRAWN	5	2	6											13		
		UNASSIGNED REASON																
		DATA CORRECTION																
§27-DOS - ENFORCEMENT AGENTS Total		FAILURE TO PROSECUTE																
		NO PRIMA FACIA CASE	12	4	12											28		
		WITHDRAWAL AFTER ADJUDICATE																
		INTEREST OF JUSTICE																
		§27-DOS - ENFORCEMENT AGENTS Total	730	887	1830											3447		
		§28-SANITATION POLICE		ADMIN. DISMISSAL ECB														
				DEFECTIVE NOV														
				DEFECTIVE SERVICE														
				DISPUTED OWNERSHIP		69	26											95
				IMPROPER PARTY CITED		1												1
NO ECB JURISDICTION																		
NO VIOL. DISMISS ON MERITS	12			16	15											43		
PROSECUTION WITHDRAWN																		
DATA CORRECTION																		
FAILURE TO PROSECUTE																		
§28-SANITATION POLICE Total		WITHDRAWAL AFTER ADJUDICATE																
		NO PRIMA FACIA CASE	1	1	1											3		
		§28-SANITATION POLICE Total	13	87	42											142		
		§29-SANITATION OTHERS		ADMIN. DISMISSAL ECB		3	1										4	
				DEFECTIVE NOV	4	11	22										37	
				DEFECTIVE SERVICE	11	10	20										41	
				DISPUTED OWNERSHIP	158	224	274										656	
				IMPROPER PARTY CITED	27	58	47										132	
				NO ECB JURISDICTION	2	4	7										13	
				NO VIOL. DISMISS ON MERITS	898	1048	1011										2957	
PROSECUTION WITHDRAWN	8			6	4										18			
DATA CORRECTION																		
UNASSIGNED REASON																		
§29-SANITATION OTHERS Total		FAILURE TO PROSECUTE	1	1											2			
		NO PRIMA FACIA CASE	54	39	46										139			
		INTEREST OF JUSTICE																
		§29-SANITATION OTHERS Total	1163	1404	1432											3999		
		§30-SANITATION PIU		IMPROPER PARTY CITED														
				DEFECTIVE NOV														
				NO ECB JURISDICTION														
				DISPUTED OWNERSHIP				1									1	
				PROSECUTION WITHDRAWN		1											1	
				NO VIOL. DISMISS ON MERITS		5	2										7	
FAILURE TO PROSECUTE	1				1										2			
NO PRIMA FACIA CASE																		
§30-SANITATION PIU Total	1			6	4											11		
§31-SANITATION RECYCLING				ADMIN. DISMISSAL ECB	2												2	
		DEFECTIVE NOV			1										1			
		DEFECTIVE SERVICE		2	2										4			
		DISPUTED OWNERSHIP	7	31	38										76			
		IMPROPER PARTY CITED	6	19	7										32			
		NO ECB JURISDICTION	1												1			
		NO VIOL. DISMISS ON MERITS	73	112	99										284			
		PROSECUTION WITHDRAWN																
		UNASSIGNED REASON																
		FAILURE TO PROSECUTE																
§31-SANITATION RECYCLING Total		NO PRIMA FACIA CASE	5		3										8			
		WITHDRAWAL AFTER ADJUDICATE																
		INTEREST OF JUSTICE																
		§31-SANITATION RECYCLING Total	94	164	150											408		
		§32-SANITATION ENVR POLICE		ADMIN. DISMISSAL ECB														
				DEFECTIVE SERVICE														
				IMPROPER PARTY CITED														
				DISPUTED OWNERSHIP														
				FAILURE TO PROSECUTE														
				NO ECB JURISDICTION														
NO VIOL. DISMISS ON MERITS	2			2	2										6			
PROSECUTION WITHDRAWN				1														
NO PRIMA FACIA CASE																		
§32-SANITATION ENVR POLICE Total	2			3	2											7		
SANITATION(DSNV) Total		2003	2551	3460											8014			

7

[illegible]