



# OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

## Dismissal Report November 2021

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



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**JONI KLETTER**

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

**December 20<sup>th</sup>, 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 November, 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\***

<b>AGENCY</b>	<b>Dismissals</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Grand Total</b>
<b>TLC</b>	Dismissed No Violation/On the Merits	165	154	148	119	145								731
	Dismissed No Jurisdiction	1			1	1								3
	Dismissed Defective Service	5		1		1								7
	Dismissed Defective Summons/charge (defective on its face)	22	59	32	3	15								131
	Dismissed - Failure to Prosecute	2	1	4	4	1								12
	Dismissed - Successfully Disputed Ownership					1								1
	Dismissed - Wrong Party Named		1			1								2
	Dismissed - No Prima Facie Case	37	99	30	15	19								200
	Withdrawal	16	9	4	11	6								46
	Dismissed - Administrative Dismissal													
<b>TLC</b>	<b>Total Dismissed</b>	<b>248</b>	<b>323</b>	<b>219</b>	<b>153</b>	<b>190</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,133</b>
<b>NYPD</b>	Dismissed No Violation/On the Merits	2	2	2	5	4								15
	Dismissed No Jurisdiction													-
	Dismissed Defective Service					3								3
	Dismissed Defective Summons/charge (defective on its face)	10	10	12	18	27								77
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named		1											1
	Dismissed - No Prima Facie Case	2	5	1	1									9
	Withdrawal					1								1
	Dismissed - Administrative Dismissal													-
<b>NYPD</b>	<b>Total Dismissed</b>	<b>14</b>	<b>18</b>	<b>15</b>	<b>24</b>	<b>35</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>106</b>
<b>Port Authority</b>	Dismissed No Violation/On the Merits	2	1	1										4
	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		4										5
	Withdrawal													-
	Dismissed - Administrative Dismissal													-
<b>Port Authority</b>	<b>Total Dismissed</b>	<b>3</b>	<b>1</b>	<b>5</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>9</b>
<b>Grand Total</b>		<b>265</b>	<b>342</b>	<b>239</b>	<b>177</b>	<b>225</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,248</b>

\*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	557	665	761								2,675	
	Dismissed No Jurisdiction	1			8									9	
	Dismissed Defective Service	20	11	20	40	31								122	
	Dismissed Defective Summons/charge (defective on its face)	13	15	15	30	27								100	
	Dismissed - Failure to Prosecute	1			1	2								4	
	Dismissed - Successfully Disputed Ownership	9	13	28	23	17								90	
	Dismissed - Wrong Party Named	22	15	20	22	19								98	
	Dismissed - No Prima Facie Case	100	117	99	140	144								600	
	Withdrawn prior to hearing	5	5	1	2	1								14	
	Dismissed - Administrative Dismissal														-
	<b>Grand Total</b>	<b>435</b>	<b>604</b>	<b>740</b>	<b>931</b>	<b>1,002</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3,712</b>

\*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	40	7	32								106
	Dismissed No Jurisdiction			2										2
	Dismissed Defective Service													-
	Dismissed Defective Summons/charge (defective on its face)				2									2
	Dismissed - Failure to Prosecute		3		4									7
	Dismissed - Successfully Disputed Ownership		1											1
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	1		2		1								4
	Withdrawn prior to hearing	6	20	35	21	14								96
	Dismissed - Administrative Dismissal													-
	<b>Grand Total</b>		<b>23</b>	<b>35</b>	<b>79</b>	<b>34</b>	<b>47</b>	-	-	-	-	-	-	-

\*by charge





FY 22 ECB Hearings

813-VECTOR DOHMH	ADMIN. DISMISSAL ECB												
	DEFECTIVE NOV												
	DEFECTIVE SERVICE					1	2						3
	DISPUTED OWNERSHIP												
	IMPROPER PARTY CITED												
	NO VIOL. DISMISS ON MERITS												
	PROSECUTION WITHDRAWN												
	UNASSIGNED REASON												
	NO PRIMA FACIA CASE												
	FAILURE TO PROSECUTE												
	813-VECTOR DOHMH Total												
814-BED BUGS DOHMH	ADMIN. DISMISSAL ECB												
	DEFECTIVE SERVICE												
	NO VIOL. DISMISS ON MERITS												
814-BED BUGS DOHMH Total													
815-PCS DOHMH	ADMIN. DISMISSAL ECB	4	1			1	3						9
	DEFECTIVE NOV	12	14	12	6	20							64
	DEFECTIVE SERVICE	13	1	5	35	18							72
	DISPUTED OWNERSHIP	7	12	6	21	17							63
	IMPROPER PARTY CITED	12	12	8	17	9							58
	NO ECB JURISDICTION	1				8							9
	NO VIOL. DISMISS ON MERITS	153	199	133	184	218							887
	PROSECUTION WITHDRAWN	8	10	6	7	8							39
	DATA CORRECTION												
	UNASSIGNED REASON												
	FAILURE TO PROSECUTE												
	NO PRIMA FACIA CASE	96	101	88	109	125							519
	WITHDRAWAL AFTER ADJUDICATE												
	INTEREST OF JUSTICE												
	815-PCS DOHMH Total												
818-COOLING TWRDOHMH	ADMIN. DISMISSAL ECB						1						1
	DEFECTIVE NOV	1				11							12
	DEFECTIVE SERVICE										2		2
	DISPUTED OWNERSHIP	1											1
	IMPROPER PARTY CITED	9				1							10
	NO ECB JURISDICTION												
	NO VIOL. DISMISS ON MERITS	68	31	34	93	27							253
	PROSECUTION WITHDRAWN	21	6										27
	FAILURE TO PROSECUTE												
	NO PRIMA FACIA CASE	3	1		4	2							10
	UNASSIGNED REASON												
	WITHDRAWAL AFTER ADJUDICATE												
	818-COOLING TWRDOHMH Total												
	998-PETER COOPER VLG STY TWN	DEFECTIVE NOV											
ADMIN. DISMISSAL ECB													
DEFECTIVE SERVICE													
IMPROPER PARTY CITED													
NO PRIMA FACIA CASE						1							1
NO VIOL. DISMISS ON MERITS					1							1	
998-PETER COOPER VLG STY TWN Total													
811-WATER TANK DOHMH	DEFECTIVE NOV												
	IMPROPER PARTY CITED					1							1
	NO ECB JURISDICTION												
	NO PRIMA FACIA CASE												
	NO VIOL. DISMISS ON MERITS	17	2	7	5	6							37
	DISPUTED OWNERSHIP	1											1
PROSECUTION WITHDRAWN			2									2	
811-WATER TANK DOHMH Total													
HEALTH(DOHMH) Total		443	411	335	538	479							2206
LANDMARKS(LPC)	LPC-LANDMARK PRESERVATION												
	DEFECTIVE NOV												
	PROSECUTION WITHDRAWN												
LPC-LANDMARK PRESERVATION Total													
802-HPD	IMPROPER PARTY CITED												
	802-HPD Total												
LANDMARKS(LPC) Total													





FY 22 ECB Hearings

PUBLIC TELEPHONE(DOITT)	858-DOITT	ADMIN. DISMISSAL ECB										
		DEFECTIVE NOV										
		DEFECTIVE SERVICE										
		DISPUTED OWNERSHIP										
		NO ECB JURISDICTION										
		NO VIOL. DISMISS ON MERITS	2		13			9			24	
		FAILURE TO PROSECUTE										
		NO PRIMA FACIA CASE										
<b>858-DOITT Total</b>				<b>2</b>		<b>13</b>			<b>9</b>	<b>24</b>		
<b>PUBLIC TELEPHONE(DOITT) Total</b>				<b>2</b>		<b>13</b>			<b>9</b>	<b>24</b>		
SANITATION(DSNY)	827-DOS - ENFORCEMENT AGENTS	ADMIN. DISMISSAL ECB				1	1	1			3	
		DEFECTIVE NOV	4	2	1	1	1	1			9	
		DEFECTIVE SERVICE	3	6	7	13	4					33
		DISPUTED OWNERSHIP	61	219	113	28	51					472
		IMPROPER PARTY CITED	86	39	8	6	5					144
		NO ECB JURISDICTION				1	1					2
		NO VIOL. DISMISS ON MERITS	327	329	347	299	355					1657
		PROSECUTION WITHDRAWN	23	2	75	85	3					188
		UNASSIGNED REASON										
		DATA CORRECTION										
		FAILURE TO PROSECUTE										
		NO PRIMA FACIA CASE	4	10	9	4	14					41
		WITHDRAWAL AFTER ADJUDICATE										
	INTEREST OF JUSTICE											
	<b>827-DOS - ENFORCEMENT AGENTS Total</b>		<b>508</b>	<b>607</b>	<b>562</b>	<b>438</b>	<b>434</b>				<b>2549</b>	
	828-SANITATION POLICE	ADMIN. DISMISSAL ECB										
		DEFECTIVE NOV										
		DEFECTIVE SERVICE			1		1					2
		DISPUTED OWNERSHIP	6	5	2			2				15
		IMPROPER PARTY CITED	6	4					1			11
		NO ECB JURISDICTION										
		NO VIOL. DISMISS ON MERITS	13	9	17	9	4					52
PROSECUTION WITHDRAWN		13			6	5	1				25	
DATA CORRECTION												
FAILURE TO PROSECUTE												
WITHDRAWAL AFTER ADJUDICATE												
NO PRIMA FACIA CASE	1	1								2		
<b>828-SANITATION POLICE Total</b>		<b>39</b>	<b>20</b>	<b>25</b>	<b>15</b>	<b>8</b>				<b>107</b>		
829-SANITATION OTHERS	ADMIN. DISMISSAL ECB	1	1			5	7				14	
	DEFECTIVE NOV	30	14	9	8	27					88	
	DEFECTIVE SERVICE	33	24	27	30	33					147	
	DISPUTED OWNERSHIP	144	138	190	86	95					653	
	IMPROPER PARTY CITED	52	66	34	27	49					228	
	NO ECB JURISDICTION	1	2			6	6				15	
	NO VIOL. DISMISS ON MERITS	1273	1263	1105	1169	1374					6184	
	PROSECUTION WITHDRAWN	13	4	286	49	5					357	
	DATA CORRECTION											
	UNASSIGNED REASON									1	1	
	FAILURE TO PROSECUTE									1	1	
	NO PRIMA FACIA CASE	48	32	15	32	46					173	
	INTEREST OF JUSTICE											
<b>829-SANITATION OTHERS Total</b>		<b>1595</b>	<b>1544</b>	<b>1666</b>	<b>1412</b>	<b>1644</b>				<b>7861</b>		
830-SANITATION PIU	ADMIN. DISMISSAL ECB											
	DEFECTIVE NOV											
	DEFECTIVE SERVICE											
	DISPUTED OWNERSHIP											
	PROSECUTION WITHDRAWN				1						1	
	NO VIOL. DISMISS ON MERITS							1			1	
FAILURE TO PROSECUTE	1									1		
NO PRIMA FACIA CASE												
<b>830-SANITATION PIU Total</b>		<b>1</b>		<b>1</b>	<b>1</b>					<b>3</b>		

