



# OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

## Dismissal Report July 2020

- 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

**August 20<sup>th</sup>, 2020**

- **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 July, 2020.**
- **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 21 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	35												35
	Dismissed No Jurisdiction													-
	Dismissed Defective Service													-
	Dismissed Defective Summons/charge (defective on its face)	30												30
	Dismissed - Failure to Prosecute													-
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	6												6
	Withdrawal													
Dismissed - Administrative Dismissal														-
<b>TLC</b>	<b>Total Dismissed</b>	<b>71</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>71</b>
<b>NYPD</b>	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													-	
<b>NYPD</b>	<b>Total Dismissed</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Port Authority</b>	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													-	
<b>Port Authority</b>	<b>Total Dismissed</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Grand Total</b>		<b>71</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>71</b>

\*by charge

**FY 21 Health & Restaurant Hearings\***

<b>AGENCY</b>	<b>Dismissals</b>	<b>July</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>DOHMH*</b>	Dismissed No Violation/On the Merits	255												255	
	Dismissed No Jurisdiction	5												5	
	Dismissed Defective Service	14												14	
	Dismissed Defective Summons/charge (defective on its face)													-	
	Dismissed - Failure to Prosecute													-	
	Dismissed - Successfully Disputed Ownership	1												1	
	Dismissed - Wrong Party Named	4													4
	Dismissed - No Prima Facie Case	23													23
	Withdrawal	2													2
	Dismissed - Administrative Dismissal														-
	<b>Grand Total</b>		<b>304</b>	-	-	-	-	-	-	-	-	-	-	-	<b>304</b>

\*by charge

FY 21 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	12												12
	Dismissed No Jurisdiction													-
	Dismissed Defective Service													-
	Dismissed Defective Summons/charge (defective on its face)													-
	Dismissed - Failure to Prosecute	4												4
	Dismissed - Successfully Disputed Ownership													-
	Dismissed - Wrong Party Named													-
	Dismissed - No Prima Facie Case	1												1
	Withdrawal	4												4
	Dismissed - Administrative Dismissal													-
<b>Grand Total</b>	<b>21</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>21</b>

\*by charge





FY 21 ECB Hearings

813-VECTOR DOHMH	ADMIN. DISMISSAL ECB								
	DEFECTIVE NOV								
	DEFECTIVE SERVICE								
	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								
	NO PRIMA FACIA CASE								
814-BED BUGS DOHMH Total									
815-PCS DOHMH	ADMIN. DISMISSAL ECB								
	DEFECTIVE NOV								
	DEFECTIVE SERVICE		7						7
	DISPUTED OWNERSHIP		1						1
	IMPROPER PARTY CITED								
	NO ECB JURISDICTION		5						5
	NO VIOL. DISMISS ON MERITS		9						9
	PROSECUTION WITHDRAWN								
	DATA CORRECTION								
	UNASSIGNED REASON								
	FAILURE TO PROSECUTE								
	NO PRIMA FACIA CASE		2						2
	WITHDRAWAL AFTER ADJUDICATE								
	INTEREST OF JUSTICE								
815-PCS DOHMH Total									
818-COOLING TWRDOHMH	ADMIN. DISMISSAL ECB								
	DEFECTIVE NOV								
	DEFECTIVE SERVICE								
	DISPUTED OWNERSHIP								
	IMPROPER PARTY CITED		7						7
	NO ECB JURISDICTION								
	NO VIOL. DISMISS ON MERITS		19						19
	PROSECUTION WITHDRAWN								
	FAILURE TO PROSECUTE								
	NO PRIMA FACIA CASE		6						6
	UNASSIGNED REASON								
	WITHDRAWAL AFTER ADJUDICATE								
818-COOLING TWRDOHMH Total									
998-PETER COOPER VLG STY TWN	DEFECTIVE NOV								
	ADMIN. DISMISSAL ECB		1						1
	DEFECTIVE SERVICE								
	IMPROPER PARTY CITED								
	NO PRIMA FACIA CASE								
	NO VIOL. DISMISS ON MERITS								
998-PETER COOPER VLG STY TWN Total									
811-WATER TANK DOHMH	DEFECTIVE NOV								
	IMPROPER PARTY CITED								
	NO PRIMA FACIA CASE								
	NO VIOL. DISMISS ON MERITS								
	DEFECTIVE SERVICE								
	PROSECUTION WITHDRAWN								
811-WATER TANK DOHMH Total									
HEALTH(DOHMH) Total			66						66
LANDMARKS(LPC)	LPC-LANDMARK PRESERVATION								
	DEFECTIVE NOV								
	DEFECTIVE SERVICE								
LPC-LANDMARK PRESERVATION Total									
	802-HPD								
	IMPROPER PARTY CITED								
802-HPD Total									
LANDMARKS(LPC) Total									



FY 21 ECB Hearings

MARKET CASES(BIC)	850-BIC	ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV							
		DEFECTIVE SERVICE							
		DISPUTED OWNERSHIP							
		IMPROPER PARTY CITED							
		NO VIOL. DISMISS ON MERITS							
		PROSECUTION WITHDRAWN	3						3
		FAILURE TO PROSECUTE							
		NO PRIMA FACIA CASE							
		<b>850-BIC Total</b>			3				
<b>MARKET CASES(BIC) Total</b>									
<b>3</b>									
PARKS(DPR)	846-DEPT OF PARKS	ADMIN. DISMISSAL ECB	1						1
		DEFECTIVE NOV							
		DEFECTIVE SERVICE							
		DISPUTED OWNERSHIP							
		IMPROPER PARTY CITED							
		NO ECB JURISDICTION							
		NO VIOL. DISMISS ON MERITS	11						11
		WORK DONE BY PREV. OWNER							
		FAILURE TO PROSECUTE							
		NO PRIMA FACIA CASE	1						1
<b>846-DEPT OF PARKS Total</b>			13					13	
<b>PARKS(DPR) Total</b>									
<b>13</b>									
POLICE	055-NYPD TRANSPORT INTELL DIV	ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV	2						2
		DEFECTIVE SERVICE	2						2
		DISPUTED OWNERSHIP							
		IMPROPER PARTY CITED							
		NO ECB JURISDICTION							
		FAILURE TO PROSECUTE							
		NO VIOL. DISMISS ON MERITS	29						29
		PROSECUTION WITHDRAWN							
		UNASSIGNED REASON							
NO PRIMA FACIA CASE	2						2		
WITHDRAWAL AFTER ADJUDICATE									
INTEREST OF JUSTICE									
<b>055-NYPD TRANSPORT INTELL DIV Total</b>			35					35	
056-POLICE DEPT	056-POLICE DEPT	ADMIN. DISMISSAL ECB	2						2
		DEFECTIVE NOV	27						27
		DEFECTIVE SERVICE	327						327
		DISPUTED OWNERSHIP							
		IMPROPER PARTY CITED							
		NO ECB JURISDICTION	6						6
		NO VIOL. DISMISS ON MERITS	11						11
		PROSECUTION WITHDRAWN							
		UNASSIGNED REASON	1						1
		WORK DONE BY PREV. OWNER							
DATA CORRECTION									
FAILURE TO PROSECUTE	2						2		
NO PRIMA FACIA CASE	10						10		
INTEREST OF JUSTICE									
<b>056-POLICE DEPT Total</b>			386					386	
985-SEAGATE POLICE	985-SEAGATE POLICE	ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV							
		DEFECTIVE SERVICE							
		NO ECB JURISDICTION							
		NO VIOL. DISMISS ON MERITS							
NO PRIMA FACIA CASE									
<b>985-SEAGATE POLICE Total</b>									
002-OFF OF SPECIAL ENFORCMNT	002-OFF OF SPECIAL ENFORCMNT	DEFECTIVE SERVICE							
		ADMIN. DISMISSAL ECB							
		DEFECTIVE NOV							
		IMPROPER PARTY CITED							
		NO VIOL. DISMISS ON MERITS							
PROSECUTION WITHDRAWN									
NO PRIMA FACIA CASE									
<b>002-OFF OF SPECIAL ENFORCMNT Total</b>									
<b>POLICE Total</b>									
<b>421</b>									
<b>421</b>									

FY 21 ECB Hearings

PUBLIC TELEPHONE(DOITT)	858-DOITT	ADMIN. DISMISSAL ECB								
		DEFECTIVE NOV								
		DEFECTIVE SERVICE								
		DISPUTED OWNERSHIP								
		NO ECB JURISDICTION								
		NO VIOL. DISMISS ON MERITS								
		PROSECUTION WITHDRAWN								
		NO PRIMA FACIA CASE								
		<b>858-DOITT Total</b>								
		<b>PUBLIC TELEPHONE(DOITT) Total</b>								
SANITATION(DSNY)	827-DOS - ENFORCEMENT AGENTS	ADMIN. DISMISSAL ECB								
		DEFECTIVE NOV								
		DEFECTIVE SERVICE	9						9	
		DISPUTED OWNERSHIP	5						5	
		IMPROPER PARTY CITED								
		NO ECB JURISDICTION								
		NO VIOL. DISMISS ON MERITS	95						95	
		PROSECUTION WITHDRAWN								
		UNASSIGNED REASON								
		DATA CORRECTION								
		FAILURE TO PROSECUTE								
		NO PRIMA FACIA CASE	1						1	
		WITHDRAWAL AFTER ADJUDICATE								
	INTEREST OF JUSTICE									
	<b>827-DOS - ENFORCEMENT AGENTS Total</b>		<b>110</b>						<b>110</b>	
	828-SANITATION POLICE	ADMIN. DISMISSAL ECB								
		DEFECTIVE NOV								
		DEFECTIVE SERVICE	1						1	
		DISPUTED OWNERSHIP								
		IMPROPER PARTY CITED	2						2	
NO ECB JURISDICTION										
NO VIOL. DISMISS ON MERITS		28						28		
PROSECUTION WITHDRAWN										
DATA CORRECTION										
FAILURE TO PROSECUTE										
INTEREST OF JUSTICE										
NO PRIMA FACIA CASE	2						2			
<b>828-SANITATION POLICE Total</b>		<b>33</b>						<b>33</b>		
829-SANITATION OTHERS	ADMIN. DISMISSAL ECB									
	DEFECTIVE NOV	40						40		
	DEFECTIVE SERVICE	50						50		
	DISPUTED OWNERSHIP	31						31		
	IMPROPER PARTY CITED	12						12		
	NO ECB JURISDICTION	1						1		
	NO VIOL. DISMISS ON MERITS	555						555		
	PROSECUTION WITHDRAWN	3						3		
	DATA CORRECTION									
	UNASSIGNED REASON									
	FAILURE TO PROSECUTE									
	NO PRIMA FACIA CASE	51						51		
	INTEREST OF JUSTICE									
<b>829-SANITATION OTHERS Total</b>		<b>743</b>						<b>743</b>		
830-SANITATION PIU	ADMIN. DISMISSAL ECB									
	DEFECTIVE NOV									
	DEFECTIVE SERVICE									
	DISPUTED OWNERSHIP									
	IMPROPER PARTY CITED									
	NO VIOL. DISMISS ON MERITS	2						2		
	PROSECUTION WITHDRAWN									
NO PRIMA FACIA CASE										
<b>830-SANITATION PIU Total</b>		<b>2</b>						<b>2</b>		

