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## BenchNOTES

### Last Month's OATH Decisions

The documents below are in PDF format. [Download the Adobe Reader now.](#)

#### Campaign Finance

**\$49,722 penalty recommended for campaign law violations.**

A candidate and his campaign committee were charged with violating the Campaign Finance Act during the candidate's unsuccessful campaign for re-election to the City Counsel. [Campaign Finance Board v. Gerson & Friends for Gerson](#), OATH Index No. 2421/14 (Feb. 19, 2016).

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#### Contracts

**CDRB dismisses claims as untimely filed.**

On appeal a contractor sought \$12,570,174 in additional compensation for its subcontractor as a result of delays that lead to increased supervisory costs, relating to a contract with the Department of Design and Construction for the renovation of City Hall. [Hill International, Inc., on behalf of Plaza Construction LLC v. Dep't of Design and Construction](#), OATH Index No. 613/16, mem. dec. (Feb. 16, 2016).

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#### Human Rights

**ALJ adheres to discovery ruling.**

The Commission on Human Rights sought \$50,000 in emotional distress damages as a result of respondent's alleged denial to build a wheelchair ramp at one of its building's entrances. [Comm'n on Human Rights v. Westbeth Corp. HDFC, Inc.](#), OATH Index No. 1913/15, mem. dec. (Feb. 9, 2016) and OATH Index No. 1913/15, mem. dec. (Feb. 24, 2016).

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#### Licensing

**ALJ finds driver did not rebut positive drug test.**

The Taxi & Limousine Commission (TLC) sought to revoke a driver's for-hire vehicle license after he tested positive for cocaine. [Taxi & Limousine Comm'n v. Delorbe](#), OATH Index No. 887/16 (Feb. 11, 2016), *adopted*, Comm'r Dec. (Mar. 4, 2016).

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#### Personnel

**Dismissal of charges recommended against supervising sewage treatment worker.**

A supervising sewage treatment worker was charged with engaging in a verbal altercation, throwing chairs and slamming doors. [Dep't of Environmental Protection v. Giacia](#), OATH Index No. 211/16 (Feb. 10, 2016).

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#### Real Property

**Unit meets size requirement for Loft Law coverage.**

### Resources

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### OATH Recent Decisions

[Loft Law coverage application denied.](#)



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**Administrative Judicial Institute**

In a Loft Law coverage case, the owner conceded the petitioner met all requirements except whether her unit met the minimum size requirement. [Matter of Manganaan](#), OATH Index No. 344/15 (Feb. 24, 2016).

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### **Vehicle Retention**

***ALJ orders return of motorcycle to owner.***

The Police Department seized a motorcycle in connection with respondent's arrest for criminal possession of a weapon in the second degree and related lesser charges.

[Police Dep't v. Brown](#), OATH Index No. 1360/16, mem. dec. (Feb. 2, 2016).

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