



BenchNOTES Newsletter

June 2022

OATH NEWS

Asim Rehman appointed as Commissioner and Chief

Administrative Law Judge: On March 29, Mayor Eric Adams announced the appointment of Asim Rehman to serve as the Commissioner of OATH and Chief Administrative Law Judge. Commissioner Rehman, who previously served as deputy commissioner for legal matters and general counsel at the New York City Department of Correction, is the first Muslim-American and first person of South Asian descent to lead OATH. Read more [here](#).

[Read more about OATH News](#)

COVID-19 Update

Pursuant to an order of the Chief Administrative Law Judge, hearings, trials, and other OATH operations are being conducted by telephone, videoconferencing, online, or mail, and in-person appearances are also available. For more information, visit OATH's website at www.nyc.gov/oath.

[Read more about COVID-19 update](#)

Trials Division

Licensing

ALJ recommends TLC license revocation for attack on TLC security guards.

ALJ Faye Lewis recommended revoking a driver's Taxi and Limousine Commission driver license and for-hire vehicle license for bypassing a metal detector at TLC's office, disregarding orders of two security guards, threatening them, and slapping one in the face.

[***Taxi & Limousine Comm'n v. Okwan***](#), OATH Index No. 775/22 (Jan. 25, 2022)

[**Read more about *Taxi & Limousine Comm'n v. Okwan***](#)

Personnel

Correctional officer found to have allowed brief inmate escape.

ALJ Joan R. Salzman recommended a 20-day suspension, with credit for five days pre-trial suspension served, finding a correction officer negligently failed to supervise an inmate who slipped off his handcuffs unseen by the officer and his partner and escaped from a group of inmates the officer had driven to a Department of Correction facility parking lot in an agency bus.

[***Dep't of Correction v. Jolly***](#), OATH Index No. 2061/21 (Jan. 14, 2022).

[**Read more about *Dep't of Correction v. Jolly***](#)

Real Property

ALJ dismisses agency harassment charges against building owner.

ALJ Ingrid M. Addison granted a property owner's pre-trial motion to dismiss a Department of Housing Preservation and Development

harassment proceeding, following denial of the owner's application for a "certificate of no harassment."

[**Dep't of Housing Preservation & Development v. Herman**](#), OATH Index No. 60/22, mem. dec. (Jan. 3, 2022).

[**Read more about Dep't of Housing Preservation & Development v. Herman**](#)

Appeals Division decisions (appeals from the Hearings Division)

Restaurant found not in violation of outdoor dining charge.

The Appeals Division reversed a hearing decision that had found a restaurant in violation for construction of an outdoor restaurant seating enclosure without a permit.

[**DOB v. First Street Development LLC, Appeal No. 2101632 \(January 27, 2022\)**](#).

[**Read more about DOB v. First Street Development LLC, Appeal No. 2101632 \(January 27, 2022\)**](#)

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