

## Dismissal Report July 2016

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



## FIDEL F. DEL VALLE

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

August 18, 2016

- 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 May, 2016.
- Please be advised that the numbers for OATH's Health and Taxi & Limousine Tribunals reflect the <u>number of charges</u> rather than the number of summonses, dismissed. There may be multiple charges on each summons.

FY 2017	AGENCY	Dismissals	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Grand
	TLC	Dismissed No Violation/On the Merits	208												208
		Dismissed No Jurisdiction	О												
		Dismissed Defective	6												
		Service Dismissed Defective													+
		Summons/charge	2												
		(defective on its face) Dismissed - Failure to													
		Prosecute	9												
		Dismissed - Successfully Disputed Ownership	О												
		Dismissed - Wrong Party Named	О												
		Dismissed - No Prima Facie Case	38												з
		Withdrawal	22												2
		Dismissed - Administrative Dismissal													
	TLC		285	О	О	О	О	_	О	0	О	О	O	О	28
		Total Dismissed Dismissed No												_	
	NYPD	Violation/On the Merits	15												1
		Dismissed No Jurisdiction	0												
		Dismissed Defective Service	0												
		Dismissed Defective													
		Summons/charge (defective on its face)	1												
		Dismissed - Failure to	2												1
		Prosecute Dismissed -													+
		Successfully Disputed	О												
		Ownership Dismissed - Wrong													+
		Party Named	1												_
		Dismissed - No Prima Facie Case	5												
		Withdrawal	О												
		Dismissed - Administrative Dismissal	0												
	NYPD	Total Dismissed	24	О	О	О	О	О	О	О	О	О	О	О	2
		Dismissed No	2												
	Port Authority	Violation/On the Merits	4												
		Dismissed No Jurisdiction	О												
		Dismissed Defective	0												
		Service Dismissed Defective													+
		Summons/charge	О												
		(defective on its face) Dismissed - Failure to													+
		Prosecute Dismissed -	1												
		Successfully Disputed	О												
		Ownership Dismissed - Wrong													+
		Party Named	0												1
		Dismissed - No Prima Facie Case	3												
		Withdrawal	О												
		Dismissed -													
		Administrative Dismissal	0	<u> </u>					<u> </u>		<u> </u>				
	Port Authority	Total Dismissed	6	0	0	0	0	0	0	0	0	0	0	0	
	Grand Total		315	O	0	0	0	_	0	О	0	0	0	О	31

## FY 17 Health & Restaurant Hearings\*

				TT 17 TICUIT											
FY2017	AGENCY	Dismissals	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Grand Total
		Dismissed No													
		Violation/On the													_
	DOHMH*	Merits	2513												
		Dismissed No													
		Jurisdiction	0												-
		Dismissed													
		Defective													-
		Service	1												
		Dismissed													
		Defective													
		Summons/charg													-
		e (defective on													
		its face)	57												
		Dismissed -													
		Failure to													-
		Prosecute	0												
		Dismissed -													
		Successfully													
		Disputed													-
		Ownership	2												
		Dismissed -													
		Wrong Party													-
		Named	0												
		Dismissed - No													
		Prima Facie													-
		Case	253												
		Withdrawal	98												
		Dismissed -													
		Administrative													-
		Dismissal													
		Grand Total	2924		-	-	-	-	-	-	-	-	-	-	-

Agency Group	localing Agency	▼ Dismissal Reason ▼	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Grand Tot
(blank)	(blank) (blank) Total	(blank)													
blank) Total	(blarik) Total														
tal															
■ BUILDINGS(DOB)	DOB-DEPT OF BUILDINGS	ADMIN. DISMISSAL ECB													
BUILDINGS(DOB) Total	DOB-DEPT OF BUILDINGS Total														
BUILDINGS(DOB)	■ DOB-DEPT OF BUILDINGS	ADMIN. DISMISSAL ECB	3												
		DEFECTIVE NOV DEFECTIVE SERVICE	16 19							-					
		DISPUTED OWNERSHIP	28												
		IMPROPER PARTY CITED	31												
		NO ECB JURISDICTION	1												
		NO VIOL. DISMISS ON MERITS	257												2
		PROSECUTION WITHDRAWN	79												
		UNASSIGNED REASON WORK DONE BY PREV. OWNER	34												
		DATA CORRECTION	7												
		FAILURE TO PROSECUTE													
		6DMIN. DISMISSAL ECB													
	DOB-DEPT OF BUILDINGS Total		475												4
	■ 810-DEPT OF BUILDINGS 810	ADMIN. DISMISSAL ECB DEFECTIVE SERVICE													-
		NO VIOL. DISMISS ON MERITS	2												
	810-DEPT OF BUILDINGS 810 Total	THE PROPERTY OF THE PROPERTY O	2												
UILDINGS(DOB) Total			477												
ENVIRONMENTAL PROTECT	ON(DE = 824-DEP - IWC	DEFECTIVE NOV													
		IMPROPER PARTY CITED NO VIOL. DISMISS ON MERITS													-
		PROSECUTION WITHDRAWN	4												
		FAILURE TO PROSECUTE													
	824-DEP - IWC Total	,	4												
	■ 825-DEP - BUREAU OF CUST SRV	ADMIN. DISMISSAL ECB	2												
		DEFECTIVE NOV													
		DEFECTIVE SERVICE	1												
		DISPUTED OWNERSHIP IMPROPER PARTY CITED	1												-
		NO ECB JURISDICTION													
		NO VIOL. DISMISS ON MERITS	3												
		PROSECUTION WITHDRAWN	1												
		WORK DONE BY PREV. OWNER													
	825-DEP - BUREAU OF CUST SRV Total	ADMIN. DISMISSAL ECB	7												
	■ 826-DEP - BUREAU OF ENV. COMP	DEFECTIVE NOV	'												-
		DEFECTIVE SERVICE													
		DISPUTED OWNERSHIP	1												
		IMPROPER PARTY CITED	1												
		NO VIOL. DISMISS ON MERITS	6												
		PROSECUTION WITHDRAWN FAILURE TO PROSECUTE	7												-
	826-DEP - BUREAU OF ENV. COMP Total	PAILORE TO PROSECUTE	16												+
	■ ASB-ASBESTOS CONTROL PROGRAM	A DMIN. DISMISSAL ECB													
		DEFECTIVE NOV													
		DEFECTIVE SERVICE													
		DISPUTED OWNERSHIP													
		IMPROPER PARTY CITED NO VIOL. DISMISS ON MERITS	8												
		PROSECUTION WITHDRAWN	1												+
	ASB-ASBESTOS CONTROL PROGRAM T		10												
	BAR-DEP BUREAU OF ENV COMPL	DEFECTIVE NOV	2												
		DEFECTIVE SERVICE													
		DISPUTED OWNERSHIP IMPROPER PARTY CITED	2 6							-					-
		NO ECB JURISDICTION	4												-
		NO VIOL. DISMISS ON MERITS	5												
		PROSECUTION WITHDRAWN	1												
		FAILURE TO PROSECUTE													
	BAR-DEP BUREAU OF ENV COMPL Total	A DAME DIOLIGO	20												
	■ 803-RIGHT TO KNOW	ADMIN. DISMISSAL ECB DEFECTIVE NOV													-
		DEFECTIVE NOV													
		IMPROPER PARTY CITED													
		NO VIOL. DISMISS ON MERITS	1												
		PROSECUTION WITHDRAWN													
	803-RIGHT TO KNOW Total		1												
	■ 804-DEP - HAZARDOUS MATERIALS	DEFECTIVE SERVICE													-
	804-DEP - HAZARDOUS MATERIALS Tota	NO VIOL. DISMISS ON MERITS					-		-	-				-	+
	I(DEP) Total	A1	58												_

## FY 17 ECB Hearings

Agency Group	▼ Issuing Agency	▼ Dismissal Reason ▼	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Grand Tot
FIRE(FDNY)	■ FIR-FIRE DEPARTMENT NYC	ADMIN. DISMISSAL ECB	1		ООР							7.5.			Grand For
= Title(TBIVI)	- THE BEI ARTHUE WITH	DEFECTIVE NOV	6												-
			42												
		DEFECTIVE SERVICE													4
		DISPUTED OWNERSHIP	8												
		IMPROPER PARTY CITED	19												
		NO ECB JURISDICTION													
		NO VIOL. DISMISS ON MERITS	25												
		PROSECUTION WITHDRAWN	4												
		UNASSIGNED REASON													
		FAILURE TO PROSECUTE													
	FIR-FIRE DEPARTMENT NY C Total	, , , , , , , , , , , , , , , , , , , ,	105												1
	■ 823-FIRE DEPARTMENT 823	ADMIN. DISMISSAL ECB	100												+
	823-FIRE DEPARTMENT 823 Total	ADIVIIN. DISIVIISSAL LCB			-	_	-	-			-			-	
FIDE(EDNIX) T-t-I	623-FIRE DEPARTIVIENT 623 Total		405												1
FIRE(FDNY) Total	1=		105												1
■ HEALTH(DOHMH)	■ 816-DOH/MENTAL HEALTH	ADMIN. DISMISSAL ECB													
		DEFECTIVE NOV	43												
		DEFECTIVE SERVICE	29												
		DISPUTED OWNERSHIP													
		IMPROPER PARTY CITED	1												
		NO ECB JURISDICTION	2												+
															+
		NO VIOL. DISMISS ON MERITS	127												1
		PROSECUTION WITHDRAWN													
		UNASSIGNED REASON													
		FAILURE TO PROSECUTE													
	816-DOH/MENTAL HEALTH Total		202												2
	■812-VETERINARY DOHMH	DEFECTIVE NOV													1
	2012 121211111111 2011111	DEFECTIVE SERVICE													
															-
		DISPUTED OWNERSHIP													
		IMPROPER PARTY CITED	1												
		NO VIOL. DISMISS ON MERITS	43												
		PROSECUTION WITHDRAWN													
	812-VETERINARY DOHMH Total	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	44												
		A DAMAL DICAMICCAL FCD													
	■813-VECTOR DOHMH	ADMIN. DISMISSAL ECB	_												-
		DEFECTIVE NOV													
		DEFECTIVE SERVICE	1												
		DISPUTED OWNERSHIP	2												
		IMPROPER PARTY CITED	2												
		NO VIOL. DISMISS ON MERITS	23												
		PROSECUTION WITHDRAWN													
	OAO MECTOD DOUBLET AND	PROSECUTION WITH DIAWN			_	_	_	_	_	_	_		_	_	
	813-VECTOR DOHMH Total	T	28				_								
	■ 814-BED BUGS DOHMH	DEFECTIVE NOV													
		DEFECTIVE SERVICE													
		DISPUTED OWNERSHIP													
		IMPROPER PARTY CITED													
		NO VIOL. DISMISS ON MERITS													
			4												
		PROSECUTION WITHDRAWN	1												
	814-BED BUGS DOHMH Total		1												
	■815-PCS DOHMH	ADMIN. DISMISSAL ECB	1												
		DEFECTIVE NOV	9												
		DEFECTIVE SERVICE	17												
		DISPUTED OWNERSHIP	8												
			4												+
		IMPROPER PARTY CITED													-
		NO VIOL. DISMISS ON MERITS	128												1
		PROSECUTION WITHDRAWN	2												
		FAILURE TO PROSECUTE													
	815-PCS DOHMH Total		169												1
	■ 818-COOLING TWRDOHMH	DEFECTIVE SERVICE	4												
		PROSECUTION WITHDRAWN	1												+
	040 COOLING TATESCUE TO LE	THE SECONOM WITH IDION WIN			-		-	-			-			-	+
	818-COOLING TWRDOHMH Total		5												
HEALTH(DOHMH) Total			449												4
LANDMARKS(LPC)	ELPC-LANDMARK PRESERVATION	DEFECTIVE SERVICE													
		NO VIOL. DISMISS ON MERITS													
	LPC-LANDMARK PRESERVATION Total	,	1												
LANDMARKE (LPC) Total	LI O LANDIVATA FINLOLITY A HON TOTAL														
LANDMARKS(LPC) Total															
MARKET CASES(BIC)	■ 850-BIC	DEFECTIVE NOV													
		FAILURE TO PROSECUTE													
															1
	850-BIC Total														

Agency Group	Issuing Agency	Dismissal Reason	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	<b>Grand Total</b>
PARKS(DPR)	■ 846-DEPT OF PARKS	ADMIN. DISMISSAL ECB													
		DEFECTIVE NOV	26												26
		DEFECTIVE SERVICE	1												
		DISPUTED OWNERSHIP	1												
		IMPROPER PARTY CITED													
		NO ECB JURISDICTION													
		NO VIOL. DISMISS ON MERITS	52												5.
			52												3
		PROSECUTION WITHDRAWN	1												
	846-DEPT OF PARKS Total		80												8
PARKS(DPR) Total			80												8
■ POLICE	■ 055-NYPD TRANSPORT INTELL DIV	ADMIN. DISMISSAL ECB	2												
		DEFECTIVE NOV	11												1
		DISPUTED OWNERSHIP													
		IMPROPER PARTY CITED	3												
		NO ECB JURISDICTION													
		NO VIOL. DISMISS ON MERITS	53												5:
		PROSECUTION WITHDRAWN													-
	055-NYPD TRANSPORT INTELL DIV Total	TROSECOTION WITH BRAWN	69												6:
	© 056-POLICE DEPT	ADMIN. DISMISSAL ECB	17										_	_	1
	E 036-FOLICE DEFT														
		DEFECTIVE NOV	97												9
		DEFECTIVE SERVICE	88												8
		DISPUTED OWNERSHIP													
		IMPROPER PARTY CITED													
		NO ECB JURISDICTION	1												
		NO VIOL. DISMISS ON MERITS	104												10
		DATA CORRECTION													
	056-POLICE DEPT Total	-	307												30
	■ 985-SEAGATE POLICE	ADMIN. DISMISSAL ECB													
		DEFECTIVE NOV													
		NO VIOL. DISMISS ON MERITS	1												
	985-SEAGATE POLICE Total	INO VIOL. DISIVISS ON WERITS		-			_		_				_	_	
POLICE Total	900-SEAGATE FOLICE TOTAL		376												370
		T	3/6												3/1
■ PUBLIC TELEPHONE(DOITT)	■858-DOITT	ADMIN. DISMISSAL ECB													
		DEFECTIVE NOV	2												:
		DISPUTED OWNERSHIP													
		NO ECB JURISDICTION													
		NO VIOL. DISMISS ON MERITS	14												1-
	858-DOITT Total		16												16
PUBLIC TELEPHONE(DOITT) Total			16												16
SANITATION(DSNY)	■ 827-DOS - ENFORCEMENT AGENTS	ADMIN. DISMISSAL ECB												T	
,		DEFECTIVE NOV	31												3
		DEFECTIVE SERVICE	6												
		DISPUTED OWNERSHIP	94												9.
		IMPROPER PARTY CITED	61												6
		NO ECB JURISDICTION	3												;
		NO VIOL. DISMISS ON MERITS	997												997
		PROSECUTION WITHDRAWN													
		UNA SSIGNED REASON	1												
		FAILURE TO PROSECUTE													
	827-DOS - ENFORCEMENT AGENTS Total		1193												1193
	■ 828-SANITATION POLICE	ADMIN. DISMISSAL ECB													
		DEFECTIVE NOV	10												10
		DEFECTIVE SERVICE	2												
		DISPUTED OWNERSHIP	16												1
		IMPROPER PARTY CITED	1												
		NO FOR ILIDIODICTION	- '											-	
		NO ECB JURISDICTION													
		NO VIOL. DISMISS ON MERITS	103												10
		PROSECUTION WITHDRAWN													
	828-SANITATION POLICE Total		132												13:
	■ 829-SANITATION OTHERS	ADMIN. DISMISSAL ECB	8												
		DEFECTIVE NOV	98												9
		DEFECTIVE SERVICE	27												2
		DISPUTED OWNERSHIP	90												9
		IMPROPER PARTY CITED	30												3
		NO ECB JURISDICTION	1												
		NO VIOL. DISMISS ON MERITS	965												96
		PROSECUTION WITHDRAWN	905												96
		UNA SSIGNED REASON	1												
			1											-	
	DOD OA NITA TON OT TON	FAILURE TO PROSECUTE	4												
	829-SANITATION OTHERS Total		1220												122
	■ 830-SANITATION PIU	DEFECTIVE NOV													
		DISPUTED OWNERSHIP													
		NO VIOL. DISMISS ON MERITS													
		PROSECUTION WITHDRAWN													
	830-SANITATION PIU Total														
		ADMIN. DISMISSAL ECB													
	■ 831-SANITATION RECYCLING	DEFECTIVE NOV	2												
	■831-SANITATION RECYCLING		_												
	■ 831-SANITATION RECYCLING														31
	■831-SANITATION RECYCLING	DEFECTIVE SERVICE	26												
	■ 831-SANITATION RECYCLING	DEFECTIVE SERVICE DISPUTED OWNERSHIP	36												3.
	■831-SANITATION RECYCLING	DEFECTIVE SERVICE DISPUTED OWNERSHIP IMPROPER PARTY CITED	36 1												,
	■ 831-SANITATION RECYCLING	DEFECTIVE SERVICE DISPUTED OWNERSHIP IMPROPER PARTY CITED NO ECB JURISDICTION	1												
	■ 831-SANITATION RECYCLING	DEFECTIVE SERVICE DISPUTED OWNERSHIP IMPROPER PARTY CITED NO ECB JURISDICTION NO VIOL. DISMISS ON MERITS	36 1												
	■ 831-SANITATION RECYCLING	DEFECTIVE SERVICE DISPUTED OWNERSHIP IMPROPER PARTY CITED NO ECB JURISDICTION NO VIOL. DISMISS ON MERITS PROSECUTION WITHDRAWN	1												
	■ 831-SANITATION RECYCLING	DEFECTIVE SERVICE DISPUTED OWNERSHIP IMPROPER PARTY CITED NO ECB JURISDICTION NO VIOL. DISMISS ON MERITS	191												19
	■ 831-SANITATION RECYCLING	DEFECTIVE SERVICE DISPUTED OWNERSHIP IMPROPER PARTY CITED NO ECB JURISDICTION NO VIOL. DISMISS ON MERITS PROSECUTION WITHDRAWN	191												19
	■ 831-SANITATION RECYCLING  831-SANITATION RECYCLING Total	DEFECTIVE SERVICE DISPUTED OWNERSHIP IMPROPER PARTY CITED NO ECB JURISDICTION NO VIOL. DISMISS ON MERITS PROSECUTION WINTERAWN FAILURE TO PROSECUTE	1												19
	■ 831-SANITATION RECYCLING	DEFECTIVE SERVICE DISPUTED OWNERSHIP IMPROPER PARTY CITED NO ECB JURISDICTION NO VIOL. DISMISS ON MERITS PROSECUTION WITHDRAWN FALLURE TO PROSECUTE	191												19
	■ 831-SANITATION RECYCLING  831-SANITATION RECYCLING Total	DEFECTIVE SERVICE DISPUTED OWNERSHIP IMPROPER PARTY CITED NO ECB JURISDICTION NO VIOL. DISMISS ON MERITS PROSECUTION WITHDRAWN FAILURE TO PROSECUTE  DEFECTIVE NOV DISPUTED OWNERSHIP	191												19
	■ 831-SANITATION RECYCLING  831-SANITATION RECYCLING Total	DEFECTIVE SERVICE DISPUTED OWNERSHIP IMPROPER PARTY CITED NO ECB JURISDICTION NO VIOL. DISMISS ON MERITS PROSECUTION WITHDRAWN FAILURE TO PROSECUTE  DEFECTIVE NOV DISPUTED OWNERSHIP IMPROPER PARTY CITED	191												19
	■ 831-SANITATION RECYCLING  831-SANITATION RECYCLING Total	DEFECTIVE SERVICE DISPUTED OWNERSHIP IMPROPER PARTY CITED NO ECB JURISDICTION NO VIOL. DISMISS ON MERITS PROSECUTION WITHDRAWN FAILURE TO PROSECUTE  DEFECTIVE NOV DISPUTED OWNERSHIP IMPROPER PARTY CITED NO VIOL. DISMISS ON MERITS	191												19
	■ 831-SANITATION RECYCLING  831-SANITATION RECYCLING Total	DEFECTIVE SERVICE DISPUTED OWNERSHIP IMPROPER PARTY CITED NO ECB JURISDICTION NO VIOL. DISMISS ON MERITS PROSECUTION WITHDRAWN FAILURE TO PROSECUTE  DEFECTIVE NOV DISPUTED OWNERSHIP IMPROPER PARTY CITED	191												19

FYR 🔻	Agency Group	Issuing Agency	Dismissal Reason	¥	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	<b>Grand Total</b>
	■ TRANSPORTATION(DOT)	■841-DEPT OF TRANSPORTATION	ADMIN. DISMISSAL ECB		1												1
			DEFECTIVE NOV		40												40
			DEFECTIVE SERVICE		1												1
			DISPUTED OWNERSHIP		1												1
			IMPROPER PARTY CITED		6												6
			NO ECB JURISDICTION		2												2
			NO VIOL. DISMISS ON MERITS	;	313												313
			PROSECUTION WITHDRAWN		3												3
			UNASSIGNED REASON														
			FAILURE TO PROSECUTE														
		841-DEPT OF TRANSPORTATION Total			367												367
	TRANSPORTATION(DOT) Total			367												367	
	96MISCELLANEOUS AGENCIES(999 999-MISCELLANEOUS AGENCIES	999-MISCELLA NEOUS A GENCIES	ADMIN. DISMISSAL ECB														
			DEFECTIVE NOV		2												2
			DEFECTIVE SERVICE		2												2
			IMPROPER PARTY CITED		1												1
			NO VIOL. DISMISS ON MERITS	;	1												1
		999-MISCELLANEOUS AGENCIES Total			6												6
	96MISCELLANEOUS AGENCIES(999)	Fotal Control			6												6
	■ 97AGENCY CODE MISSING OR INV	■ 000-AGENCY CODE MISSING	ADMIN. DISMISSAL ECB														
			DEFECTIVE NOV		2												2
			DEFECTIVE SERVICE														
			DISPUTED OWNERSHIP														
			IMPROPER PARTY CITED														
			NO ECB JURISDICTION														
			NO VIOL. DISMISS ON MERITS	;													
			PROSECUTION WITHDRAWN														
		000-AGENCY CODE MISSING Total			2												2
	97AGENCY CODE MISSING OR INVAL	ID Total			2												2
FY 17 Tota					4712												4712
Grand Tota					4712												4712