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**Council Member Helen Rosenthal Calls for
Transparency on OATH Dismissals**

Over 73,000 cases dismissed in FY 14

Dismissals waste time and money for individuals and for the City

Council Member Helen Rosenthal is calling on the Office of Administrative Trials and Hearings (OATH) to provide increased transparency around its high rate of dismissed cases.

Of the over 218,000 decisions OATH rendered in FY 14, **over 73,000 cases were dismissed.**

Dismissals waste the time of the individual who received a summons, who had to take a day off of work to attend the hearing. Dismissed cases also waste the time and taxpayer money of the hearing officer who hears an unnecessary case.

Council Member Rosenthal's bill ([Int. 456-2014](#)) would require OATH to provide data and analysis on dismissed cases on an annual basis. The bill, co-sponsored by Public Advocate Letitia James and Council Member Rosie Mendez, will be heard in a package of small business bills in a joint hearing by the Committee on Small Business, Committee on Consumer Affairs, and Committee on Governmental Operations.

- **In FY 14 OATH's Environmental Control Board (ECB) rendered decisions for over 142,000 cases and dismissed 43.3% of them.** These cases are largely issued by the Department of Sanitation, but also include violations from the Fire Department, Department of Buildings, Department of Transportation, Department of Health and Mental Hygiene, the Police Department, the Department of Environmental Protection (DEP), and the Parks Department.
- **In FY 14 OATH's Health Tribunal rendered decisions for over 26,000 cases and dismissed 42% of individual charges.** 79% of cases had a mix of charges sustained and dismissed, and 5% of cases were fully dismissed. The vast majority of these violations (90.6%) were issued to restaurants.

"Restaurateurs in my district report receiving frivolous summons that require them to take off work to go to a hearing, which then results in a dismissal. On the other hand, tenants report that valid Department of Buildings violations get dismissed because landlords can afford expensive lawyers, who find loopholes to get the landlords off the hook without making necessary repairs. This bill will bring to light the reasons violations are dismissed so appropriate steps can be taken for a fair outcome," said **Council Member Helen Rosenthal**.

"We need to make sure New York City's adjudication process is efficient and not placing an undue burden on working families. I look forward to working with Council Member Rosenthal on this important piece of legislation that will bring much needed transparency to our administrative trials," said **Public Advocate Letitia James**.

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