

If I disagree with the OATH Health Tribunal decision, what do I do?

- You can file an appeal. Follow the instructions on how to appeal carefully.
- Appeals must be submitted using the OATH Health Tribunal application form.
- The easiest way to appeal is by using the OATH Health Tribunal's online appeal application. You can find the electronic form at www.nyc.gov/oath

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| OATH Health Tribunal <small>A Division of the Office of Administrative Trials and Hearings</small> | | Appeals Unit 66 John St., 11th Floor New York, NY 10038 |
| APPEAL APPLICATION | | |
| <i>Use this form for your appeal. Please read the instructions carefully.</i> | | |
| DOCKET NO: _____ | DATE: _____ | |
| NAME ON NOTICE OF VIOLATION: _____ | | |
| INFORMATION ABOUT YOU | | |

You are not allowed to appeal if you accepted a settlement or did not appear for your hearing.

Bronx

3030 Third Avenue
Bronx, NY 10455
Tel: (212) 361-1000

Monday – Thursday
(9:00am – 5:00pm)

Manhattan

66 John Street, 11th Floor
New York, NY 10038
Tel: (212) 361-1000

Monday – Friday
(9:00am – 5:00pm)

Staten Island

350 Marks Place, Main Floor
Staten Island, NY 10301
Tel: (212) 361-1000

Tuesday
(9:00am – 4:00pm)



What is the OATH Health Tribunal?

The OATH Health Tribunal is an administrative court. It is a division of the NYC Office of Administrative Trials and Hearings (OATH). It's a neutral place where hearings on alleged violations issued by the NYC Department of Health and Mental Hygiene (DOHMH) are held.

Why did I get a Violation?

The OATH Health Tribunal does not issue violations or conduct inspections. You should contact DOHMH if you have questions about why you received a violation.

The OATH Health Tribunal can give you information about your hearing and the status of your case.

What can I do if I get a Notice of Violation?

Accept a settlement offer

- DOHMH offers food establishments a chance to settle cases instead of having a hearing at the OATH Health Tribunal.
- You will receive a settlement offer in the mail shortly after receiving a Notice of Violation.
- By accepting the offer, you must admit to the charges, which waives your right to a hearing, and pay the settlement amount offered by the Health Department.
- You may settle in person at the OATH Health Tribunal or send the tribunal the settlement by mail. You can also accept and pay the settlement online at www.nyc.gov/businessexpress

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Contest the violation before the hearing date

- Submit your defense to an OATH judge in these easy ways:

BY PHONE  (212) 361-1060

ONLINE  www.nyc.gov/oath

BY MAIL  **OATH Health Tribunal Mail
Unit 66 John Street 11th floor,
New York, NY 10038**

Visit www.nyc.gov/oath to learn more

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Appear for a hearing in person



- If you do not accept the settlement or have a hearing by mail, phone or online, you must come to your scheduled hearing in person.
- You must go to the OATH Health Tribunal location listed on your Notice of Violation.

If I chose to come in person for a hearing, what should I expect?

- You don't need an attorney, you can represent yourself. You may bring an attorney if you choose. You can also have an authorized representative appear for you.
- Come to the Tribunal on the date and time listed on the front of your Notice of Violation.

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|---|------------------|---------------------|--|
| NYC Health | | NOTICE OF VIOLATION | |
| DOCKET NO.: XXXX-XXXX | | CAMIS NO.: XXXXXXXX | |
| CITY OF NEW YORK DEPARTMENT OF HEALTH AND MENTAL HYGIENE, PETITIONER, against | | | |
| Respondent: | Inspection Date: | | |
| D.B.A.: | Start Time: | | |
| Address: | Inspection Type: | | |
| Telephone: | | | |
| A hearing in this matter has been scheduled for <u>Monday September 10th 2012 at 10:00 am</u> before the division of the Office of Administrative Trials and Hearings, located at <u>66 John Street, 11th Floor, New York</u> | | | |

- Bring any papers, photos, and witnesses to support your case.
- When you arrive, please sign in and wait for a judge to call your case.
- The hearing will take place in a hearing room before an administrative law judge.
- The judge will swear you in and take your testimony and evidence. All hearings are recorded.
- After the hearing, return to the waiting room to wait for the judge's decision.

Interpretation services are provided, free of charge, in over 150 languages or you can bring your own interpreter if you prefer. Below is a list of some of the languages available:

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| <p>عربي বাংলা 廣東話 Deutsch Español فارسي Français Ελληνικά Kreyól תּוֹרָה हिंदी Ital no 日本語 한국어 國語</p> | <p>МОНГОЛ Polski Português ਪੰਜਾਬੀ Русский Română Shqip Tagalog Tiếng Việt Türkçe Wolof Українська أردو שׂוֹפְרִיט</p> |
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