

## STEP 4: COPY & SEND

- Make a copy of the appeal.
- Send the copy to the Department of Health and Mental Hygiene:

Department of Health and Mental Hygiene  
Attn: General Counsel  
42-09 28th Street  
Queens, NY 11101

## STEP 5: SIGN & NOTARIZE

- Sign the statement certifying that you sent a copy to the DOHMH and have a Notary Public notarize it.

YOU CAN PROVE YOU SENT A COPY TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE BY COMPLETING AND SIGNING THE STATEMENT BELOW AND HAVING YOUR SIGNATURE NOTARIZED.

I \_\_\_\_\_ swear or affirm that on \_\_\_\_\_ (date)  
(your name)

I sent a copy of my appeal of docket number \_\_\_\_\_ (your docket number)

to: (name and address of agency responsible for your violation)  
Department of Health and Mental Hygiene  
Attn: General Counsel  
42-09 28th Street  
Queens, NY 11101

by placing it in a U.S. Postal Service mailbox or other recognized mailing service.

\_\_\_\_\_  
(your signature)

Notary Public

(Bottom of 2nd page of an Appeal Application)

## STEP 6: SEND TO OATH

- Send the Appeal Application to the Health Tribunal

Health Tribunal  
Appeals Unit  
66 John St., 11th Floor  
New York, NY 10038

## Who decides your appeal?

- The Health Tribunal Appeal Unit decides your appeal.
- The Department of Health and Mental Hygiene may oppose your appeal. If it does, it will send you anything it submits to the Health Tribunal in opposition.
- The Health Tribunal will mail the decision within 90 days of receiving your appeal.

## Where can I find help online?

Health Tribunal information and forms can be found at

[www.nyc.gov/oath](http://www.nyc.gov/oath)



**OATH Health Tribunal**  
A Division of the Office of Administrative Trials and Hearings

Health Tribunal  
Appeals Unit  
66 John St., 11th Floor  
New York, NY 10038



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## APPEALS UNIT

## Should I Appeal?

- Did the decision
  - get the facts wrong?
  - ignore something presented at the hearing?
  - get the meaning of the law wrong?

If so, you have the right to appeal.

*An appeal is not a new hearing.*

*Just being unhappy about paying the penalty is not a reason to appeal.*

# Appeal Online



The easiest way to appeal a Health Tribunal decision is online.

- If you do not file your appeal online, there will be extra steps you need to take to file your appeal by mail.
- You must submit your online appeal within **30 days** of the date of the decision.

(Top portion of the online application)

To file an appeal online and submit the application by email, please visit the Health Tribunal section of the OATH website [www.nyc.gov/oath](http://www.nyc.gov/oath)

# Appeal By Mail



You must use the Health Tribunal Appeal Application form.

(Top portion of an Appeal Application form)

The form is on the OATH website and available at the Health Tribunal.



## STEP 1: TIMING



Your Appeal Application must be received by the Health Tribunal within **30 days** of the Decision Date.

(Top portion of a Health Tribunal Decision)



## STEP 2: PAYMENT



You are required to pay the penalty before you appeal.

- Your appeal will not be considered if payment is not received.
- If you cannot pay in advance due to financial hardship you may request a waiver. The request must be supported by evidence. The application is available on the Tribunal's website at [www.nyc.gov/oath](http://www.nyc.gov/oath)



## STEP 3: EXPLAIN



Explain why the decision is wrong using the back of the *Health Tribunal Appeal Application* form.

(2nd page of an Appeal Application)