APPEAL APPLICATION

Use this form to file an appeal. **Please read the instructions carefully.**

When the application form is filled in, click the correct enforcement agency button at the end of the form to finalize the e-form. After clicking the enforcement agency button, either:

- Choose to have the e-form automatically attached to an email and send it using your Microsoft Outlook or computer's Mail program; *OR*
- Choose to save the e-form. Once you save the e-form, attach it to an email and send the email to both email addresses listed in the pop-up message.

Please note that Google Chrome and Mozilla Firefox internet browsers currently do not support this type of form. If you opened the form using Google Chrome or Mozilla Firefox, either access the form using another internet browser, such as Internet Explorer, or follow these directions to open the form when using Google Chrome and Mozilla Firefox.

Date

Summons/Notice Number

Respondent Named on Summons/Notice

INFORMATION ABOUT PERSON COMPLETING THIS FORM:

Last Name

Mailing Address

First Name

City

State NY

Zip Code

Middle Initial

Country US

Phone Number

Email

Relationship to Respondent

MAILING ADDRESS WHERE THE DECISION SHOULD BE SENT:

Name

Address

City

State NY

Zip Code

Country US

STEPS REQUIRED TO HAVE THE APPEAL DECIDED

1) THE APPEAL WILL BE RECEIVED BY THE DEADLINE

The appeal will be rejected if it is received more than 30 days after the Decision Date unless a timely request for an extension or a copy of the hearing recording was made. If the decision was sent by mail, the appeal deadline is 35 days from the Decision Date. The Decision Date is on the front of the hearing decision.

2) THE PENALTY HAS BEEN PAID IN FULL OR PAYMENT HAS BEEN WAIVED BY THE AGENCY ☐

The penalty must be paid in full before the appeal can be decided.
Vehicle for Hire and Taxi Cases: Payment or waiver is not required if the summons is for a violation of a law or regulation enforced by the TLC. Consumer Cases: Even if full payment of the penalty has been waived, if the Hearing Officer's decision orders the payment of restitution, the respondent must deposit the amount of restitution with the Department of Consumer Affairs.

3) THE RESPONDENT IS REQUESTING A WAIVER OF PAYMENT OF THE PENALTY BECUASE IT WILL BE A FINANCIAL HARDSHIP TO PAY WHILE THE APPEAL IS BEING DECIDED. ☐

To request a waiver, the online Financial Hardship Application must be submitted to OATH. The form is available on the forms page

THIS IS WHY THE DECISION IS WRONG:

Write a brief statement including the specific reasons why the decision is incorrect. Only rely on facts or evidence or arguments that were used at the hearing. The Appeals Unit will not use new facts and arguments to decide the appeal. Please include an explanation for each charge that is being appealed.

☐ I affirm that I am authorized to complete and submit this application.

☐ I certify under penalty of perjury that to the best of my knowledge, all information I included on this e-form and in the attachments, if any, is true.

By clicking the correct enforcement agency button below, I understand that I am signing and filing this application with the OATH Hearings Division and the enforcement agency. This has the same effect as signing by hand.

IMPORTANT INSTRUCTIONS: Clicking the below button does NOT submit the appeal. Once you click the correct enforcement agency button below, either:

- Choose to have the e-form automatically attached to an email and send it using your Microsoft Outlook or computer's Mail program; *OR*
- Choose to save the e-form. Once you save the e-form, attach it to an email and send the email to both email addresses listed in the pop-up message.

An email with the finalized appeal form attached must be sent in order for the appeal to be filed. If you are a Registered Representative, you must also send OATH the Registered Representative Authorization form. The Authorization form can be found on the *forms section* of this website.

FIRE CODE CASES (including fireworks)	BUILDING CASES
SANITATION & RECYCLING CASES	PARKS CASES
AIR, NOISE, WATER CASES	LANDMARKS CASES
SEWER, HAZMAT, RTK CASES	MARKET CASES
TRANSPORTATION & NEWSRACK CASES	HEALTH CODE & VENDOR CASES
POSTING & ABANDONED VEHICLE CASES	CONSUMER & GENERAL VENDOR CASES
PUBLIC PAY TELEPHONE CASES	VEHICLE FOR HIRE CASES

ENFORCEMENT AGENCIES ONLY: Attach proof of service on respondent.