



# OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

## What We Do

The Office of Administrative Trials and Hearings (OATH) is an independent, central court that consists of four tribunals: the OATH Tribunal, the Environmental Control Board (ECB), the OATH Taxi & Limousine Tribunal and the OATH Health Tribunal. The OATH Tribunal adjudicates or settles a wide range of issues referred by City agencies. Its caseload includes employee discipline, retention of seized vehicles, license and regulatory enforcement, real estate and loft law violations, contract disputes, and human rights violations. ECB conducts hearings on alleged quality-of-life violations, which can be filed by 13 City agencies. The OATH Taxi & Limousine Tribunal holds hearings on summonses issued by the Taxi and Limousine Commission (TLC), the Police Department and the Port Authority of New York and New Jersey for alleged violations of TLC and other City rules. The OATH Health Tribunal holds hearings on violations issued by the Department of Health and Mental Hygiene regarding alleged violations of the City's Health Code and other laws affecting health.

## Our Services and Goals

### **Service 1: Adjudicate the City's administrative matters.**

Goal 1a: Hear cases promptly and issue timely decisions at the OATH Tribunal.

### **Service 2: Adjudicate alleged violations of the City's local administrative laws.**

Goal 2a: Hear cases promptly and issue timely decisions at the Environmental Control Board (ECB), the OATH Health Tribunal and the OATH Taxi & Limousine Tribunal.

## How We Performed

- During the first four months of Fiscal 2014, the Environmental Control Board (ECB) continued to provide prompt hearings, with an average time from hearing assignment to decision of seven days. This was an increase of two days from the same period of last fiscal year but well below the annual target of 20 days. The number of Notices of Violation received by the ECB tribunal increased by eight percent. The number of hearings it conducted decreased by 12 percent from the same period of Fiscal 2013.
- During the first four months of Fiscal 2014, the number of decisions rendered at the OATH Health Tribunal increased by six percent. The number of adjournments decreased by 47 percent, from 1,182 to 624, due to better trained Hearing Examiners who are now properly scrutinizing requests for adjournments. As a result, respondents are not inconvenienced by having to return to the tribunal to have their hearing on another day. The number of hearings dropped by four percent, mostly due to the decrease in the number of adjournments.
- The average turnaround time for Appeals cases - the time from when an appeal is received to when a decision is rendered - continued to improve at each of OATH's administrative tribunals in comparison to the previous year. The Appeals Unit at ECB reduced its turnaround time from 119 days to 84 days (a 29 percent decrease), despite a 24 percent increase in the number of appeal decisions it rendered in the first four months of Fiscal 2014. The OATH Health Tribunal Appeals Unit decreased its appeal turnaround time from 45 days to 40 days. The OATH Taxi & Limousine Tribunal had a four-month average turnaround time of less than 35 days for its appeals cases.
- The OATH Taxi & Limousine Tribunal's new electronic case management system that was deployed in February 2013 has streamlined its overall operations and business processes, and enabled more robust data management and reporting. This tribunal is now able to efficiently track and report information on summonses received from enforcement agencies, hearings held and decisions rendered, and any monetary penalties imposed.
- The OATH Tribunal's overall caseload increased in the first four months of Fiscal 2014, as did the proportion of complex cases to simpler ones received. In this period, the total number of cases filed at the OATH Tribunal increased by 12 percent compared to the same period of last fiscal year. The average time it took this tribunal to issue a decision after the record is closed

increased to 18.9 business days but remained below its annual target of 25 business days. This increase in the time it took to issue a decision can be attributed to the increase in the complex civil litigation cases the OATH Tribunal received, such as Loft Board matters and Human Rights cases.

**Service 1: Adjudicate the City’s administrative matters.**

**Goal 1a: Hear cases promptly and issue timely decisions at the OATH Tribunal.**

Performance Indicators	Actual			Target		4-Month Actual	
	FY11	FY12	FY13	FY14	FY15	FY13	FY14
★ Average time for the OATH Tribunal to issue decisions after records closed (business days)	12.8	13.4	13.9	25.0	25.0	13.7	18.9
OATH Tribunal cases with decisions issued within 45 business days (%)	96%	98%	98%	*	*	100%	88%
OATH Tribunal facts and conclusions adopted by agencies (%)	99%	98%	99%	96%	96%	100%	98%
★ Average adjournment time at the OATH Tribunal (business days)	14.6	14.8	16.6	20.0	20.0	14.0	16.4
OATH Tribunal settlement rate (%)	51%	59%	59%	55%	55%	65%	58%
Cases filed at the OATH Tribunal (total)	2,611	2,027	2,358	*	*	748	839
Cases closed at the OATH Tribunal (total)	2,588	2,001	2,326	*	*	NA	NA
Cases processed per ALJ (total)	188.7	179.3	183.0	*	*	NA	NA

★ Critical Indicator "NA" - means Not Available in this report ↓ ↑ shows desired direction

**Service 2: Adjudicate alleged violations of the City’s local administrative laws.**

**Goal 2a: Hear cases promptly and issue timely decisions at the Environmental Control Board (ECB), the OATH Health Tribunal and the OATH Taxi & Limousine Tribunal.**

Performance Indicators	Actual			Target		4-Month Actual	
	FY11	FY12	FY13	FY14	FY15	FY13	FY14
Notices of Violation (NOV) received by ECB Tribunal	562,418	563,477	464,666	*	*	177,659	192,386
ECB Tribunal hearings conducted	252,371	255,718	208,922	*	*	76,416	66,901
★ Average time from ECB Tribunal hearing assignment to decision (days)	20	8	5	20	20	5	7
ECB Tribunal cases with decisions issued within 45 business days of hearing assignment (%)	NA	NA	99.7%	*	*	99.7%	100.0%
★ ECB Tribunal decisions rendered	178,872	172,409	141,371	*	*	50,963	52,677
Dockets received by the OATH Health Tribunal	NA	NA	41,772	*	*	14,341	14,129
OATH Health Tribunal hearings conducted	NA	NA	36,187	*	*	14,134	13,593
★ OATH Health Tribunal decisions rendered	NA	NA	23,787	*	*	8,940	9,515
Summonses received by the OATH Taxi Tribunal	NA	NA	NA	*	*	NA	41,929
OATH Taxi Tribunal hearings conducted	NA	NA	NA	*	*	NA	20,846
★ OATH Taxi Tribunal decisions rendered	NA	NA	NA	*	*	NA	17,718

★ Critical Indicator "NA" - means Not Available in this report ↓ ↑ shows desired direction

**Agency Customer Service**

Performance Indicators	Actual			Target		4-Month Actual	
	FY11	FY12	FY13	FY14	FY15	FY13	FY14
Customer Experience							
Letters responded to in 14 days (%)	82.7%	98%	99.7%	*	*	100%	100%

## Agency Resources

Resource Statistics	Actual			Sept. 2013 MMR Plan	Updated Plan	Plan	4-Month Actual	
	FY11	FY12	FY13	FY14	FY14 <sup>1</sup>	FY15 <sup>1</sup>	FY13	FY14
Expenditures (\$000,000) <sup>2</sup>	\$23.3	\$30.5	\$30.7	\$35.0	\$35.2	\$35.2	\$11.1	\$10.9
Revenues (\$000,000)	\$87.2	\$159.8	\$135.7	\$147.2	\$130.8	\$127.3	\$57.0	\$46.0
Personnel	270	372	368	451	458	458	353	362
Overtime paid (\$000)	\$29	\$0	\$39	\$40	\$40	\$40	\$17	\$9

<sup>1</sup>February 2014 Financial Plan      <sup>2</sup>Expenditures include all funds.      "NA" - Not Available in this report

## Noteworthy Changes, Additions or Deletions

None.

For additional agency performance statistics, please visit:

- Hearing data:  
<http://www.nyc.gov/html/oath/downloads/pdf/OATH.pdf>
- Health Tribunal data:  
[http://www.nyc.gov/html/oath/downloads/pdf/health\\_trib\\_stats/Health.pdf](http://www.nyc.gov/html/oath/downloads/pdf/health_trib_stats/Health.pdf)
- Taxi & Limousine Tribunal data:  
[http://www.nyc.gov/html/oath/downloads/pdf/tlc\\_trib\\_stats/Taxi.pdf](http://www.nyc.gov/html/oath/downloads/pdf/tlc_trib_stats/Taxi.pdf)
- Environmental Control Board data:  
[http://www.nyc.gov/html/oath/downloads/pdf/ecb\\_trib\\_stats/ECB.pdf](http://www.nyc.gov/html/oath/downloads/pdf/ecb_trib_stats/ECB.pdf)

For more information on the agency, please visit: [www.nyc.gov/oath](http://www.nyc.gov/oath).

