

OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Fidel F. del Valle, Commissioner/Chief Administrative Law Judge



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.

FOCUS ON EQUITY

OATH ensures equitable delivery of services to all New Yorkers by making fair, impartial hearings as accessible and as convenient as possible. In Fiscal 2014, OATH made it easier for New Yorkers to contest violations by expanding the number and types of cases that could be adjudicated online, by phone or by mail to include all cases filed at the Health Tribunal and nearly 700 different types of cases that are filed at ECB. OATH also made it more convenient for outer-borough restaurant and business owners to appear in-person by completing the expansion of the Health Tribunal to all five boroughs. To assist anyone who receives a summons or ticket, OATH launched a multi-lingual, interactive telephone system that provides callers with case-specific information and detailed instructions that will help them navigate the hearing process. All information is available 24 hours a day, seven days a week and in eight different languages by calling 1-844-OATH-NYC.

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 and Limousine Tribunal.

HOW WE PERFORMED

- The number of cases filed with the OATH Tribunal increased by 18 percent to 989 in the first four months of Fiscal 2015, compared to 839 a year earlier. The average time to issue a decision after the records closed decreased to eight business days, 11 days less than the same period last fiscal year, and 97 percent of OATH Tribunal cases had decisions issued within 45 days during the period. The decrease in decision time can be attributed to an increase in the proportion of less complex cases decided by the OATH Tribunal during the period.
- During the first four months of Fiscal 2015, the Environmental Control Board continued to provide prompt hearings, improving its average time from hearing assignment to decision to six days, one day less than in the same period last year and well below the annual target. During this period, the number of Notices of Violation received by ECB increased by 17 percent; ECB conducted five percent fewer hearings than in the first four months of Fiscal 2014.
- During the first four months of Fiscal Year 2015, the overall number of dockets received by the OATH Health Tribunal from the Department of Health and Mental Hygiene decreased by seven percent. The number of OATH Health Tribunal hearings conducted decreased by 12 percent and the number of decisions it rendered decreased 14 percent from the same period of Fiscal 2014, reflecting a 13 percent decrease in the number of restaurant-related hearings during the period, which constitute over 85 percent of the hearings at the OATH Health Tribunal.
- Although the OATH Taxi & Limousine Tribunal received 27 percent fewer summonses from enforcement agencies in the first four months of Fiscal 2015 than in the corresponding period of the previous year, the number of hearings it conducted increased by 19 percent. The number of decisions rendered by this tribunal increased by 18 percent from the first four months of Fiscal 2014, as it continued to utilize the electronic case management system and new practice rules implemented over the last two years.
- The Appeals Unit at ECB reduced its four-month average turnaround time for appeal decisions - the time from when an appeal is received to when a decision is rendered - by 14 percent in the first four months of Fiscal 2015 (from 84 days to 72 days), and the number of appeal decisions it issued decreased by three percent from the comparable period of the previous year. For the OATH Health Tribunal Appeals Unit, the four-month average turnaround time for appeals cases was 42 days, up slightly from 40 days in the first four months of Fiscal 2014, and the number of appeals cases the Health Tribunal received increased by three percent from the first four months of Fiscal 2014. At the OATH Taxi & Limousine Tribunal, the four-month average turnaround time for Appeals cases over the first four months of Fiscal 2015 was again below 35 days.

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	
	FY12	FY13	FY14	FY15	FY16	FY14	FY15
★ Average time for the OATH Tribunal to issue decisions after records closed (business days)	13.4	13.9	15.2	25.0	25.0	18.9	7.7
OATH Tribunal cases with decisions issued within 45 business days (%)	98%	98%	94%	*	*	88%	97%
OATH Tribunal facts and conclusions adopted by agencies (%)	98%	99%	98%	96%	96%	98%	97%
★ Average adjournment time at the OATH Tribunal (business days)	14.8	16.6	15.7	20.0	20.0	12.9	16.2
OATH Tribunal settlement rate (%)	59%	59%	55%	55%	55%	58%	59%
Cases filed at the OATH Tribunal (total)	2,027	2,358	2,665	*	*	839	989
Cases closed at the OATH Tribunal (total)	2,001	2,326	2,425	*	*	752	847
Cases processed per ALJ (total)	179.3	183.0	187.0	*	*	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	
	FY12	FY13	FY14	FY15	FY16	FY14	FY15
Notices of Violation (NOV) received by ECB Tribunal	563,477	464,666	566,566	*	*	192,357	225,887
ECB Tribunal hearings conducted	255,718	208,922	195,284	*	*	66,901	63,385
★Average time from ECB Tribunal hearing assignment to decision (days)	8	5	6	20	20	7	6
ECB Tribunal cases with decisions issued within 45 business days of hearing assignment (%)	NA	99.7%	99.9%	*	*	100.0%	99.9%
★ECB Tribunal decisions rendered	172,409	141,371	142,390	*	*	52,677	50,367
Dockets received by the OATH Health Tribunal	NA	41,772	40,255	*	*	14,132	13,074
OATH Health Tribunal hearings conducted	NA	36,187	37,932	*	*	13,593	12,015
★OATH Health Tribunal decisions rendered	NA	23,787	26,043	*	*	9,515	8,157
Summonses received by the OATH Taxi Tribunal	NA	NA	97,392	*	*	41,929	30,743
OATH Taxi Tribunal hearings conducted	NA	NA	59,929	*	*	20,846	24,889
★OATH Taxi Tribunal decisions rendered	NA	NA	50,264	*	*	17,718	20,847

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

AGENCY CUSTOMER SERVICE

Performance Indicators	Actual			Target		4-Month Actual	
	FY12	FY13	FY14	FY15	FY16	FY14	FY15
Customer Experience							
Completed customer requests for interpretation	7,423	8,734	9,240	*	*	3,345	3,509
Letters responded to in 14 days (%)	98%	99.7%	100%	*	*	100%	100%
E-mails responded to in 14 days (%)	NA	100%	100%	*	*	100%	100%
CORE facility rating	87	90	97	*	*	NA	NA

AGENCY RESOURCES

Resource Statistics	Actual			Sept. 2014 MMR Plan	Updated Plan	Plan	4-Month Actual	
	FY12	FY13	FY14	FY15	FY15 ¹	FY16 ¹	FY14	FY15
Expenditures (\$000,000) ²	\$30.5	\$30.7	\$31.3	\$35.5	\$36.5	\$37.8	\$10.9	\$11.0
Revenues (\$000,000)	\$159.8	\$135.7	\$137.3	\$126.7	\$127.0	\$126.8	\$46.0	\$50.7
Personnel	372	368	358	458	458	460	362	352
Overtime paid (\$000)	\$0	\$39	\$101	\$40	\$40	\$40	\$9	\$16

¹February 2015 Financial Plan ²Expenditures include all funds. "NA" - Not Available in this report

NOTEWORTHY CHANGES, ADDITIONS OR DELETIONS

None.

ADDITIONAL RESOURCES

For additional information, go to:

- Hearing data:
http://www.nyc.gov/html/oath/downloads/pdf/oath_stats/OATH.pdf
- Health Tribunal data:
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
- Environmental Control Board data:
http://www.nyc.gov/html/ecb/downloads/pdf/ecb_trib_stats/ECB.pdf

For more information on the agency, please visit: www.nyc.gov/oath.