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INGRID ADDISON APPOINTED ADMINISTRATIVE LAW JUDGE



Ingrid Addison

Chief Judge Roberto Velez appointed Ingrid Addison to a five-year term as an OATH Administrative Law Judge on November 5, 2007. Judge Addison was most recently Deputy Director and senior attorney with the Padlock & Sign Enforcement Unit of the Department of Buildings, where she worked for five years.

She previously has served as a court attorney with a New York City Civil Court judge for approximately one year and also worked in private practice. She earned a Bachelor of Science degree with Honors in Public Administration and Law from the University of the West Indies in 1986 and a Masters of Business Administration in Financial Management from Pace University in 1988.

After working as the Assistant Director of a federally-funded, not-for-profit organization in Brooklyn for approximately five years, she enrolled at the City University School of Law at Queens College from which she obtained her Juris Doctor in 1998.

CDRB Panel Fees Increased

The rates for Contract Dispute Resolution Board (CDRB) panelists have been increased, effective October 2007. The new rates are \$500 for the preliminary review and attendance at the oral argument and \$125 per hour for additional work. The prior rates had been in effect for more than ten years.

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CDRB panels hear the final appeal in a three-step dispute resolution process contained in City contracts for construction, goods and services. Each CDRB panel consists of an OATH ALJ, as chair, a representative of the Mayor's Office of Contract Services, and a third member selected from a pre-qualified roster who has appropriate expertise and is unaffiliated with the City.

Those interested in being added to the roster of pre-qualified individuals are encouraged to apply. Applicants should have a background and experience in government contracting, construction, engineering or the law. Interested persons should submit a completed [application form](#) and resume to Cherron Howard-Williams, the CDRB administrator: choward@oath.nyc.gov.

Last Month's OATH Decisions

Regulatory

Architect loses self-certification privileges

The Department of Buildings sought to revoke an expeditor's registration and an engineer's self-certification privileges for submitting altered photographs relating to two pavement plans and an alteration application that falsely represented a particular structure.

ALJ Miller found that petitioner failed to establish that the expeditor knowingly or negligently submitted the falsified photographs. The proof did establish, however, that the engineer negligently submitted doctored photographs, and false Plan/Work Reports and Site Plan. The ALJ recommended charges against the expeditor dismissed, and that the engineer's self-certification privileges be rescinded. *Dep't of Buildings v. Fekete*, OATH Index Nos. 1118-19/07 (Oct. 26, 2007).

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Vehicle Retention

Public safety risk based on high blood alcohol results

Chief ALJ Roberto Velez found that an excessively high blood-alcohol level constitutes an aggravating factor when assessing whether returning the vehicle to respondent would pose a heightened risk to public safety.

Respondent's blood alcohol level was tested at .173%, which is more than twice the legal limit of .08%. The ALJ found that such a high level demonstrated a severe degree of recklessness indicating a heightened risk to public safety. The Department was allowed to retain the vehicle pending the outcome of the civil forfeiture proceeding. *Police Dep't v. Figueroa*, OATH Index No.

391/08 (Oct. 2, 2007).

Personnel

Shelter supervisor should be suspended for insubordination.

ALJ Joan Salzman recommended a 30-day suspension for a supervisor of a domestic violence shelter who was AWOL, improperly criticized fellow staff members in the shelter's log book, and threatened and/or intimidated his supervisor.

The AWOL charge concerned the supervisor's absence on a legal holiday, July 4th. Because the shelter never closes, staff is expected to work if their regular shift falls on a legal holiday, unless a written request to be excused is approved. ALJ Salzman did not credit respondent's testimony that he orally requested the time off, in the face of more credible testimony to the contrary by petitioner's witnesses.

The ALJ also found respondent insubordinate for continuing to enter complaints about other staff in the official log after being instructed not to do so. In light of on-going conflicts between staff members, the ALJ suggested that mediation might alleviate some of the workplace conflict. *Human Resources Admin. v. Uddin*, OATH Index No. 1286/07 (Oct. 3, 2007).

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Licensing

For hire vehicle license revoked for insurance fraud conviction

ALJ Lewis recommended license revocation for a driver of for-hire vehicles. The ALJ found that the driver lacked the good moral character required of a licensee in view of his guilty plea to a misdemeanor charge of insurance fraud.

The driver's claim that he did not know he was committing fraud when he filed a false accident report was not believable. He also showed a lack of contrition by failing to make restitution for the almost \$14,000 paid out by the insurer for physical therapy sessions. *Taxi & Limousine Comm'n v. Carpio*, OATH Index No. 395/08 (Sept. 20, 2007).

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