



Instructions and Frequently Asked Questions Settling a Food Establishment Violation

What does it mean to settle my case? By settling, you admit all the violations in the summons and pay a fine lower than the minimum recommended fine for those violations.

Why should I settle? By settling and paying the Settlement Amount in full before the hearing date, you do not have to appear for a hearing and you avoid the possibility of having to pay a higher fine after the hearing officer hears all the evidence in the case.

Who is eligible for settlement? Settlement offers are currently being made to respondents issued summonses at food service establishments.

When can I settle? The OATH Hearings Division ("Tribunal") must receive your Acceptance of Settlement (by mail, in person, or online), including payment of the Settlement Amount in full, before your scheduled hearing. If the Acceptance of Settlement and payment are not received before the hearing date, you or a representative will be required to show up for the hearing.

When is payment due? Payment of the full Settlement Amount is due at the time you submit your Acceptance of Settlement. The case is not considered settled until you pay the Settlement Amount in full.

If I settle, do I still have to see a hearing officer for a hearing? No. When you settle and pay the full Settlement Amount before the hearing date and time, you admit the violations cited in the summons and you do not have to show up for a hearing.

Can I request a hearing or appeal after I settle? No. You cannot request a hearing or appeal after accepting a settlement. By settling, you give up your right to a hearing before a hearing officer and your right to appeal.

How can I accept the settlement offer? You may accept the Settlement Offer by paying the full Settlement Amount by mail, in person at the OATH Hearings Division, or online at NYC Business Express (www.nyc.gov/business):

1. **Online:** You may accept the Offer of Settlement (and make a payment using a credit or debit card) online by going to www.nyc.gov/business and selecting Violations from the menu.
2. **By Mail:** Your Acceptance of Settlement and payment of the full Settlement Amount must be received by the Tribunal before your scheduled hearing. Send a copy of the completed top portion of your Acceptance of Settlement form, along with a check or money order for the full Settlement Amount payable to "NYC Department of Finance" to:

OATH Hearings Division
Church Street Station
P.O. Box 4466
New York, NY 10261-4466
3. **In Person:** Complete the top portion of the Acceptance of Settlement form. Bring it with your payment to the OATH Hearings Division before your scheduled hearing and inform the reception desk that you wish to pay the Settlement Amount. You may pay by check, money order, or credit or debit card. The date of your hearing and the address of OATH is on your summons.