

ADJUDICATORY REPORTS

Office of Temporary and Disability Assistance

Office of Administrative Hearings

Pursuant to Executive Order No. 131 issued by Governor Mario Cuomo on December 4, 1989, and reconfirmed by Executive Order No. 2 issued by Governor Andrew M. Cuomo on January 1, 2011, each agency is required to publish a report that sets forth the steps taken by the agency to comply with the Order. The report published on January 30, 1991, detailed the steps taken to comply with the Order.

The Order (Section V) requires that the report include “statistics on Article 78 proceedings brought against the agency, including the outcome of such proceedings and the reasons for any reversal or modification of an agency determination.” The following statistics on Article 78 proceedings are from the period commencing December 1, 2012, through November 30, 2014.

Cases opened: 104

Cases closed: 76

The closed cases resulted in the following outcomes:

Stipulation of settlement: 25

Decisions favorable to the Office: 33

Withdrawn or abandoned by the petitioner: 8

Decisions adverse to the Office: 10

Reasons for adverse decisions:

Mistake of law as applied to facts: 8

Record deficient: 2

