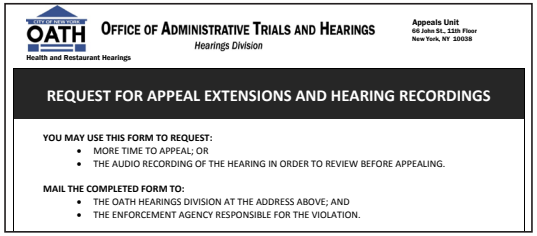
如何申請聽證會錄音

如果您想要在填寫您的上訴表之前聽取您的聽證會錄音，請至 OATH 網站取得名為「申請上訴延期及/或聽證會錄音」的表格。您必須使用此表格申請聽證會錄音副本。



OATH Health and Restaurant Hearings

OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

Appeals Unit
66 John St., 11th Floor
New York, NY 10038

REQUEST FOR APPEAL EXTENSIONS AND HEARING RECORDINGS

YOU MAY USE THIS FORM TO REQUEST:
- MORE TIME TO APPEAL; OR
- THE AUDIO RECORDING OF THE HEARING IN ORDER TO REVIEW BEFORE APPEALING.

MAIL THE COMPLETED FORM TO:
- THE OATH HEARINGS DIVISION AT THE ADDRESS ABOVE; AND
- THE ENFORCEMENT AGENCY RESPONSIBLE FOR THE VIOLATION.

(申請表的頂部)

- 如果您的申請獲准，您可得到在收到聽證會錄音之後的額外三十天，以提出上訴。
- 如果您被要求在您可以提出上訴之前支付罰款，要求展延並**無法**讓您延期支付罰款。

額外資訊

負責簽發傳票的機構可能會對您的上訴提出異議。如果該機構這麼做，它會將提交給上訴部門的任何東西傳送給您。您可以對於該機構的上訴提出回應。您可以造訪 OATH 的網站查看更多有關提出回應的資訊。

一旦上訴被判決，上訴部門會立刻寄給雙方上訴判決。

在哪裡能獲得線上協助？

您可造訪以下網站取得聽證會部門相關資訊及上訴部門表格，網址為 www.nyc.gov/oath

CITY OF NEW YORK
OATH
OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

CITY OF NEW YORK
OATH
OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

上訴部門

該不該提出上訴？

判決是否：

- **不符合事實？**
- **忽略了在聽證會中呈現的某些事情？**
- **誤解了法律含義？**

若是有以上狀況，您有權提出上訴。

上訴並非新的聽證會。

只是不滿繳交罰款並不是上訴的正當理由。

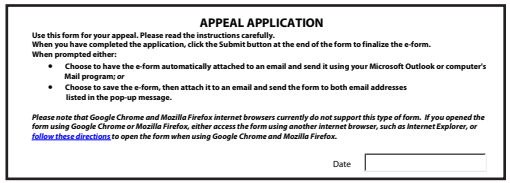
提出上訴的方法

網路上訴

對聽證會部門的判決提出上訴最簡單的方法就是透過網路。

如果您不是透過網路而是通過郵件來提出上訴的話，您必須完成額外的步驟才能提出上訴。

您必須在判決日後的三十天內提交您的網路上訴 (若判決是透過郵寄給您的，期限則為三十五天)。



APPEAL APPLICATION

Use this form for your appeal. Please read the instructions carefully.
When you have completed the application, click the Submit button at the end of the form to finalize the e-form.
When prompted either:

- **Choose to have the e-form automatically attached to an email and send it using your Microsoft Outlook or computer's Mail program; or**
- **Choose to save the e-form, then attach it to an email and send the form to both email addresses listed in the pop-up message.**

Please note that Google Chrome and Mozilla Firefox internet browsers currently do not support this type of form. If you opened the form using Google Chrome or Mozilla Firefox, either access the form using another internet browser, such as Internet Explorer, or follow these directions to open the form when using Google Chrome and Mozilla Firefox.

Date

www.nyc.gov/oath

若您想要在線上提出上訴並以電子郵件提交申請書，請瀏覽 OATH 網站聽證會部門的部分，網址為 www.nyc.gov/oath

郵寄上訴

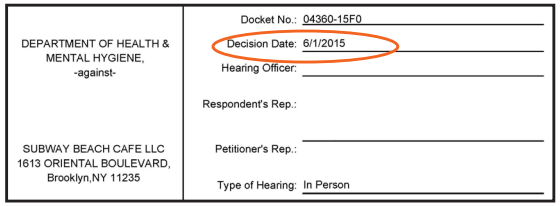
請您務必使用聽證會部門上訴申請表。

該表格可在 OATH 網站和 OATH 聽證會中心取得。

提出上訴的必要步驟

步驟 1：截止日期

聽證會部門必須在您拿到判決後的三十天內收到您的上訴申請。若判決是透過郵寄給您的，期限則為三十五天。



DEPARTMENT OF HEALTH & MENTAL HYGIENE, -against-	Docket No.: 04360-15F0
	Decision Date: 6/1/2015
	Hearing Officer:
	Respondent's Rep.:
SUBWAY BEACH CAFE LLC 1613 ORIENTAL BOULEVARD, Brooklyn,NY 11235	Petitioner's Rep.:
	Type of Hearing: In Person

(聽證會部門判決的頂部)

步驟 2：付款

在大多數情況下，您將被要求在上訴前支付罰款。在等待您的案子上訴判決的期間，如果您能夠證明您有支付罰款的經濟困難，則 OATH 會提供付款規定的豁免權給您。關於付款及經濟困難豁免權的更多資訊，請見 OATH 上訴申請表的說明。

OATH — OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS, Hearings Division

Appeals Unit
66 John St., 10th Floor
New York, NY 10038

APPEAL APPLICATION

This form MUST be used to appeal. Please read the instructions carefully. Mail the completed form and any supporting documents to the address above. Please attach a copy of the hearing decision.

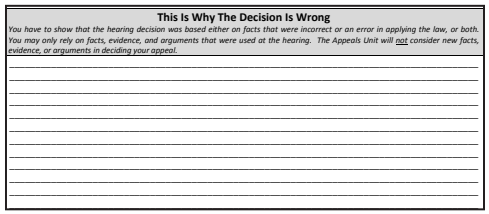
Information About the Summons(es)/Notice(s) and the Person Completing This Form

If a representative is listed, the Hearings Division will mail the decision on the appeal to the representative at the representative's address. If a representative is not listed, the Hearings Division will mail the decision to the address listed below.

上訴申請表的頂部

步驟 3：說明

請於上訴申請表的前面說明判決錯誤的原因。



This Is Why The Decision Is Wrong

You have to show that the hearing decision was based either on facts that were incorrect or an error in applying the law, or both. You may only rely on facts, evidence, and arguments that were used at the hearing. The Appeals Unit will not consider new facts, evidence, or arguments in deciding your appeal.

(上訴申請表的第一頁)

步驟 4：服務與提出申請

網路上訴

1. 在填寫完申請表後，請您點按位於表格末端的正確按鍵來完成電子表格。
2. 請在系統提示的選項中擇一：
   - 請您將電子表格自動附加在電子郵件裡，並使用您的 Microsoft Outlook 或電腦的郵件程式寄出；或者
   - 儲存電子表格，然後將其附加在電子郵件裡並寄給列在提示訊息中的兩個電郵地址。

郵寄上訴

1. 將您完成的上訴副本寄給負責處裡違規案件的機構。上訴副本讓該機構有機會回覆。您可以在上訴申請表的背面找到該機構的地址。
2. 寄給聽證會部門關於您也有將上訴副本寄給負責處裡違規案件機構的證明。請您透過勾選上訴申請表第二頁的方框和填寫認證聲明來做到這一點。