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Via Email: Dkass@health.nyc.gov

Mr. Daniel Kass
Deputy Commissioner
NYC Department of Health and Mental Hygiene
Division of Environmental Health
125 Worth Street
New York, N.Y. 10013
CN# 32

RE: Expansion of DOHMH Cases to be Adjudicated by Mail, Internet or Telephone

Dear Commissioner Kass:

On March 9, 2011, Julio Rodriguez, the Director of Tribunal Affairs of the New York City Environmental Control Board ("ECB") and Associate Commissioner Elliott S. Marcus, on behalf of the New York City Department of Health and Mental Hygiene ("DOHMH"), met to discuss the adjudication of DOHMH cases returnable to ECB by alternatives to live hearings (the "Meeting"). Also present at the Meeting were DOHMH counsel Martha Robinson and Executive Director James Middleton, and ECB Directors Amy Slifka and Helaine Balsam.

48 RCNY 3-34 authorizes ECB to designate certain classes of alleged violations for adjudication by mail ("Mail Adjudication") and to prescribe procedures for such adjudications. ECB has prescribed procedures for Mail adjudication that includes hearings by mail, One-Click hearings (internet), and hearings by telephone.

I am writing to confirm DOHMH's consent to Mail Adjudication of all DOHMH notices of violation returnable at ECB, which adjudication shall include, but not be limited to, hearings by mail, internet or telephone.

Please countersign below and return a copy of this letter to me, so that we both have a formal record of our agencies' agreement.

Thank you and your staff for your assistance and support of ECB's effort to expand the public's access to justice.

Very truly yours,


Meredith Feinman

Agreed: 

NYC Department of Health and Mental Hygiene