



DEPARTMENT OF CONSUMER AFFAIRS

Jonathan Mintz, Commissioner

Key Public Service Areas

- ✓ Educate, empower and protect consumers.
- ✓ Facilitate fair business practices.
- ✓ Ensure efficient, accountable, and customer-friendly services.

Scope of Agency Operations

The Department of Consumer Affairs (DCA) ensures that New York City's consumers and businesses benefit from a fair and vibrant marketplace. DCA issues more than 73,000 licenses in 55 business categories and performs onsite inspections to ensure compliance with license regulations, weights and measures regulations, and the New York City Consumer Protection Law. DCA mediates and resolves individual consumer complaints, obtains restitution for consumers, and brings litigation and enforcement actions against repeat violators to halt deceptive advertising and trade practices. Through press releases and press conferences, public awareness campaigns, community outreach, public hearings, the 311 Customer Service Center, its website, and publications, DCA educates the public and businesses about their rights and responsibilities.

Additionally, through the Office of Financial Empowerment (OFE), a program of the Center for Economic Opportunity, DCA conducts financial education, develops fair financial products, and protects low-income consumers from predatory and deceptive lending practices. OFE conducts research to better understand the financial needs and available services for people with low incomes; maintains a network of financial education providers; offers a searchable directory of financial education services on its website; and coordinates large-scale public awareness campaigns to help New Yorkers access benefits such as the Earned Income Tax Credit.

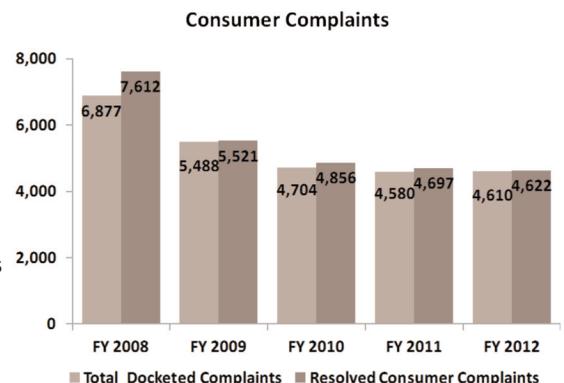
Critical Objectives

- Expedite the resolution of consumer complaints.
- Ensure compliance with tobacco regulations to minimize sales to minors.
- Enforce compliance with license laws, consumer protection laws, and weights and measures laws.
- Minimize licensing center wait time while maximizing customer service.

Performance Report

✓ Educate, empower and protect consumers.

- The Department continued to successfully mediate consumer complaints against businesses. For the first time, all complaints were processed within 50 days, while complaints resolved to the satisfaction of the business and the consumer remained



steady at 55 percent. Of the \$5.5 million in restitution awarded in Fiscal 2012, \$2.8 million was secured through mediation.

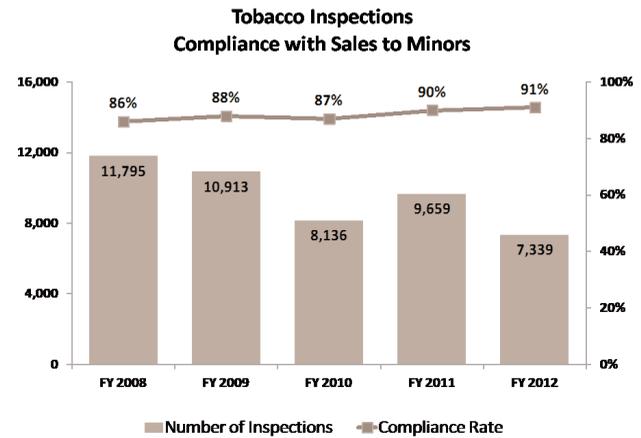
- DCA collected \$8.7 million in settlements, up from \$7.3 million in Fiscal 2011. Large cases against targeted industries are partially responsible for this increase, including a \$583,000 settlement with a debt collection agency during the fall of 2011. In addition, DCA performed more consumer protection inspections than in Fiscal 2011. These inspections included sweeps of problem industries, including funeral homes and gold buyers, as well as annual sweeps for illegally operating home improvement contractors and tax preparers. In Fiscal 2012 more than 3,000 businesses settled their violations online, a 56 percent increase from the previous year, as DCA continues to make it easier to conduct business with the City by expanding its online settlement options.

Performance Statistics	Actual					Target		5-Yr. Trend
	FY08	FY09	FY10	FY11	FY12	FY12	FY13	
Complaint processing time - Within 0-20 days (%)	26%	44%	48%	64%	60%	40%	40%	Upward
- Within 21-50 days (%)	42%	51%	46%	32%	40%	50%	50%	Downward
- Within 51-90 days (%)	21%	5%	4%	3%	0%	5%	5%	Downward
★ Median complaint processing time (days)	35	23	21	15	17	*	*	Downward
★ Complaints resolved to the satisfaction of the business and consumer (%)	57%	53%	55%	56%	55%	55%	55%	Neutral
★ Total docketed complaints	6,877	5,488	4,704	4,580	4,610	*	*	Downward
- Home improvement contractor	957	715	585	592	610	*	*	Downward
- Debt collection agency	NA	831	646	627	652	*	*	NA
Restitution awarded (\$000)	\$8,367	\$9,858	\$11,728	\$5,424	\$5,486	\$4,500	\$4,500	Downward
Total settlements (\$000)	\$5,266	\$4,192	\$4,625	\$7,336	\$8,707	*	*	Upward

★ Critical Indicator "NA" - means Not Available in this report

✓ **Facilitate fair business practices.**

- Compliance on inspections to monitor whether businesses were illegally selling tobacco to minors remained high at 91 percent, even as State funding for this program declined and the number of inspections with minors dropped to 7,339. Late in Fiscal 2012 DCA began using GIS technology to better monitor and prioritize undercover tobacco inspections. This technology will help the Department maximize its resources to prevent the sale of tobacco to minors, even as funding remains tight.



Performance Statistics	Actual					Target		5-Yr. Trend
	FY08	FY09	FY10	FY11	FY12	FY12	FY13	
★ Licensing Law compliance rate (%)	88%	89%	90%	92%	90%	87%	87%	Neutral
★ Consumer Protection Law refund and receipt compliance rate (%)	90%	94%	93%	91%	91%	90%	90%	Neutral
Weights & Measures Law compliance rate - Gasoline pumps (%)	98%	98%	97%	96%	95%	98%	98%	Neutral
- Fuel trucks (%)	73%	80%	82%	70%	73%	80%	80%	Neutral
★ Inspected stores complying with tobacco regulations (%)	86%	88%	87%	90%	91%	86%	86%	Neutral
★ Compliance on a follow-up inspection after a previous tobacco violation (%)	89%	89%	88%	86%	88%	85%	85%	Neutral
Current number of licensed home improvement contractors	11,095	12,620	12,626	13,958	12,725	*	*	Upward

★ Critical Indicator "NA" - means Not Available in this report

✓ **Ensure efficient, accountable, and customer-friendly services**

- Customers waited 13 minutes on average to be served by Licensing Center window staff, two minutes less than the fiscal year target of 15 minutes. Applications for basic licenses were processed in an average of 5 days compared to 3 days a year ago. The increase reflects normal fluctuations in the licensing renewal cycle, which peaks during even fiscal years.

Performance Statistics	Actual					Target		5-Yr. Trend
	FY08	FY09	FY10	FY11	FY12	FY12	FY13	
★ <i>Licensing center wait time (minutes)</i>	13	18	14	11	13	15	15	Downward
★ <i>Basic license application - Average processing time (days)</i>	5	3	4	3	5	*	*	Neutral
★ <i>Number of fines collected within 45 days of assessment (%)</i>	77%	80%	82%	84%	82%	75%	75%	Neutral
<i>Current number of legally operating sidewalk cafes</i>	871	956	1,126	1,163	1,169	*	*	Upward
★ Critical Indicator "NA" - means Not Available in this report								

Agency Customer Service

Performance Statistics	Actual					Target		5-Yr. Trend
	FY08	FY09	FY10	FY11	FY12	FY12	FY13	
Customer Experience								
Percent of e-mails responded to in 14 days	NA	NA	83	93	93	NA	87	NA
Average customer in-person wait time (minutes)	NA	NA	14	12	14	NA	17	NA
Completed customer requests for interpretation	NA	NA	1,622	1,697	2,022	NA	NA	NA
CORE customer experience rating (0-100)	NA	NA	88	83	83	NA	83	NA
Response to 311 Service Requests (SRs)								
Percent meeting time to (first) action – Consumer Complaint - Exchange/Refund/Return (4 days)	100	99	99	100	100	NA	98	Neutral
Percent meeting time to (first) action – Consumer Complaint - False Advertising (4 days)	100	98	99	99	99	NA	98	Neutral
Percent meeting time to (first) action – Consumer Complaint - Non-Delivery Goods/Services (4 days)	99	99	99	100	99	NA	98	Neutral
Percent meeting time to (first) action – Consumer Complaint - Overcharge (4 days)	100	95	99	99	98	NA	98	Neutral
Percent meeting time to (first) action – DCA / DOH New License Application Request - General Street Vendor License (7 days)	100	97	51	100	100	NA	98	Neutral

Agency Resources

Resource Statistics	Actual					Plan ¹		5-Yr. Trend
	FY08	FY09	FY10	FY11	FY12	FY12	FY13	
Expenditures (\$ millions) ²	\$20.5	\$21.5	\$22.3	\$21.8	\$28.2	\$28.3	\$25.6	Upward
Revenues (\$ millions)	\$26.3	\$25.5	\$27.4	\$29.8	\$36.4	\$26.3	\$27.5	Upward
Personnel	304	286	288	286	327	370	331	Neutral
Overtime paid (\$ millions)	\$1.1	\$0.9	\$0.7	\$0.4	\$0.1	\$0.1	\$0.1	Downward
¹ Authorized Budget Level "NA" - Not Available in this report								
² Expenditures include all funds.								

Noteworthy Changes, Additions or Deletions

- Beginning with the Fiscal 2013 Preliminary Mayor’s Management Report, the MMR will be restructured to focus on the goals that the agency intends to achieve during the fiscal year. Each goal will be accompanied by a performance measure or measures that will quantify the agency’s progress toward achieving that goal. For Fiscal 2013 DCA’s services and goals are:

Service 1: Protect consumers in the marketplace.

Goal 1a: Mediate consumer complaints with businesses to achieve fair outcomes.

Goal 1b: Ensure all businesses comply with NYC’s Consumer Protection Law and related laws.

Goal 1c: Adjudicate violations in a timely manner and ensure compliance with penalties.

Service 2: Help businesses do right by their consumers.

Goal 2a: Ensure that business licensing is easy.

Goal 2b: Ensure that businesses understand their responsibilities toward consumers.

Service 3: Educate and empower low-income New Yorkers.

Goal 3a: Help low-income residents achieve financial stability.

Goal 3b: Connect all eligible New Yorkers to available tax credits.

- Also beginning in Fiscal 2013, performance targets were added for select customer service indicators. For DCA, performance targets were added to eight such indicators.

For more information please visit the website at: www.nyc.gov/dca