



DEPARTMENT OF CONSUMER AFFAIRS

Jonathan Mintz, Commissioner

What We Do

The Department of Consumer Affairs (DCA) empowers consumers and businesses to ensure a fair and vibrant marketplace. DCA enforces the Consumer Protection Law and other related business laws throughout New York City. The agency licenses and regulates more than 78,000 businesses in 55 different industries. Through targeted outreach, partnerships with community and trade associations and informational materials, DCA educates consumers and businesses alike about their rights and responsibilities. DCA performs onsite inspections of businesses to ensure compliance with license regulations, weights and measures regulations, and provisions of the New York City Consumer Protection Law. The agency also mediates consumer complaints against businesses.

The Office of Financial Empowerment (OFE) educates, empowers and protects New Yorkers with low incomes so that they can build assets and make the most of their financial resources. DCA provides free, one-on-one financial counseling through its network of more than 20 Financial Empowerment Centers, improves access to income-boosting tax credits, connects individuals to safe and affordable banking and asset-building products and services, and enforces and improves consumer protections to enhance financial stability.

Our Services and Goals

Service 1: Protect consumers in the marketplace.

- Goal 1a: Mediate consumer complaints with businesses to achieve fair and timely 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 customers.

- Goal 2a: Ensure that business licensing is easy.
- Goal 2b: Ensure that businesses understand their responsibilities toward consumers.

Service 3: Educate and empower New Yorkers with low incomes.

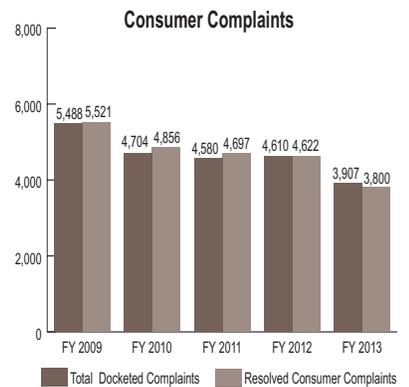
- Goal 3a: Help residents with low incomes achieve financial stability.

How We Performed in Fiscal 2013

Service 1: Protect consumers in the marketplace.

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

DCA's efforts to mediate consumer complaints were impacted by massive phone line disruptions in the aftermath of Hurricane Sandy that were not fully resolved until January 2013. Despite these disruptions, the Department processed all consumer complaints within 50 days and half of consumer complaints within 20 days, beating fiscal year targets.



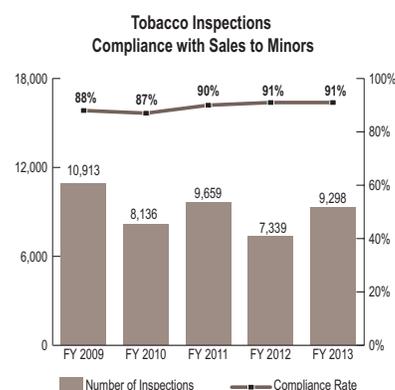
Performance Indicators	Actual					Target		Desired Direction	5yr Trend
	FY09	FY10	FY11	FY12	FY13	FY13	FY14		
Total docketed complaints	5,488	4,704	4,580	4,610	3,907	*	*	Neutral	Down
Resolved consumer complaints	5,521	4,856	4,697	4,622	3,800	*	*	Neutral	Down
Complaints processed - Within 0-20 days (%)	44%	48%	64%	60%	50%	40%	40%	Up	Up
- Within 21-50 days (%)	51%	46%	32%	40%	50%	50%	50%	Down	Neutral
- Within 51-90 days (%)	5%	4%	3%	0%	0%	5%	5%	Down	Down
★ Median complaint processing time (days)	23	21	15	17	21	*	22	Down	Down
★ Mediated complaints resolved to the satisfaction of the business and consumer (%)	53%	55%	56%	55%	53%	55%	55%	Up	Neutral
Restitution awarded (\$000)	\$9,858	\$11,728	\$5,424	\$5,486	\$7,223	\$4,500	\$4,500	Neutral	Down

★ Critical Indicator "NA" - means Not Available in this report ↕ ↗ shows desired direction

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

Compliance with NYC's Consumer Protection Law and related laws remains high. In Fiscal 2013 DCA found that businesses were in compliance with the City's laws regarding refunds and receipts on 94 percent of inspections, remaining well above DCA's target of 90 percent. Similarly, DCA's enforcement and outreach efforts helped ensure that businesses met or exceeded compliance targets on fuel truck meter accuracy, licensing requirements, and laws prohibiting the sale of tobacco to minors.

During the year the Department expanded its use of GIS technology to better monitor and prioritize undercover tobacco inspections. As a result, DCA inspected the vast majority of cigarette retailers in virtually every neighborhood in the City, particularly focusing enforcement efforts on businesses that had previously sold cigarettes to minors. For the year, inspections targeting these stores increased by nearly 40 percent, while undercover inspections as a whole increased 27 percent to 9,298.



Performance Indicators	Actual					Target		Desired Direction	5yr Trend
	FY09	FY10	FY11	FY12	FY13	FY13	FY14		
★ Licensing Law compliance rate (%)	89%	90%	92%	90%	90%	87%	90%	Up	Neutral
★ Consumer Protection Law - refund and receipt compliance rate (%)	94%	93%	91%	91%	94%	90%	90%	Up	Neutral
Weights and Measures Law compliance rate - gasoline pumps (%)	98%	97%	96%	95%	97%	98%	98%	Up	Neutral
Weights and Measures Law compliance rate - fuel trucks (%)	80%	82%	70%	73%	80%	80%	80%	Up	Neutral
★ Inspected stores complying with tobacco regulations (%)	88%	87%	90%	91%	91%	86%	86%	Up	Neutral

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

DCA issued 94 percent of its decisions within 30 days of a hearing during Fiscal 2013. While lower than last year, the year-end average reflects a period of disruption following Hurricane Sandy. In Fiscal 2013 more businesses opted to settle their cases before a hearing. As a result, settlements increased six percent to \$9.27 million. DCA successfully ensured compliance with penalties in Fiscal 2013, with businesses paying fines within 45 days of assessment on 84 percent of cases for the second time in the past five fiscal years.

Performance Indicators	Actual					Target		Desired Direction	5yr Trend
	FY09	FY10	FY11	FY12	FY13	FY13	FY14		
★ Decisions issued in 30 days or less (%)	NA	83%	96%	99%	94%	*	90%	Up	NA
Total settlements (\$000)	\$4,192	\$4,625	\$7,336	\$8,707	\$9,270	*	*	Neutral	Up
★ Number of fines collected within 45 days of assessment (%)	80%	82%	84%	82%	84%	75%	80%	Up	Neutral

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Service 2: Help businesses do right by their customers.

Goal 2a: Ensure that business licensing is easy.

Customers waited an average of only 11 minutes to be served by Licensing Center staff and the Department processed basic license applications in only 2 days, a record low. The percent of customers using DCA's online licensing options continued on an upward trend, with 27 percent of new and existing licensees submitting their applications online. Approximately one-third of new licensees used the online services compared to 14 percent three years ago. In Fiscal 2014 DCA will make business licensing even easier when it introduces a new Enterprise Licensing System that will expand online services for businesses. The new system will allow businesses to submit required documents online, monitor the status of applications and adjudications cases, and update business contact information without visiting the Licensing Center.

Performance Indicators	Actual					Target		Desired Direction	5yr Trend
	FY09	FY10	FY11	FY12	FY13	FY13	FY14		
★ Basic license application - Average processing time (days)	3	4	3	5	2	*	5	Down	Down
License applications received online (%)	NA	17%	23%	23%	27%	*	*	Up	NA
★ Licensing Center wait time (minutes)	18	14	11	13	11	15	15	Down	Down

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

During Fiscal 2013 DCA directly educated more than 11,000 businesses through outreach events and its new online live chat service. The Department visited more than 2,000 businesses in 34 communities throughout the five boroughs during its tenth Annual Business Education Day. At this outreach event DCA staff educates businesses about key consumer protection laws and licensing requirements, without issuing violations. Staff from other City agencies, business improvement districts, local community associations, and elected officials join Department staff as they go door-to-door.

In Fiscal 2013 DCA introduced its new live chat option exclusively for businesses to speak directly with DCA staff. The service is available every weekday during business hours and is the City's first-ever such service. Live chat served more than 3,000 individual businesses during the year. DCA also made public online, for the first time, its inspection checklists for 30 different types of businesses, so that businesses know exactly what inspectors check for and how to avoid violations.

Performance Indicators	Actual					Target		Desired Direction	5yr Trend
	FY09	FY10	FY11	FY12	FY13	FY13	FY14		
Businesses educated through direct outreach	NA	NA	NA	NA	11,217	*	*	Up	NA

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Service 3: Educate and empower New Yorkers with low incomes.
Goal 3a: Help residents with low incomes achieve financial stability.

DCA's Financial Empowerment Centers provide free, professional, one-on-one financial counseling to New Yorkers to help them reduce debt, increase savings, improve credit, access safe and affordable banking products, and improve their overall financial stability. The Centers have helped more than 23,000 clients reduce their debts by over \$12 million and increase savings by more than \$2.2 million since the program's inception in 2009. During Fiscal 2013 financial counselors helped 37 percent of clients achieve significant financial outcomes by, for example, reducing their debt loads by at least 10 percent, saving at least two percent of net income, or increasing their credit score by 35 points. In response to Hurricane Sandy, Financial Empowerment staff and DCA partners brought disaster-related financial guidance to thousands of hurricane victims at the Mayor's NYC Restore Centers.

Performance Indicators	Actual					Target		Desired Direction	5yr Trend
	FY09	FY10	FY11	FY12	FY13	FY13	FY14		
Clients achieving measurable success (%)	NA	NA	NA	NA	37.0%	*	*	Up	NA
Total debt reduced by clients (\$000) (cumulative)	NA	NA	NA	\$7,049	\$12,409	*	*	Up	NA
Total savings accumulated (\$) (cumulative)	NA	NA	NA	\$870,297	\$2,217,807	*	*	Up	NA

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Agency Customer Service

DCA saw a decline in the percentage of 311 service requests meeting desired time frames, due largely to delays caused by Hurricane Sandy. Even so, more than 90 percent of requests were responded to within their service level agreement time frames.

Performance Indicators	Actual					Target		5yr Trend
	FY09	FY10	FY11	FY12	FY13	FY13	FY14	
Customer Experience								
E-mails responded to in 14 days (%)	NA	83	93	93	93	87	87	NA
Average customer in-person wait time (minutes)	NA	14	12	14	12	17	17	NA
Completed customer requests for interpretation	NA	1,622	1,697	2,022	1,611	NA	NA	NA
CORE customer experience rating (0-100)	NA	88	83	83	86	83	83	NA
Response to 311 Service Requests (SRs)								
Percent meeting time to (first) action – Consumer Complaint - Exchange/Refund/Return (4 days)	99	99	100	100	97	98	98	Neutral
Percent meeting time to (first) action – Consumer Complaint - False Advertising (4 days)	98	99	99	99	97	98	98	Neutral
Percent meeting time to (first) action – Consumer Complaint - Non-Delivery Goods/Services (4 days)	99	99	100	99	96	98	98	Neutral
Percent meeting time to (first) action – Consumer Complaint - Overcharge (4 days)	95	99	99	98	96	98	98	Neutral
Percent meeting time to (first) action – DCA / DOH New License Application Request - General Street Vendor License (7 days)	97	51	100	100	92	98	98	Up

Agency Resources

Resource Indicators	Actual					Plan ¹		5yr Trend
	FY09	FY10	FY11	FY12	FY13	FY13	FY14	
Expenditures (\$000,000) ²	\$21.5	\$22.3	\$21.8	\$26.3	\$28.8	\$28.9	\$28.0	Up
Revenues (\$000,000)	\$25.5	\$27.4	\$29.8	\$36.4	\$37.2	\$30.3	\$31.6	Up
Personnel	286	288	286	327	331	381	361	Up
Overtime paid (\$000)	\$913	\$676	\$426	\$607	\$159	\$147	\$127	Down

¹Authorized Budget Level

²Expenditures include all funds.

"NA" - Not Available in this report

Noteworthy Changes, Additions or Deletions

- The Department added the following indicators 'Businesses educated through direct outreach,' 'Clients achieving measurable success (%)', 'Total debt reduced by clients (\$000) (cumulative),' and 'Total savings accumulated (\$)' (cumulative).'
- The Department set more ambitious Fiscal 2014 targets for 'Licensing Law compliance rate' and 'Number of fines collected within 45 days of assessment (%)'.

For more information on the agency, please visit: www.nyc.gov/dca.

