



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: July–October

- DCA processed all consumer complaints within 50 days, comparable to last year, while the median complaint processing time rose to 19 days. Complaints resolved to the satisfaction of the business and the consumer held steady at 55 percent.
- DCA continued to provide businesses with timely decisions on hearings. During the first four months of Fiscal 2013, the Department issued 97 percent of its decisions within 30 days of a hearing. In fact, the majority of cases were resolved considerably sooner, with a median time to issue a decision of only 9 days after a hearing. When cases are decided, DCA is able to ensure compliance with most penalties. In the first period of the fiscal year, 86 percent of fines assessed were collected within 45 days, up six percentage points from the same period last year.
- DCA also continued to make licensing easy for businesses, maintaining low application processing times of only 3 days and reducing the amount of time a customer waited in the Licensing Center to an average of only 6 minutes. Concurrent with these efforts, the Department is implementing a new Enterprise Licensing System which will expand online services for businesses. Businesses will be able to monitor the status of applications and adjudicatory cases as well as to upload documents and update contact information, reducing the need to come to the Licensing Center. The system is scheduled to go live in the first quarter of Fiscal 2014.
- DCA's Financial Empowerment Centers began operating with public funds this year. DCA contracted with five community organizations and expanded the previously privately-funded program to more than 20 Centers throughout the five boroughs. Since the inception of the program in 2009, the Centers' financial counselors have helped over 18,500 New Yorkers reduce their debt by more than \$9 million.

Service 1: Protect consumers in the marketplace.

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

Performance Statistics	Actual			Target		4-Month Actual	
	FY10	FY11	FY12	FY13	FY14	FY12	FY13
Total docketed complaints	4,704	4,580	4,610	*	*	1,675	1,418
Resolved consumer complaints	4,856	4,697	4,622	*	*	1,615	1,387
Complaints processed - Within 0-20 days (%)	48%	64%	60%	40%	40%	69%	55%
- Within 21-50 days (%)	46%	32%	40%	50%	50%	31%	45%
- Within 51-90 days (%)	4%	3%	0%	5%	5%	0%	0%
★ Median complaint processing time (days)	21	15	17	*	22	15	19
★ Mediated complaints resolved to the satisfaction of the business and consumer (%)	55%	56%	55%	55%	55%	54%	55%
Restitution awarded (\$000)	\$11,728	\$5,424	\$5,486	\$4,500	\$4,500	\$1,749	\$1,107

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

Performance Statistics	Actual			Target		4-Month Actual	
	FY10	FY11	FY12	FY13	FY14	FY12	FY13
★ Licensing Law compliance rate (%)	90%	92%	90%	87%	87%	88%	91%
★ Consumer Protection Law - refund and receipt compliance rate (%)	93%	91%	91%	90%	90%	91%	93%
Weights and Measures Law compliance rate - gasoline pumps (%)	97%	96%	95%	98%	98%	95%	96%
Weights and Measures Law compliance rate - fuel trucks (%)	82%	70%	73%	80%	80%	72%	84%
★ Inspected stores complying with tobacco regulations (%)	87%	90%	91%	86%	86%	87%	93%

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

Performance Statistics	Actual			Target		4-Month Actual	
	FY10	FY11	FY12	FY13	FY14	FY12	FY13
★ Decisions issued in 30 days or less (%)	83.0%	96.0%	99.0%	*	↑	99.0%	97.0%
Total settlements (\$000)	\$4,625	\$7,336	\$8,707	*	*	\$2,678	\$3,818
★ Number of fines collected within 45 days of assessment (%)	82%	84%	82%	75%	75%	81%	86%

Service 2: Help businesses do right by their customers.

Goal 2a: Ensure that business licensing is easy.

Performance Statistics	Actual			Target		4-Month Actual	
	FY10	FY11	FY12	FY13	FY14	FY12	FY13
★ Basic license application - Average processing time (days)	4	3	5	*	5	3	3
License applications received online (%)	17%	23%	23%	*	*	23%	27%
★ Licensing Center wait time (minutes)	14	11	13	15	15	15	6

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

Performance statistics under development.

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

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

Performance Statistics	Actual			Target		4-Month Actual	
	FY10	FY11	FY12	FY13	FY14	FY12	FY13
Clients served at Financial Empowerment Centers	5,583	5,546	6,620	*	*	NA	2,663

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

Agency Customer Service

Performance Statistics	Actual			Target		4-Month Actual	
	FY10	FY11	FY12	FY13	FY14	FY12	FY13
Customer Experience							
E-mails responded to in 14 days (%)	83%	93%	93%	87%	*	93%	91%
Response to 311 Service Requests (SRs)							
Percent meeting time to (first) action – Consumer Complaint - Exchange/Refund/Return (4 days)	99	100	100	98	*	99	98
Percent meeting time to (first) action – Consumer Complaint - False Advertising (4 days)	99	99	99	98	*	99	97
Percent meeting time to (first) action – Consumer Complaint - Non-Delivery Goods/Services (4 days)	99	100	99	98	*	99	97
Percent meeting time to (first) action – Consumer Complaint - Overcharge (4 days)	99	99	98	98	*	98	98
Percent meeting time to (first) action – DCA / DOH New License Application Request - General Street Vendor License (7 days)	51	100	100	98	*	100	100

Agency Resources

Resource Statistics	Actual			September 2012 MMR	Updated		4-Month Actual	
	FY10	FY11	FY12	FY13	FY13 ¹	FY14 ¹	FY12	FY13
Expenditures (\$000,000) ²	\$22.3	\$21.8	\$26.3	\$28.3	\$28.9	\$26.9	\$9.0	\$9.7
Revenues (\$000,000)	\$27.4	\$29.8	\$36.4	\$26.3	\$30.3	\$31.3	\$10.0	\$10.4
Personnel	288	286	327	370	381	351	304	322
Overtime paid (\$000,000)	\$0.7	\$0.4	\$0.6	\$0.1	\$0.1	\$0.1	\$0.2	\$0.2

¹January 2013 Financial Plan *NA* - Not Available in this report
²Expenditures include all funds. January Plan figures reflect modifications in Federal, State, and other non-City funding since the adoption of the 2013 budget.

Noteworthy Changes, Additions or Deletions

- The Department added the following indicators: ‘Resolved consumer complaints,’ ‘ Decisions issued in 30 days or less,’ ‘License applications received online (%)’ and ‘Clients served at Financial Empowerment Centers.’
- Additionally, DCA removed the following indicators: ‘Current number of licensed home improvement contractors’ and ‘Current number of legally operating sidewalk cafes.’

For additional performance statistics, please visit the website at: www.nyc.gov/mmr.

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

