



## 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 prior years DCA has reported on compliance with the Consumer Protection Law (CPL) for a group of industries, such as clothing and electronics stores, that it routinely inspected for compliance with the CPL's refund and receipt requirements. As of Fiscal 2013, compliance in these industries had reached 94 percent. To ensure that all consumers are afforded the same level of protection, over the past several years DCA has increased the range of business types it routinely checks for these requirements. Data reported in the Preliminary Mayor's Management report now reflects this broader set of businesses and inspections. For the first four months of Fiscal 2014, CPL compliance among this broader group averaged 78 percent, slightly better than during the same period in Fiscal 2013. DCA also added additional business categories to the Licensing Law compliance metric, but the difference in this case was minimal.
- In October 2013 DCA implemented the City's new Enterprise Licensing System (Accela), which will have significant long-term benefits for agency operations and the public. The system expands online functionality for businesses and consumers, while allowing DCA to work more effectively through enhanced process management and data collection. As expected with any systemic organizational transformation, some DCA performance metrics have been adversely affected in the short-term by the preparation for and the initial transition to Accela. In the Licensing Center average customer wait times increased from six minutes to 21 minutes during the first four months of Fiscal 2014, as staff was diverted from their regular assignments to focus on Accela training and as they adjusted to the new system. On the other hand, DCA continued to process basic license applications in an average of only two days, even as application volume more than doubled during a busy renewal cycle. DCA expects customer service levels to normalize as employees become acclimated to the new system.
- During the first four months of Fiscal 2014, 2,773 clients visited the City's financial empowerment centers, up four percent from the same period last year. More than 25,000 New Yorkers have now visited financial empowerment

centers since the program began in 2008. Clients have cumulatively paid down more than \$14.7 million in debt and built more than \$2.4 million in savings. More than half of these clients are single (57 percent), women (64 percent), and have at least one dependent (53 percent).

**Service 1: Protect consumers in the marketplace.**

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

Performance Indicators	Actual			Target		4-Month Actual	
	FY11	FY12	FY13	FY14	FY15	FY13	FY14
Total docketed complaints	4,580	4,610	3,907	*	*	1,418	1,449
Resolved consumer complaints	4,697	4,622	3,800	*	*	1,387	1,458
Complaints processed - Within 0-20 days (%)	64%	60%	50%	40%	40%	55%	47%
- Within 21-50 days (%)	32%	40%	50%	50%	50%	45%	53%
- Within 51-90 days (%)	3%	0%	0%	5%	5%	0%	0%
★ Median complaint processing time (days)	15	17	21	22	22	19	21
★ Mediated complaints resolved to the satisfaction of the business and consumer (%)	56%	55%	53%	55%	55%	55%	52%
Restitution awarded (\$000)	\$5,424	\$5,486	\$7,223	\$4,500	\$4,500	\$1,122	\$1,644

★ 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.**

Performance Indicators	Actual			Target		4-Month Actual	
	FY11	FY12	FY13	FY14	FY15	FY13	FY14
★ Licensing Law compliance rate (%)	NA	94%	93%	90%	90%	93%	92%
★ Consumer Protection Law - refund and receipt compliance rate (%)	NA	80%	80%	80%	80%	76%	78%
Weights and Measures Law compliance rate - gasoline pumps (%)	96%	95%	97%	98%	98%	96%	99%
Weights and Measures Law compliance rate - fuel trucks (%)	70%	73%	80%	80%	80%	84%	81%
★ Inspected stores complying with tobacco regulations (%)	90%	91%	91%	86%	86%	93%	93%

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

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

Performance Indicators	Actual			Target		4-Month Actual	
	FY11	FY12	FY13	FY14	FY15	FY13	FY14
★ Decisions issued in 30 days or less (%)	96%	99%	94%	90%	90%	97%	97%
Total settlements (\$000)	\$7,336	\$8,707	\$9,270	*	*	\$3,818	\$3,534
★ Number of fines collected within 45 days of assessment (%)	84%	82%	84%	80%	80%	86%	80%

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

**Service 2: Help businesses do right by their customers.**

**Goal 2a: Ensure that business licensing is easy.**

Performance Indicators	Actual			Target		4-Month Actual	
	FY11	FY12	FY13	FY14	FY15	FY13	FY14
★ Basic license application - Average processing time (days)	3	5	2	5	5	3	2
License applications received online (%)	23%	23%	27%	*	*	27%	26%
★ Licensing Center wait time (minutes)	11	13	11	15	15	6	21

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

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

Performance Indicators	Actual			Target		4-Month Actual	
	FY11	FY12	FY13	FY14	FY15	FY13	FY14
Businesses educated through direct outreach	NA	NA	11,217	*	*	NA	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.**

Performance Indicators	Actual			Target		4-Month Actual	
	FY11	FY12	FY13	FY14	FY15	FY13	FY14
Clients achieving measurable success (%)	NA	NA	37.0%	*	*	NA	NA
Total debt reduced by clients (\$000) (cumulative)	NA	\$7,049	\$12,409	*	*	NA	\$14,713
Total savings accumulated (\$) (cumulative)	NA	\$870,297	\$2,217,807	*	*	NA	\$2,409,094

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**Agency Customer Service**

Performance Indicators	Actual			Target		4-Month Actual	
	FY11	FY12	FY13	FY14	FY15	FY13	FY14
Customer Experience							
Emails responded to in 14 days (%)	93%	93%	93%	87%	*	91%	95%

Performance Indicators	Actual			Target		4-Month Actual	
	FY11	FY12	FY13	FY14	FY15	FY13	FY14
Response to 311 Service Requests (SRs)							
Percent meeting time to first action - Consumer Complaint - Exchange/Refund/Return (4 days)	100	100	97	98	*	98	95
Percent meeting time to first action - Consumer Complaint - False Advertising (4 days)	99	99	97	98	*	97	92
Percent meeting time to first action - Consumer Complaint - Non-Delivery Goods/Services (4 days)	100	99	96	98	*	97	94
Percent meeting time to first action - Consumer Complaint - Overcharge (4 days)	99	98	96	98	*	98	95
Percent meeting time to first action - DCA / DOHMH New License Application Request - General Street Vendor License (7 days)	100	100	92	98	*	100	91

**Agency Resources**

Resource Statistics	Actual			Sept. 2013 MMR Plan	Updated Plan	Plan	4-Month Actual	
	FY11	FY12	FY13	FY14	FY14 <sup>1</sup>	FY15 <sup>1</sup>	FY13	FY14
Expenditures (\$000,000) <sup>2</sup>	\$21.8	\$26.3	\$27.3	\$28.0	\$37.6	\$32.2	\$9.7	\$10.4
Revenues (\$000,000)	\$29.8	\$36.4	\$37.1	\$31.6	\$32.6	\$31.0	\$10.4	\$11.7
Personnel	286	327	331	361	410	410	322	339
Overtime paid (\$000)	\$426	\$607	\$724	\$127	\$525	\$147	\$180	\$256

<sup>1</sup>February 2014 Financial Plan      <sup>2</sup>Expenditures include all funds.      "NA" - Not Available in this report

## Noteworthy Changes, Additions or Deletions

- The Department replaced the indicators that reported on inspection activity and compliance with the Licensing Law and the Consumer Protection Law's (CPL) refund and receipt requirements with similarly named metrics. Data for the replacement metrics is calculated based on an expanded number of business categories as referenced in the performance highlights. The Fiscal 2014 target for the CPL compliance rate was adjusted from 90% to 80% to reflect revised expectations based on this broader metric and the past two years' performance.
- DCA updated four-month Fiscal 2013 data for the amount of restitution awarded.

For more information on the agency, please visit: [www.nyc.gov/dca](http://www.nyc.gov/dca).