



The City of New York
BUSINESS INTEGRITY COMMISSION
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**DECISION OF THE BUSINESS INTEGRITY COMMISSION DENYING THE
REGISTRATION APPLICATION OF SCHAEFFER DEMO & ENVIRONMENTAL
SERVICES LLC TO OPERATE AS A TRADE WASTE BUSINESS**

Introduction

Schaeffer Demo & Environmental Services LLC (the “Applicant” or “Schaeffer Demo”) applied to the New York City Business Integrity Commission for an exemption from licensing requirements and a registration to operate a trade waste business “solely engaged in the removal of waste materials resulting from building demolition, construction, alteration or excavation” (the “Application”).¹ Local Law 42 of 1996 authorizes the Commission to review and make determinations on such exemption applications. *See* Title 16-A, New York City Administrative Code § 16-505(a).

After a review of a trade waste registration application, if the Commission grants the exemption from the Commission’s trade waste licensing requirements, the applicant will be issued a registration. *See id.* at § 16-505(a)-(b). The Commission’s review of an exemption application focuses on determining whether the applicant possesses business integrity, *i.e.*, good character, honesty and integrity. *See* Title 17, Rules of the City of New York § 1-09 (prohibiting numerous types of conduct reflecting lack of business integrity, including violations of law, knowing association with organized crime figures, false or misleading statements to the Commission, and deceptive trade practices); Admin. Code § 16-504(a) (empowering the Commission to issue and establish standards for issuance, suspension, and revocation of licenses and registrations); Admin. Code § 16-509(a) (authorizing the Commission to refuse to issue licenses or registrations to applicants lacking “good character, honesty and integrity”).

On December 17, 2025 the Commission’s staff issued and served on the Applicant an eight page Notice to the Applicant of the Grounds to Deny the Class 2 Registration Application of Schaeffer Demo & Environmental Services LLC to operate as a Trade Waste Business (the “Notice”). The Applicant was given ten business days to respond, until January 5, 2026. *See* 17 RCNY §2-08(a). The Applicant did not respond to the Notice. Based upon the record before it, the Commission now denies Schaeffer Demo’s Application because the Applicant lacks good character, honesty and integrity based on the following independently sufficient grounds:

- 1. The Applicant’s principal was convicted of crimes that directly relate to his lack of honesty, integrity and good character; and**

¹ “Trade waste” or “waste” is defined at Admin. Code § 16-501(f)(1) and includes “construction and demolition debris.”

2. The Applicant provided the Commission with false and misleading information in its application.

Statutory Background and Framework

Every commercial business establishment in New York City must contract with a private carting company to remove and dispose of the waste it generates, known as trade waste. Historically, the private carting industry in the City was operated as a cartel controlled by organized crime. As evidenced by numerous criminal prosecutions, the industry was plagued by pervasive racketeering, anticompetitive practices and other corruption. *See, e.g., United States v. Int'l Brotherhood of Teamsters (Adelstein)*, 998 F.2d 120 (2d Cir. 1993); *People v. Ass'n of Trade Waste Removers of Greater New York Inc.*, Indictment No. 5614/95 (Sup. Ct. N.Y. Cty.); *United States v. Mario Gigante*, No. 96 Cr. 466 (S.D.N.Y.); *People v. Ass'n of Trade Waste Removers of Greater New York*, 701 N.Y.S.2d 12 (1st Dep't 1999). The construction and demolition debris removal sector of the City's carting industry specifically has also been the subject of significant successful racketeering prosecutions. *See United States v. Paccione*, 949 F.2d 1183, 1186-88 (2d Cir. 1991), *cert. denied*, 505 U.S. 1220 (1992); *United States v. Cafra*, No. 94 Cr. 380 (S.D.N.Y.); *United States v. Barbieri*, No. 94 Cr. 518 (S.D.N.Y.).

The Commission is charged with, among other things, combating the influence of organized crime and preventing its return to the City's private carting industry, including the construction and demolition debris removal industry. Instrumental to this core mission is the licensing scheme set forth in Local Law 42, which created the Commission and granted it the power and duty to license and regulate the trade waste removal industry in New York City. *See* Admin. Code § 16-505(a). This regulatory framework continues to be the primary means of ensuring that an industry once overrun by corruption remains free from organized crime and other criminality, and that commercial businesses that use private carters can be assured of a fair, competitive market.

Pursuant to Local Law 42, a company "solely engaged in the removal of waste materials resulting from building demolition, construction, alteration or excavation," also known as construction and demolition debris, must apply to the Commission for an exemption from the licensing requirement. *Id.* If, upon review of an application, the Commission grants an exemption from the licensing requirement, it issues the applicant a class 2 registration. *Id.* at § 16-505(a)-(b). Before issuing such registration, the Commission must evaluate the "good character, honesty and integrity of the applicant." *Id.* at § 16-508(b); *see also id.* at § 16-504(a). An "applicant" for a license or registration means both the business entity and each principal thereof. *Id.* at § 16-501(a).

The Administrative Code provides an illustrative list of relevant factors for the Commission to consider in making a decision on an application for a license or registration:

1. failure by such applicant to provide truthful information in connection with the application;
2. a pending indictment or criminal action against such applicant for a crime which under this subdivision would provide a

basis for the refusal of such license, or a pending civil or administrative action to which such applicant is a party and which directly relates to the fitness to conduct the business or perform the work for which the license is sought, in which cases the commission may defer consideration of an application until a decision has been reached by the court or administrative tribunal before which such action is pending;

3. conviction of such applicant for a crime which, considering the factors set forth in section seven hundred fifty-three of the correction law, would provide a basis under such law for the refusal of such license;

4. a finding of liability in a civil or administrative action that bears a direct relationship to the fitness of the applicant to conduct the business for which the license is sought;

5. commission of a racketeering activity or knowing association with a person who has been convicted of a racketeering activity, including but not limited to the offenses listed in subdivision one of section nineteen hundred sixty-one of the Racketeer Influenced and Corrupt Organizations statute (18 U.S.C. § 1961 *et seq.*) or of an offense listed in subdivision one of section 460.10 of the penal law, as such statutes may be amended from time to time, or the equivalent offense under the laws of any other jurisdiction;

6. association with any member or associate of an organized crime group as identified by a federal, state or city law enforcement or investigative agency when the applicant knew or should have known of the organized crime associations of such person;

7. having been a principal in a predecessor trade waste business as such term is defined in subdivision a of section 16-508 of this chapter where the commission would be authorized to deny a license to such predecessor business pursuant to this subdivision;

8. current membership in a trade association where such membership would be prohibited to a licensee pursuant to subdivision j of section 16-520 of this chapter unless the commission has determined, pursuant to such subdivision, that such association does not operate in a manner inconsistent with the purposes of this chapter;

9. the holding of a position in a trade association where membership or the holding of such position would be prohibited to a licensee pursuant to subdivision j of section 16-520 of this chapter;

10. failure to pay any tax, fine, penalty, or fee related to the applicant's business for which liability has been admitted by the person liable therefor, or for which judgment has been entered by a court or administrative tribunal of competent jurisdiction; and

11. failure to comply with any city, state or federal law, rule or regulation relating to traffic safety or the collection, removal, transportation or disposal of trade waste in a safe manner.

Id. at § 16-509(a)(i)-(xi). *See also id.* at § 16-504(a).

The Commission also may refuse to issue a license or registration to any applicant who has “knowingly failed to provide information or documentation required by the Commission . . . or who has otherwise failed to demonstrate eligibility for a license.” *Id.* at § 16-509(b). *See also Elite Demolition Contracting Corp. v. The City of New York*, 125 A.D.3d 576 (1st Dep’t 2015); *Breeze Carting Corp. v. The City of New York*, 52 A.D.3d 424 (1st Dep’t 2008); *Attonito v. Maldonado*, 3 A.D.3d 415 (1st Dep’t) (Commission may deny an application for an exemption “where the applicant fails to provide the necessary information, or knowingly provides false information”); leave denied 2 N.Y.3d 705 (N.Y. 2004). *See also* Admin. Code § 16-509(a)(i) (failure to provide truthful information in connection with application as a consideration for denial). In addition, the Commission may refuse to issue a license or registration to an applicant that “has been determined to have committed any of the acts which would be a basis for the suspension or revocation of a license.” *Id.* at § 16-509(c). *See also id.* at § 16-504(a).

An applicant for a private carting license (including a registration for hauling construction and demolition debris) has no entitlement to and no property interest in a license or registration, and the Commission is vested with broad discretion to grant or deny a license or registration application. *Sanitation & Recycling Indus., Inc.*, 107 F.3d 985, 995 (2d Cir. 1997); *see also Daxor Corp. v. New York Dep’t of Health*, 90 N.Y.2d 89, 98-100 (N.Y. 1997).

Statement of Facts

The Application

The Applicant disclosed Dean Buncombe (“Buncombe”) as its only principal. *See* Application at 14. As part of the Application, Buncombe signed a certification acknowledging that “Any material false statement or omission made in connection with this Application is sufficient cause for denial of the Application . . . In addition such false submission may subject the person and/or entity making the false statement to criminal charges.” *See* Application at 30. The Application asked the following question:

30. Has the applicant business, any current principal of the applicant business, or any past principal of the applicant business ever been convicted of any criminal offense in any jurisdiction?

The Applicant² answered “no” to this question. *See* Application at 6. This answer is false because Buncombe was convicted of three separate offenses, two of them felonies, in New Jersey.

An applicant has a duty to notify the Commission within ten (10) business days of the arrest of a principal subsequent to the submission of the application. 17 RCNY § 2-05(a)(1). Title 17 RCNY also requires applicants to disclose changes to material information on an application. *See* RCNY § 2-05(a)(5). The Applicant was reminded of this “material information” requirement on the first page of the Application, the Applicant was informed that a question with an asterisk next to it “denotes material information on the application. Any change in material information must be reported to the Business Integrity Commission, in a notarized writing, within ten (10) business days of the charge.”

The Application asked the following question:

*31. Are there any criminal charges pending against the applicant business or any principal of the business in any jurisdiction?

As Question 31 is marked with an asterisk, pending criminal charges against an applicant is material information. At the time the Application was filed, there were no pending criminal charges against the Applicant or against Buncombe. On April 15, 2025 Dean Buncombe was arrested and charged with Offering a False Instrument for Filing in the First Degree, an E Felony, in violation of NYPL 175.25(1) and Possession of a Forged Instrument in the 3rd Degree, an A Misdemeanor, in violation of NYPL 170.20. The Applicant never notified the Commission of these criminal charges that were filed against the Applicant’s only principal.

2013 Arrest and 2014 Indictment and Conviction for Fraudulent Use of a Credit Card, a Third-Degree Felony

On July 19th, 2013 Lourdes Vasquez-Leon (“Vasquez-Leon), reported to the Paramus, New Jersey Police Department that her employer, Dean Buncombe, opened a Capital One credit card in her name without her authorization. *See* Paramus PD Investigation Report. Vasquez worked as a nanny for Buncombe’s family, taking care of Buncombe’s child and home. *Id.* The Capital One credit card listed both her and Dean Buncombe as co-signers. *Id.* When Vasquez Leon went to a Capital One Bank location, a bank representative showed her a copy of an open credit card account under her name with Dean Buncombe as an authorized user. *Id.*

On or about September 9, 2013 Buncombe was arrested by Paramus Police and charged with several identity fraud and credit card fraud charges, among them, Fraudulent Use of Credit Card, a third-degree felony, in violation of N.J.S.A. 2C:21-6H. *Id.* On January 28, 2014, Buncombe was indicted and charged with 9 separate counts of credit card and identity fraud. *See* Indictment. On March 17, 2014, before the Superior Court of New Jersey, in Bergen County, Buncombe pleaded guilty to Fraudulent Use of a Credit Card, a third-degree felony, in violation of N.J.S.A. 2C:21-6H. *See* Fraudulent Use of a Credit Card Certificate of Disposition. On January

² Pursuant to Local Law 42, “Applicant” means both the business and all of its principals. *See* Admin. Code § 16-509(a).

26, 2025 Buncombe was sentenced to 5 years of probation and was ordered to pay \$39,162.90 in restitution. *Id.*

2014 Arrest and 2015 Conviction for Issuing a Bad Check, a Third-Degree Felony

On December 22, 2014, Buncombe was arrested by Paramus, NJ police and charged with Theft by Deception, a third-degree felony, in violation of N.J.S.A. 2C:20-4A. *See* Paramus Police Department Investigation Report. The Accusation alleged that Buncombe, on or about May 24, 2014, in Teaneck, New Jersey issued a check drawn for \$82,000 knowing that the check would not be honored. *Id.* On August 12, 2015, before the Superior Court of New Jersey, in Bergen County, Buncombe pleaded guilty to Issuing a Bad Check, a third-degree felony, in violation of N.J.S.C.A. 2C:21-5. *See* Bad Check Certificate of Disposition. On December 21, 2015, Buncombe was sentenced to three years of probation and ordered to pay \$75,000 restitution. *Id.*

2012 Arrest and 2014 Conviction for Issuing a Bad Check, a Misdemeanor

On April 30, 2012, Buncombe issued a check in the amount of \$7,966 to Wallington Plumbing Supply. *See* Wallington PD Police Report. The check was returned for insufficient funds. *Id.* Consequently, on December 18, 2012, Buncombe was arrested and charged with Issuing a Bad Check, a misdemeanor, in violation N.J.S.A. 2C:21-5B. *Id.* On May 5, 2014, before the Wallington Boro Municipal Court, Buncombe pleaded guilty to Issuing a Bad Check, a misdemeanor. *See* Wallington Bad Check Certificate of Disposition.

Basis for Denial

1. The Applicant's principal was convicted of crimes that directly relate to his lack of honesty, integrity and good character.

In making licensing and registration determinations, the Commission is expressly authorized to consider prior convictions of the Applicant (or any of its principals) for crimes which, in light of the factors set forth in section 753 of the Correction Law, would provide a basis under that statute for refusing to issue a license. *See* Admin. Code §16-509(a)(iii); *see also id.* §16-501(a). Those factors are:

- (a) The public policy of this state, as expressed in [the Correction Law], to encourage the licensure . . . of persons previously convicted of one or more criminal offenses.
- (b) The specific duties and responsibilities necessarily related to the license . . . sought.
- (c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties and responsibilities.

- (d) The time which has elapsed since the occurrence of the criminal offense or offenses.
- (e) The age of the person at the time of occurrence of the criminal offense or offenses.
- (f) The seriousness of the offense or offenses.
- (g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.
- (h) The legitimate interest of the public agency . . . in protecting property, and the safety and welfare of specific individuals or the general public.

N.Y. Correct. Law §753 (1).

Buncombe was convicted of crimes three separate times. Two of his convictions were for issuing bad checks and one of his convictions was for fraudulent use of a credit card. Two of the convictions were for felonies. The crimes for which Buncombe was convicted are so closely related to the duties and responsibilities associated with such registrations, that they should preclude the grant of trade waste removal registration to the Applicant. Buncombe was in his thirties when he committed these crimes - plainly old enough to know what the law required, how to obey it, and to recognize that the crimes in which he was involved were illegal. In addition, the convictions go to the crux of the Applicants' honesty, integrity and character. Buncombe issued two checks, totaling \$82,000 and \$7,966 respectively, to businesses when he knew banks would not honor the checks. He also fraudulently created a credit card in his nanny's name, resulting in a conviction and a restitution order of more than \$30,000. By committing these crimes, Buncombe has established that he is unworthy of registration in the trade waste industry.

The public interest in eliminating the entrenched corruption that has plagued the New York City carting industry for decades is clear. Public confidence in the integrity of the carting industry would be undermined if those proven to have ignored the law received licenses or registrations from the Commission. Buncombe's guilty pleas to crimes involving fraud and moral turpitude compel the conclusion that the Applicant lacks good character, honesty, and integrity. Based on this independently sufficient ground, Schaeffer Demo's Application is denied.

2. The Applicant provided the Commission with false and misleading information.

All Applicants must provide truthful and non-misleading information to the Commission. A knowing failure to do so is a ground for denial of the application. *See* Admin. Code §16-509(b); 17 RCNY § 1-09(f); *Attonito v. Maldonado*, 3 A.D.3d 415 (1st Dept. 2004); *leave denied* 2 N.Y.3d 705 (2004); *Breeze Carting Corp. v. The City of New York*, 52 A.D.3d 424, 860 N.Y.S.2d 103 (1st Dept. 2008).

The Applicant provided false and misleading information to the Commission when it stated on its application that its principal – Buncombe – had never been convicted of any criminal offense

in any jurisdiction. Buncombe has been convicted of two separate felonies and one misdemeanor. Furthermore, most recently he was arrested for Offering a False Instrument for Filing in the First Degree, an E Felony, in violation of NYPL 175.25. That case is pending.³ Buncombe provided false and misleading information to the Commission, through certified answers provided on the Application. This conduct establishes that the Applicant lacks the requisite good character, honesty and integrity to operate a trade waste business in New York. Based on this independently sufficient ground, the Commission should deny the Application.

³ On April 13th, 2024, the Town of New Windsor, New York, Police observed a construction company with trucks identified as “Schaeffer trucks” dumping dirt at the Destinta Movie Theater lot located at 215 Quassaick Avenue in New Windsor, New York. Environmental testing concluded that the dirt contained hazardous material, including asbestos. *See* Investigation Report; *Arrests Made in Illegal Dumping at Former Destinta Theatres Lot, Press Release*, New Windsor Police Department; *NJ Duo Dumps Hazardous Substances, Asbestos at Former Movie Theater Site*, Maplewood Daily Voice. A subsequent investigation involved multiple state agencies, including the NYS Attorney General’s Office and the NYS Department of Environmental Conservation and culminated with the arrest of Buncombe.

On April 15, 2025, Buncombe was arrested and charged with Offering a False Instrument for Filing, a class E felony, in violation of NYPL 175.35(1) and Criminal Possession of a Forged Instrument in the third degree, a class A misdemeanor, in violation of NYPL 170.20. Buncombe, acting together and in concert with Gary F. Digiovanni, is alleged to have fraudulently obtained a demolition permit for the Destinta Movie Theater, by altering an asbestos report created by a New York State licensed asbestos surveyor (the “Surveyor”). The Surveyor’s report found that the movie theater had a roof that contained asbestos, while the demolition permit application omitted the fact that asbestos was present in the Destinta Movie Theater. *See* Criminal Complaint. Despite being required to notify the Commission of Buncombe’s arrest, the Applicant failed to do so. *See* 17 RCNY §2-05(b)(1).


Conclusion

The Commission is vested with broad discretion to refuse to issue a license or registration to any applicant that it determines lacks good character, honesty, and integrity. The record herein demonstrates that the Applicant and its principals lack good character, honesty and integrity. Accordingly, based on the two independently sufficient grounds detailed above, the Commission denies Schaeffer Demo & Environmental Services LLC's registration renewal application.

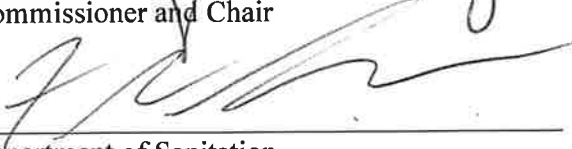
This denial decision is effective immediately. Schaeffer Demo may not operate as a trade-waste business in the City of New York.

Dated: New York, New York
February 24, 2026

THE NEW YORK CITY
BUSINESS INTEGRITY COMMISSION



Elizabeth Crotty
Commissioner and Chair



Department of Sanitation

Department of Investigation

Department of Consumer and Worker Protection

Department of Small Business Services



New York City Police Department

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