



The City of New York
BUSINESS INTEGRITY COMMISSION
100 Church Street · 20th Floor
New York · New York 10007
Tel. (212) 437-0500

Noah D. Genel
Commissioner and Chair

**Information Regarding Chairperson's Order to Correct and Certification of Correction:
Local Law 145 of 2013 and § 24-163.11 of the Administrative Code of the City of New York**

Each Summons issued by the Business Integrity Commission (BIC) is accompanied by (1) a Chairperson's Order to Correct and (2) a Certification of Correction. The Chairperson's Order to Correct directs the respondent to correct the condition constituting a violation of § 24-163.11 of the Administrative Code of the City of New York, and to complete and file the Certification of Correction with BIC, certifying that the respondent has corrected the identified condition.

1. To certify correction of a violation, a respondent must complete the Certification of Correction issued with the Summons in accordance with the instructions contained in the Chairperson's Order to Correct and the Certification of Correction.
2. The Certification of Correction must be signed by a principal of a company registered or licensed by BIC and must be notarized by a notary public or commissioner of deeds.
3. The Certification of Correction shall be accompanied by true and legible copies of any and all documentary proof of compliance. The following documents may be acceptable for compliance:
 - a. A copy of a "receipt for returning BIC trade waste conveyance plates" for the vehicle described in the Summons; or
 - b. Proof that the vehicle described in the Summons is equipped with an engine that is compliant with the applicable 2007 or later EPA standard for particulate matter (such proof may include, but is not limited to copies of state vehicle registration cards); or
 - c. Proof that the vehicle described in the Summons utilizes best available retrofit technology (BART).
 - i. Such proof may include, but is not limited to proof of installation of BART and copies of Department of Environmental Protection (DEP) forms.
4. Completed Certifications of Correction and accompanying documents must be submitted in person to the Business Integrity Commission, 100 Church Street, 20th Floor, New York, NY, or by email to LocalLaw145Inquiries@bic.nyc.gov.

5. A respondent may avoid a hearing by submitting a Certification of Correction that is accepted by BIC and documents acceptable to and received by BIC no later than sixty (60) days from the date of the Chairperson's Order and corresponding Summons.
 - a. This deadline is the "Certification of Correction Due Date" specified on the Chairperson's Order.
6. If a respondent fails to submit an acceptable Certification of Correction and accompanying documentation within the prescribed time period, the respondent must appear at a hearing on the OATH hearing date indicated on the Summons and the Chairperson's Order to Correct.
7. Submitting a false Certification of Correction or false accompanying documentation shall make such certification null and void, and may subject the respondent to penalties.
8. In addition to the \$10,000 civil penalty specified in the Summons, separate additional penalties may accrue at the rate of up to \$500 for each day that the violation is not corrected beyond sixty (60) days from the date of the Chairperson's Order to Correct.
9. Certification of Correction review procedures:
 - a. BIC will review certifications and accompanying documentation.
 - i. Certain certifications and accompanying documentation will be reviewed by DEP for acceptability.
 - b. BIC will notify the respondent if the certification is accepted or rejected. If rejected, BIC will identify the reason(s) for rejection. Letters of rejection will be mailed and emailed to respondents. Acceptance letters will be emailed to respondents.
10. If a respondent properly certifies that all violations have been corrected, and the Certification of Correction and all documentary proof are accepted by BIC within the required timeframe, the violations will be withdrawn and no penalty will be imposed. In such instances, BIC will email an acceptance letter to the respondent.
 - a. If a respondent does not receive an acceptance letter from BIC, the respondent must attend the Office of Administrative Trials and Hearings (OATH) hearing on the scheduled hearing date.
 - b. If OATH finds that a Certification of Correction contained material false statements relating to the correction of a violation, the Certification of Correction shall be null and void and the penalties for the violation may be imposed as if the Certification of Correction had not been filed with and accepted by BIC.