



# Environmental Control Board

*A Division of the Office of Administrative Trials and Hearings*



## Quarterly Review for Board Members

*(1Q CY2013)*

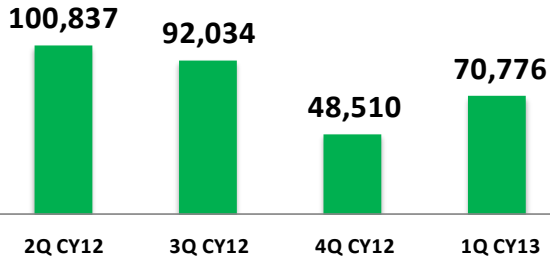
April 25, 2013

# Violations Received by ECB

## 1Q CY2013

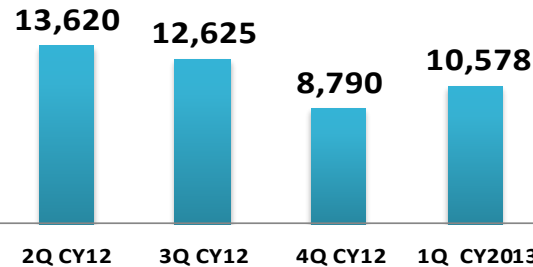
### DSNY

46% Increase



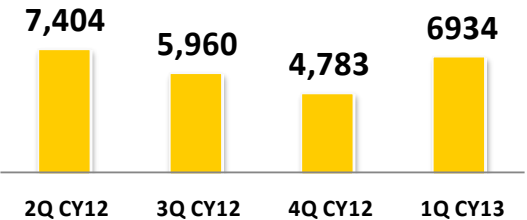
### DOB

20% Increase



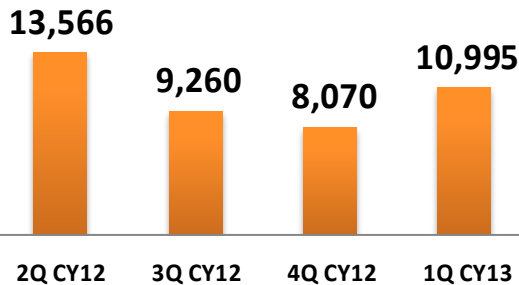
### DOT

45% Increase



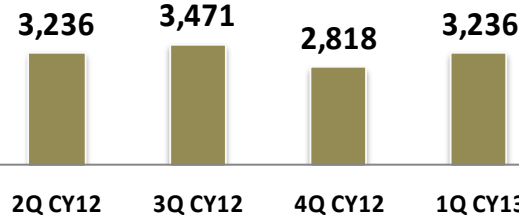
### FDNY

36% Increase



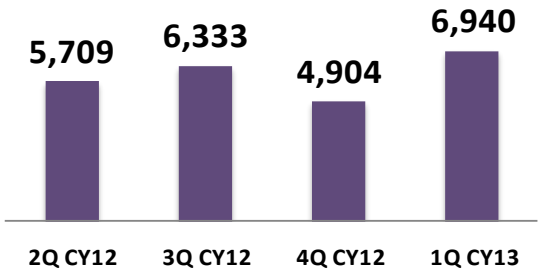
### DEP

15% Increase



### DOHMH

42% Increase



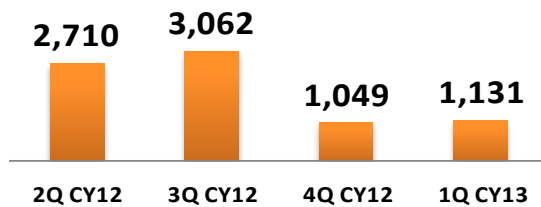
\*2Q CY2012 (Apr-Jun 2012); 3Q CY2012 (Jul-Sept 2012); 4Q CY2012 (Oct-Dec 2012); 1Q CY2013 (Jan-Mar 2013) % = 4Q CY2012 vs 1Q CY2013

# Violations Received by ECB

## 1Q CY2013

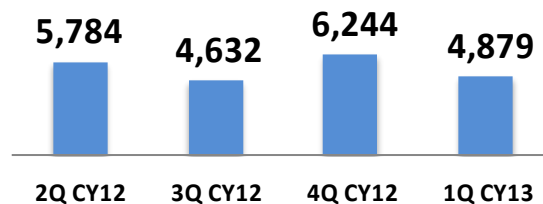
### DPR

8% Increase



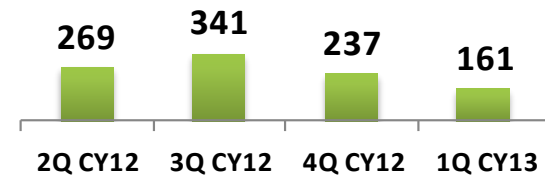
### NYPD

22% Decrease



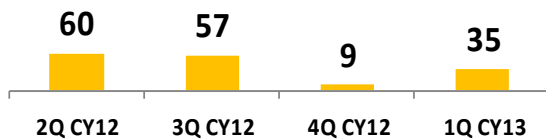
### DOITT

32% Decrease



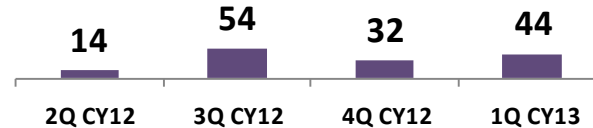
### BIC

289% Increase



### LPC

38% Increase



\*2Q CY2012 (Apr-Jun 2012); 3Q CY2012 (Jul-Sept 2012); 4Q CY2012 (Oct-Dec 2012); 1Q CY2013 (Jan-Mar 2013) % = 4Q CY2012 vs 1Q CY2013

# Violations Received by ECB

## Quarterly Comparisons

<b>AGENCY</b>	<b>1Q CY2012 <i>(Jan, Feb &amp; Mar 2012)</i></b>	<b>1Q CY2013 <i>(Jan, Feb &amp; Mar 2013)</i></b>
<b>DSNY</b>	<b>94,155</b>	<b>70,776</b>
<b>FDNY</b>	<b>11,129</b>	<b>10,995</b>
<b>DOB</b>	<b>13,642</b>	<b>10,578</b>
<b>DOHMH</b>	<b>5,628</b>	<b>6,940</b>
<b>DOT</b>	<b>7,530</b>	<b>6,934</b>
<b>NYPD</b>	<b>5,717</b>	<b>4,879</b>
<b>DEP</b>	<b>3,461</b>	<b>3,236</b>
<b>DPR</b>	<b>1,373</b>	<b>1,131</b>
<b>DOITT</b>	<b>276</b>	<b>161</b>
<b>LPC</b>	<b>82</b>	<b>44</b>
<b>BIC</b>	<b>86</b>	<b>35</b>
<b>DCA</b>	<b>0</b>	<b>0</b>
<b>Agency Code Missing</b>	<b>83</b>	<b>72</b>
<b>Misc</b>	<b>66</b>	<b>26</b>
<b>Total</b>	<b>143,228</b>	<b>115,807</b>

# Total Violations Heard

## Quarterly Comparisons

<b>Agency</b>	<b>1Q CY2012 (Jan, Feb &amp; Mar 2012)</b>	<b>1Q CY2013 (Jan, Feb &amp; Mar 2013)</b>
<b>DSNY</b>	<b>30,042</b>	<b>21,144</b>
<b>DOB</b>	<b>15,023</b>	<b>11,758</b>
<b>NYPD</b>	<b>2,787</b>	<b>4,272</b>
<b>FDNY</b>	<b>4,294</b>	<b>4,168</b>
<b>DOHMH</b>	<b>3,250</b>	<b>3,643</b>
<b>DEP</b>	<b>2,456</b>	<b>3,109</b>
<b>DOT</b>	<b>2,611</b>	<b>2,236</b>
<b>DOITT</b>	<b>503</b>	<b>498</b>
<b>DPR</b>	<b>580</b>	<b>334</b>
<b>LPC</b>	<b>32</b>	<b>32</b>
<b>BIC</b>	<b>23</b>	<b>4</b>
<b>DCA</b>	<b>0</b>	<b>0</b>
<b>Agency Code Missing</b>	<b>26</b>	<b>19</b>
<b>Misc</b>	<b>342</b>	<b>607</b>
<b>Total</b>	<b>61,969</b>	<b>51,824</b>

# Decisions Rendered

## *Quarterly Comparisons*

Agency	1Q CY2012 (Jan, Feb & Mar 2012)	1Q CY2013 (Jan, Feb & Mar 2013)
<b>DSNY</b>	<b>16,564</b>	<b>12,254</b>
<b>DOB</b>	<b>8,049</b>	<b>6,409</b>
<b>DOHMH</b>	<b>2,849</b>	<b>3,118</b>
<b>FDNY</b>	<b>3,227</b>	<b>3,107</b>
<b>NYPD</b>	<b>2,542</b>	<b>2,903</b>
<b>DEP</b>	<b>1,607</b>	<b>1,724</b>
<b>DOT</b>	<b>1,946</b>	<b>1,550</b>
<b>DPR</b>	<b>547</b>	<b>237</b>
<b>DOITT</b>	<b>244</b>	<b>151</b>
<b>LPC</b>	<b>23</b>	<b>32</b>
<b>BIC</b>	<b>18</b>	<b>4</b>
<b>DCA</b>	<b>1</b>	<b>0</b>
<b>Misc</b>	<b>35</b>	<b>23</b>
<b>Agency Code Missing</b>	<b>34</b>	<b>20</b>
<b>TOTAL</b>	<b>37,686</b>	<b>31,532</b>

# Hearing to Decision

(Elapsed Time from Last Hearing to Decision Date)  
1Q CY2013

	2Q CY2012 (Apr-Jun 2012)	3Q CY2012 (Jul-Sept 2012)	4Q CY2012 (Oct-Dec 2012)	1Q CY2013 (Jan-Mar 2013)
< 3 mo	99.94%	99.86%	99.91%	99.96%
3 to 6 mo	0.04%	0.08%	0.07%	0.02%
6 to 12 mo	0.01%	0.01%	0.01%	0.00%
> 12 mo	0.01%	0.04%	0.01%	0.02%

	1Q CY2012 (Jan-Mar 2012)	1Q CY2013 (Jan-Mar 2013)
< 3 mo	99.33%	99.96%
3 to 6 mo	0.45%	0.02%
6 to 12 mo	0.04%	0.00%
> 12 mo	0.18%	0.02%

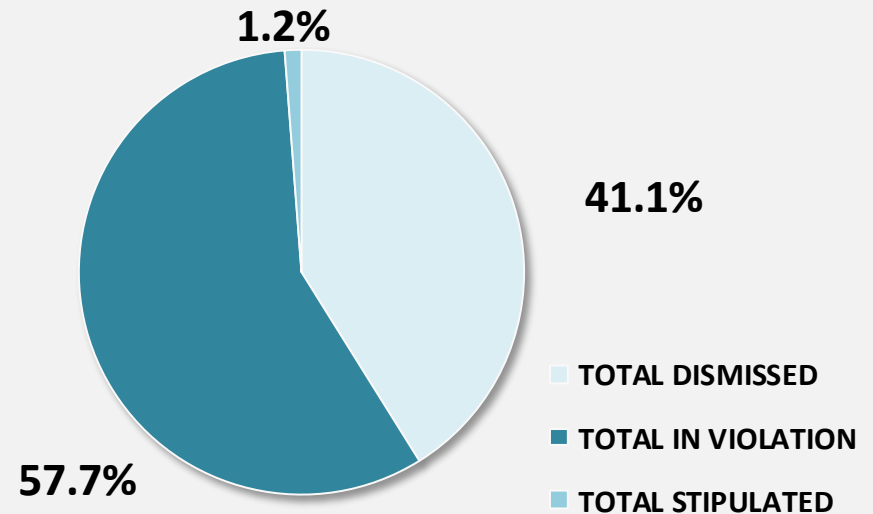
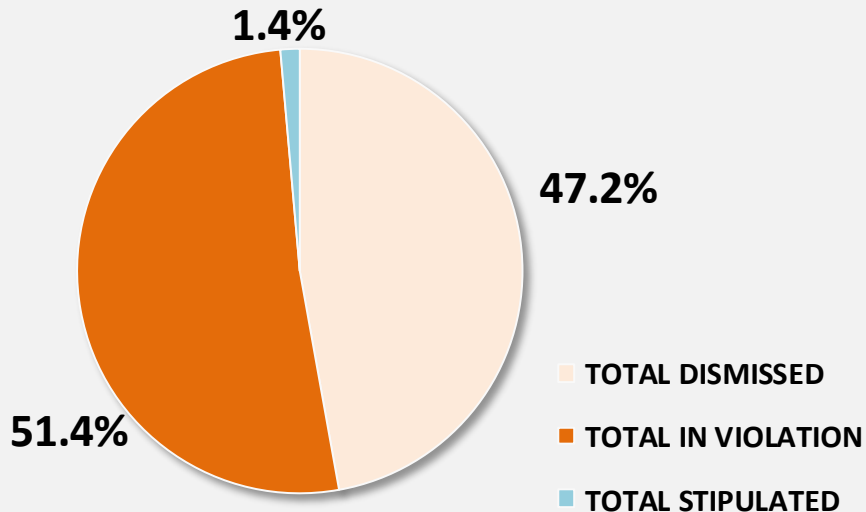
# Decisions Rendered after Hearings

1Q CY2012 vs 1Q CY2013

*(In Violation/Dismissed/Stipulated)*

	1Q CY2012 <i>(Jan, Feb &amp; Mar 2012)</i>
DISMISSED	17,770
IN VIOLATION	19,390
STIPULATED	526
TOTAL	37,686

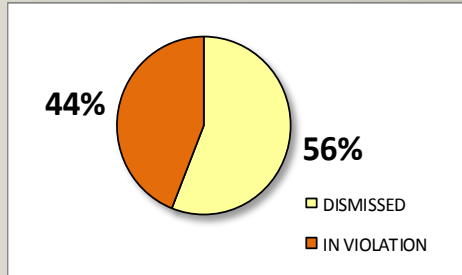
	1Q CY2013 <i>(Jan, Feb &amp; Mar 2013)</i>
DISMISSED	12,966
IN VIOLATION	18,184
STIPULATED	382
TOTAL	31,532



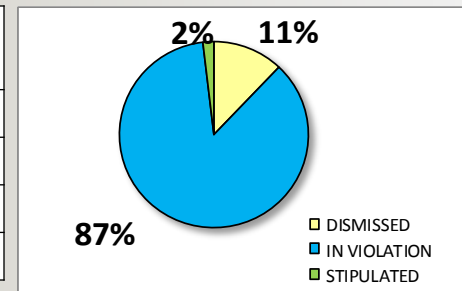


# Decisions Rendered after Hearings (By Agency – 1Q CY2013)

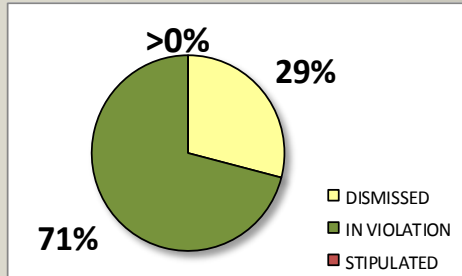
<b>DSNY</b>	1Q CY2013
DISMISSED	6,923
IN VIOLATION	5,331
TOTAL	12,254



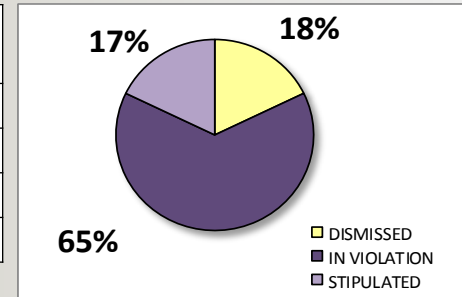
<b>FDNY</b>	1Q CY2013
DISMISSED	346
IN VIOLATION	2,703
STIPULATED	58
TOTAL	3,107



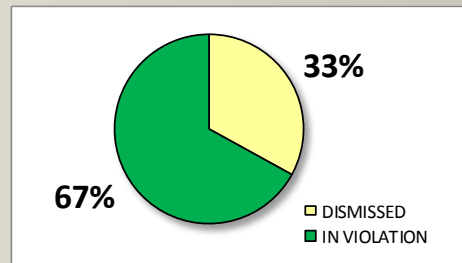
<b>DOB</b>	1Q CY2013
DISMISSED	1,828
IN VIOLATION	4,559
STIPULATED	22
TOTAL	6,409



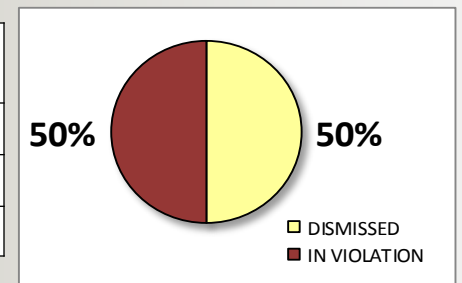
<b>DEP</b>	1Q CY2013
DISMISSED	306
IN VIOLATION	1,116
STIPULATED	302
TOTAL	1,724



<b>DOT</b>	1Q CY2013
DISMISSED	516
IN VIOLATION	1,034
TOTAL	1,550



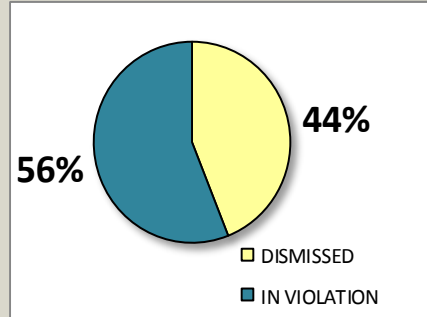
<b>NYPD</b>	1Q CY2013
DISMISSED	1,466
IN VIOLATION	1,437
TOTAL	2,903



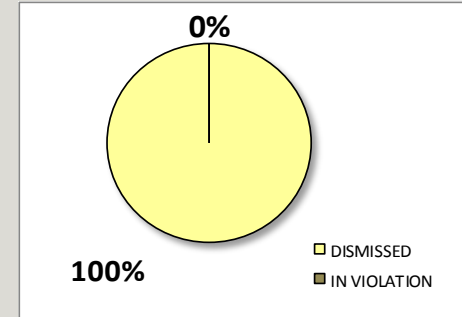
\*January, February and March 2013

# Decisions Rendered after Hearings (By Agency – 1Q CY2013)

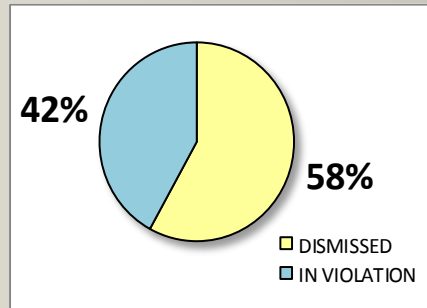
DOHMH	1Q CY2013
DISMISSED	1,360
IN VIOLATION	1,758
TOTAL	3,118



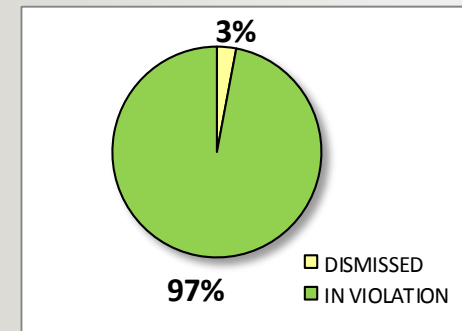
BIC	1Q CY2013
DISMISSED	4
IN VIOLATION	0
TOTAL	4



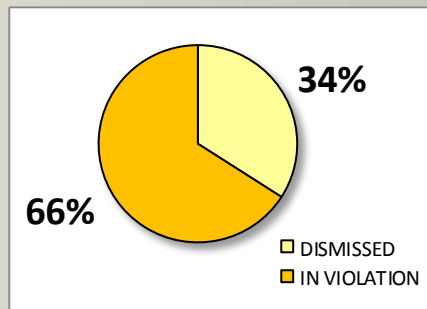
DPR	1Q CY2013
DISMISSED	137
IN VIOLATION	100
TOTAL	237



LPC	1Q CY2013
DISMISSED	1
IN VIOLATION	31
TOTAL	32



DOITT	1Q CY2013
DISMISSED	51
IN VIOLATION	100
TOTAL	151



\*January, February and March 2013

# Most Commonly Issued Violations By Agency

(1Q CY2013)

## DOT

**FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF DOT PERMITS**

**USE/OPENING OF STREET W/O PERMIT**

**STREET CLOSING WITHOUT PERMIT**

## DOB

**FAILURE TO COMPLY WITH AN ORDER OF THE COMMISSIONER**

**FAIL MAINTAIN BLDG IN COMPLIANT MANNER: SERVICE EQUIPMENT**

**WORK WITHOUT A PERMIT**

## NYPD

**IN BUS STOP, OR 10 FT. OF DRIVE, SUBWAY, CROSSWALK, ETC.**

**VENDING AT TIME/PLACE PROHIBITED**

**VENDING AT TIME/PLACES RESTRICTED BY RULE OF VENDOR REV. PANEL**

## DSNY

**DIRTY SIDEWALK/DIRTY AREA**

**IMPROPER DISPOSAL BEDDING 1ST OFFENSE**

**FAILURE TO PROPERLY PUT RECYCS OUT FOR COLLECTION (1 TO 8 DWELLING UNITS)**

\*January, February and March 2013

# Most Commonly Issued Violations By Agency

(1Q CY2013)

## DEP

**FAILED TO SUBMIT AN ANNUAL TEST REPORT FOR A BACKFLOW PREVENTOR**

**OPERATING EMISSION SOURCE WITH EXPIRED REGISTRATION**

**FAILED TO INSTALL A BACKFLOW PREVENTER**

## DOHMH

**FAIL TO ELIMINATE RODENT INFESTATION SHOWN BY ACTIVE RODENT SIGNS 1ST**

**FAIL TO ELIMINATE CONDITIONS CONDUCTIVE TO RODENT-DEBRIS,VEGETATION 1ST**

**FAIL TO ELIMINATE CONDITIONS CONDUCTIVE TO PESTS, GARBAGE CANS/SPILLAGE**

## FDNY

**INSPECTION AND TESTING**

**POSTING OF PERMITS AND RECORD KEEPING**

**CERTIFICATES OF FITNESS AND CERTIFICATES OF QUALIFICATION**

## LPC

**WORK W/O OR VIOL. OF CERT.OF APPROP/NO EFFECT(TYPE C)FLAG,SIGN,BANR,AWNG**

**WORK W/O OR VIOL.OF CERT.OF APPROP/NO EFFECT-ALT EXT ARCHIT FEAT.TYPEA**

**WORK W/O OR VIOL.OF CERT.OF APPROP/NO EFFECT(TYPE C)MISC.VIOLATION**

\*January, February and March 2013

# Most Commonly Issued Violations By Agency (1Q CY2013)

## DOITT

**FAILURE TO PROVIDE WORKING PUBLIC PAY TELEPHONE & OPERATOR SERVICES**

**REQUIRED SIGN MISSING/IMPERMISSIBLE AS PER REQUIREMENTS OF SUBSECTION**

**FAILED TO CLEAN/MAINTAIN PUBLIC PAY TELEPHONE AS PER REQMNTS OF SUBSECTION**

## BIC

**IDLING OF MOTOR VEHICLE ENGINE OVER THREE MINUTES (DIESEL FUEL)**

**FAILURE TO REGISTER WHOLESALE AND/OR MARKET BUSINESS, AS PER SUBSE.**

**OPERATED SEAFOOD WHOLESALE BUSINESS OUTSIDE MKT W/O REG**

## DPR

**UNLEASHED OR UNCONTROLLED ANIMALS IN PARK**

**FAILURE TO COMPLY WITH DIRECTIONS/PROHIBITIONS ON SIGNS**

**UNAUTHORIZED PRESENCE IN PARK WHEN CLOSED TO PUBLIC**

\*January, February and March 2013

# Appealed Violations by Issuing Agency (1Q CY2013)

<b>Agency</b>	<b># of Violations</b>
<b>DSNY</b>	<b>2,553</b>
<b>DOB</b>	<b>333</b>
<b>FDNY</b>	<b>105</b>
<b>DPR</b>	<b>46</b>
<b>DOHMH</b>	<b>31</b>
<b>NYPD</b>	<b>30</b>
<b>DEP</b>	<b>26</b>
<b>DOT</b>	<b>16</b>
<b>Total</b>	<b>3,140</b>

\*January, February and March 2013

# Defaults (1Q CY2013)

**Total # of Defaults (Jan, Feb and Mar 2013) = 50,593**

<b>Issuing Agency</b>	<b># of Defaults 1Q CY2013</b>	<b>% out of Total Defaults</b>
<b>DSNY</b>	<b>34,954</b>	<b>69.09%</b>
<b>DOT</b>	<b>3,487</b>	<b>6.89%</b>
<b>DOHMH</b>	<b>3,158</b>	<b>6.24%</b>