



DEPARTMENT OF CONSUMER AFFAIRS

Jonathan Mintz, Commissioner

Key Public Service Areas

- ✓ **Protect and empower consumers.**
- ✓ **Facilitate fair business practices.**
- ✓ **Ensure efficient, accountable, and customer-friendly operations.**

Scope of Agency Operations

The Department of Consumer Affairs (DCA) ensures that New York City's consumers and businesses benefit from a fair and vibrant marketplace. DCA issues more than 73,000 licenses in 55 business categories and performs onsite inspections to ensure compliance with license regulations, weights and measures regulations, and the New York City Consumer Protection Law. DCA mediates and resolves individual consumer complaints, obtains restitution for consumers, and brings litigation and enforcement actions against repeat violators to halt deceptive advertising and trade practices. Through press releases and press conferences, public awareness campaigns, community outreach, public hearings, the 311 Customer Service Center, its website, and publications, DCA educates the public and businesses about their rights and responsibilities.

Additionally, through the Office of Financial Empowerment (OFE), a program of the Center for Economic Opportunity, DCA conducts financial education, develops fair financial products, and protects low-income consumers from predatory and deceptive lending practices. OFE conducts research to better understand the financial needs and available services for people with low incomes; maintains a network of financial education providers; offers a searchable directory of financial education services on its website; and coordinates large-scale public awareness campaigns to help New Yorkers access benefits such as the Earned Income Tax Credit.

Critical Objectives

- Expedite the resolution of consumer complaints.
- Ensure compliance with tobacco regulations to minimize sales to minors.
- Enforce compliance with license laws, consumer protection laws, and weights and measures laws.
- Minimize licensing center wait time while maximizing customer service.

Preliminary Performance Highlights

- Consumer services continued to benefit from efficiency improvements initiated in Fiscal 2011. More than two-thirds of complaints were processed in 20 days or less and the median complaint processing time decreased to 15 days, eight days faster than a year ago.
- The amount of restitution awarded to consumers fell from \$2.3 million to \$1.7 million. Eighty-five percent of this decrease was due to a decline in the dollar amount of awards involving complaints related to home improvement contractors and debt collection agencies.
- The amount of fines collected through settlements increased from \$1.9 to \$2.7 million in the first four months of Fiscal 2012. A big piece of this increase, almost 42 percent, came from Consumer Protection Law settlements, which rose from \$424,000 to \$731,000. Improvements in inspector productivity have allowed the Department to investigate more businesses and, consequently, the number of settlements has increased.
- At 15 minutes, wait time at DCA's Licensing Center was consistent with its performance goal. Due to routine fluctuations in licensing renewal periods, licensing activity nearly tripled as three of the top ten license categories were up for renewal at the beginning of this year. This contributed to the five minute increase in average wait time. On average, the time to process basic license applications decreased from five days to four.



Performance Report

✓ Protect and empower consumers.

Performance Statistics	A c t u a l			T a r g e t		4-Month Actual	4-Month Actual
	FY09	FY10	FY11	Updated			
	FY09	FY10	FY11	FY12	FY13	FY11	FY12
<i>Complaint processing time</i>							
- Within 0-20 days (%)	44%	48%	64%	40%	40%	45%	69%
- Within 21-50 days (%)	51%	46%	32%	50%	50%	47%	31%
- Within 51-90 days (%)	5%	4%	3%	5%	5%	8%	0%
★ Median complaint processing time (days)	23	21	15	*	*	23	15
★ Complaints resolved to the satisfaction of the business and consumer (%)	53%	55%	56%	55%	55%	53%	54%
★ Total docketed complaints	5,488	4,704	4,580	*	*	1,655	1,675
- Home improvement contractor	715	585	592	*	*	236	282
- Debt collection agency	831	646	627	*	*	209	182
Restitution awarded (\$000)	\$9,858	\$11,728	\$5,424	\$4,500	\$4,500	\$2,323	\$1,749
Total settlements (\$000)	\$4,192	\$4,625	\$7,336	*	*	\$1,946	\$2,678

★ Critical Indicator "NA" - means Not Available in this report

✓ Facilitate fair business practices.

Performance Statistics	A c t u a l			T a r g e t		4-Month Actual	4-Month Actual
	FY09	FY10	FY11	Updated			
	FY09	FY10	FY11	FY12	FY13	FY11	FY12
★ Licensing Law compliance rate (%)	89%	90%	92%	87%	87%	93%	88%
★ Consumer Protection Law refund and receipt compliance rate (%)	94%	93%	91%	90%	90%	92%	91%
<i>Weights & Measures Law compliance rate</i>							
- Gasoline pumps (%)	98%	97%	96%	98%	98%	96%	95%
- Fuel trucks (%)	80%	82%	70%	80%	80%	69%	72%
★ Inspected stores complying with tobacco regulations (%)	88%	87%	90%	86%	86%	90%	87%
★ Compliance on a follow-up inspection after a previous tobacco violation (%)	89%	88%	86%	85%	85%	84%	82%
Current number of licensed home improvement contractors	12,620	12,626	13,958	*	*	13,109	11,299

★ Critical Indicator "NA" - means Not Available in this report

✓ Ensure efficient, accountable, and customer-friendly operations.

Performance Statistics	A c t u a l			T a r g e t		4-Month Actual	4-Month Actual
	FY09	FY10	FY11	Updated			
	FY09	FY10	FY11	FY12	FY13	FY11	FY12
★ Licensing center wait time (minutes)	18	14	11	15	15	10	15
★ Basic license application - Average processing time (days)	3	4	3	*	*	5	4
★ Number of fines collected within 45 days of assessment (%)	80%	82%	84%	75%	75%	84%	81%
Current number of legally operating sidewalk cafes	956	1,126	1,163	*	*	1,059	1,091

★ Critical Indicator "NA" - means Not Available in this report



Agency Customer Service

The Department of Consumer Affairs provides service to its customers through its walk-in facilities, website and correspondence.

Indicator	DCA Jul-Oct FY11	Citywide Jul-Oct FY11	DCA Jul-Oct FY12	Citywide Jul-Oct FY12	DCA Change Jul-Oct FY11 to FY12	Citywide Change Jul-Oct FY11 to FY12
<i>Average response time for email correspondence (days)</i>	6	5	6	8	0%	60%
<i>Average response time for letters/mail correspondence (days)</i>	NA	11	NA	9	NA	-18%
<i>Service requests meeting expected time of action (%)</i>	100%	82.2%	98.6%	89.7%	-1%	9%
<i>Number of 311 inquiries (to MMR agencies)</i>	42,636	2,467,532	37,009	2,245,344	-13%	-9%

311 Customer Service Center Requests for Service

Top Service Requests	Total Jul-Oct FY11	Target - FY11 Days to Action	Actual - Jul-Oct FY11 Days to Action	% Meeting FY11 Target	Total Jul-Oct FY12	Target - FY12 Days to Action	Actual - Jul-Oct FY12 Days to Action	% Meeting FY12 Target
<i>Consumer Complaint - Exchange/Refund/Return</i>	1,039	4.0	0.8	100%	1,240	4.0	1.0	99%
<i>Consumer Complaint - False Advertising</i>	516	4.0	0.9	100%	2,699	4.0	1.1	99%
<i>Consumer Complaint - Non-Delivery Goods/Services</i>	713	4.0	0.8	100%	1,395	4.0	0.9	99%
<i>Consumer Complaint - Overcharge</i>	508	4.0	0.9	100%	3,834	4.0	1.0	98%
<i>DCA / DOH New License Application Request - General Street Vendor License</i>	342	7.0	1.6	100%	198	7.0	1.8	100%

311 Customer Service Center Inquiries

Top DCA-related Inquiries	Total Jul-Oct FY11	% of DCA Inquiries in Jul-Oct FY11	Rank in # of Calls in Jul-Oct FY11	Total Jul-Oct FY12	% of DCA Inquiries in Jul-Oct FY12	Rank in # of Calls in Jul-Oct FY12
<i>Investigate a Business Licensed by DCA</i>	4,449	10%	1	3,626	10%	1
<i>Retail Store Complaint</i>	2,133	5%	2	1,707	5%	2
<i>General Vendor License - Apply</i>	1,868	4%	3	1,551	4%	3
<i>Year-Round Food Cart Vendor License - Apply</i>	1,748	4%	4	1,258	3%	4
<i>Home Improvement Contractor License Verification</i>	1,101	3%	6	1,182	3%	5



Agency Resources

Agency Resources	A c t u a l			September	Updated		4-Month	4-Month
	FY09	FY10	FY11	2011 MMR FY12	FY12 ¹	FY13 ¹	Actual FY11	Actual FY12
Expenditures (\$ millions) ²	\$21.5	\$22.3	\$21.8	\$28.3	\$30.4	\$25.6	\$7.9	\$9.0
Revenues (\$ millions)	\$25.5	\$27.4	\$29.8	\$26.3	\$26.9	\$27.5	\$7.0	\$10.0
Personnel	286	288	286	370	382	331	297	304
Overtime paid (\$000)	\$913	\$676	\$426	*	*	*	\$83	\$152

¹ January 2012 Financial Plan

"NA" - Not Available in this report

² Expenditures include all funds. January Plan figures reflect modifications in Federal, State, and other non-City funding since the adoption of the 2012 budget.

Noteworthy Changes, Additions or Deletions

- DCA revised four-month Fiscal 2011 data for the total number of docketed complaints as well as those about debt collection agencies. Four-month data was also updated for the indicators that report on the amount of restitution awarded and the dollar value of fines collected through settlements.

For more information please visit the website at: www.nyc.gov/dca