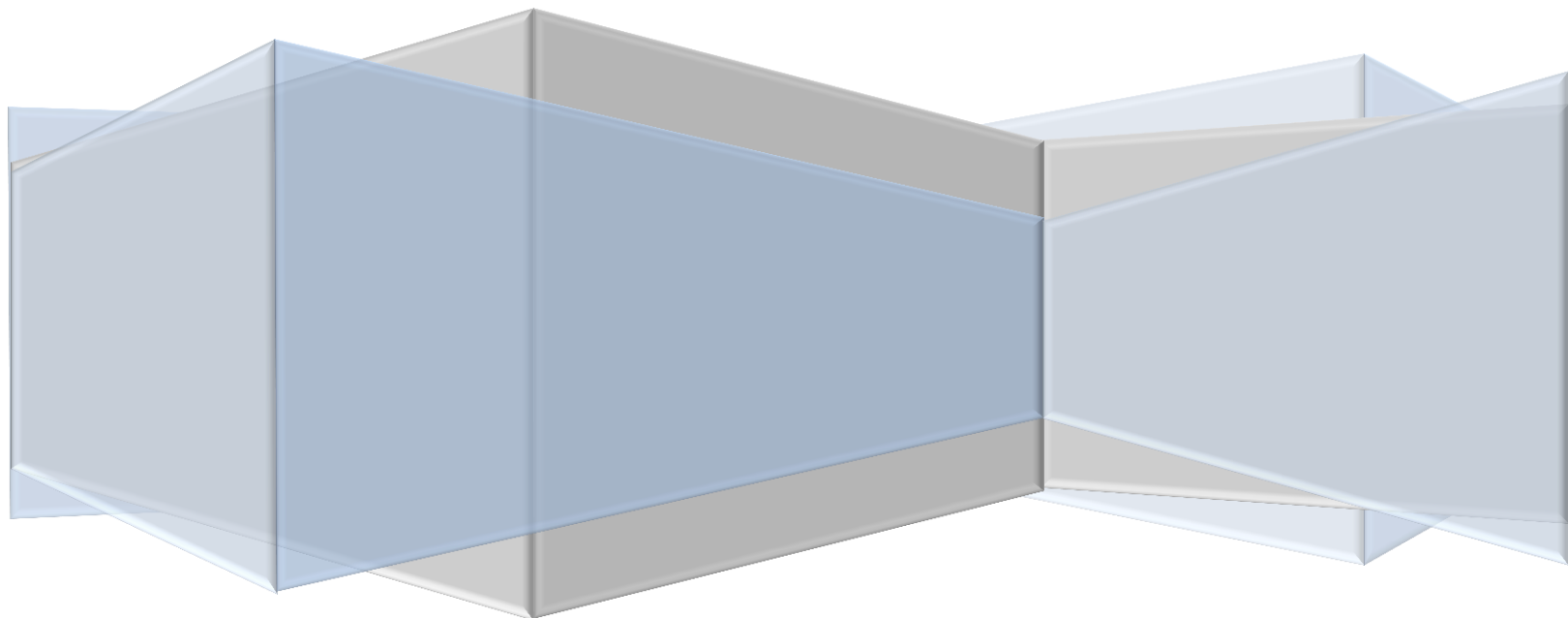


**FY2015 Annual Local Law 11 Report on
Environmental Control Board (ECB) – Adjudicated
Judgments Referred to NYC Department of
Finance (DOF)**

November 2015



Introduction:

On January 22, 2015, Mayor Bill de Blasio signed into law Intro 489-B. The bill, approved by the City Council at its Stated Meeting on January 7, 2015, requires the NYC Department of Finance (DOF) to report annually to the City Council on outstanding Environmental Control Board-adjudicated judgments.

DOF has to provide by November 1st of each year a publicly available report on outstanding judgment debt attributed to notices of violations issued by various City agencies and returnable to the Environmental Control Board and subsequently referred for collection during the previous fiscal year.

The data is as of October 5, 2015, and the source is the DOF Data Warehouse.

Part I: Department of Finance (DOF) Inventory of ECB Debt

The total outstanding inventory comprised of both the number of violations and dollar amount can be seen in the tables below.

Table 1: Total outstanding inventory and its components

# of Summonses	Base Fine	Penalty	Interest	Total Amount Due with Interest
1,456,919	\$ 482,938,620	\$ 709,354,109	\$ 386,520,180	\$ 1,578,812,909

As one can see from the graph below, default penalties, for failure to attend a hearing, are \$709MM, 45% of total and the largest component.

Outstanding ECB Judgment Debt Component Amounts and Percentage of Total

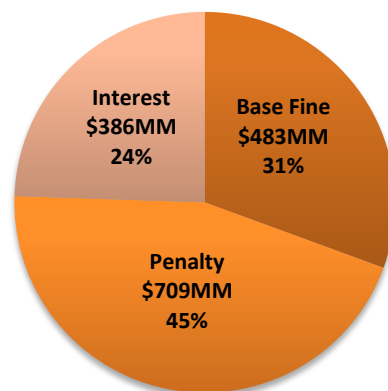


Table 2: DOF Inventory by Fiscal Year of Docket

Fiscal Year of Docket Date	# of Summonses	Base Fine \$	Penalty \$	Interest \$	Total Amount Due with Interest
FY16 to Date	64,127	24,768,104	35,201,060	640,424	\$60,609,589
FY15	193,027	71,825,145	104,884,220	11,228,934	187,938,299
FY14	146,358	57,135,636	77,236,569	20,849,720	155,221,924
FY13	164,017	65,947,185	91,538,614	38,970,839	196,456,638
FY12	161,997	70,734,387	105,180,023	59,509,286	235,423,696
FY11	206,645	69,153,031	107,597,335	75,124,370	251,874,735
FY10	217,536	59,251,338	88,241,158	75,330,673	222,823,170
FY09	180,007	39,206,704	59,156,784	59,848,170	158,211,658
FY08	123,205	24,917,090	40,318,347	45,017,764	110,253,200
Grand Total	1,456,919	482,938,620	709,354,109	386,520,180	1,578,812,909

Table 3: DOF Inventory by Issuing Agency

Issuing Agency	# of Summonses	Base Fine \$	Penalty \$	Interest \$	Total Amount Due with Interest
DOB	125,108	\$225,176,557	\$444,746,835	\$204,899,892	\$874,823,283
DSNY	1,134,088	\$123,491,641	\$156,456,675	\$102,837,239	\$382,785,555
FDNY	53,757	\$53,365,422	\$39,886,028	\$25,877,126	\$119,128,577
DOT	27,149	\$18,205,148	\$27,957,845	\$18,589,205	\$64,752,198
NYPD	48,984	\$31,492,960	\$9,071,097	\$13,788,280	\$54,352,338
DEP	11,573	\$11,774,869	\$20,406,979	\$10,606,320	\$42,788,168
DOHMH	26,410	\$14,636,159	\$2,801,639	\$4,692,206	\$22,130,005
Parks	26,425	\$3,583,334	\$6,336,812	\$4,103,268	\$14,023,414
BIC	868	\$396,022	\$860,577	\$559,187	\$1,815,786
Agency Missing	1,961	\$534,243	\$474,521	\$333,271	\$1,342,035
Landmarks	345	\$243,483	\$284,040	\$194,505	\$722,028
Seagate PD	203	\$22,717	\$43,795	\$21,483	\$87,995
Other Agency	48	\$16,065	\$27,265	\$18,197	\$61,527
Grand Total	1,456,919	\$482,938,620	\$709,354,109	\$386,520,180	\$1,578,812,909

**Other Agency comprises Animal Care & Control, DCA, DCAS, DoITT, HPD, Hunts Point Development, and Ports & Terminals, where total due was less than \$50K*

Part II Fiscal Year 2015¹

Item I and II: Total Number of Judgments Referred to the Department of Finance by the Environmental Control Board. Total dollar amount of judgments referred to the department, disaggregated by base penalty, interest, and default penalty.

During FY15 DOF received about 218,000 judgment violations from ECB for a total of over \$200 million, including default penalties assessed against respondents for failing to appearing at a hearing.²

Table 4: FY15 Judgments Referred

# of Summonses Referred	\$ Base	\$ Penalty	\$ Interest	\$ Total Due with Interest
218,194	80,107,446.34	108,792,228.83	11,844,214.20	200,743,889.37

Violations docketed during FY2015 are displayed in Table 5.

Table 5: Referred by Issuing Agency

Issuing Agency	# of Summonses Referred	Base	Penalty	Interest	Total Amount Due
DOB	18,643	\$36,234,735	\$64,765,870	\$6,504,523	\$107,505,127
DSNY	160,639	\$16,974,933	\$21,458,956	\$2,533,800	\$40,967,690
FDNY	12,353	\$13,371,606	\$10,550,978	\$1,508,645	\$25,431,228
DOT	6,003	\$3,761,154	\$4,980,681	\$348,986	\$9,090,821
DEP	4,302	\$2,587,176	\$3,365,019	\$349,442	\$6,301,637
NYPD	7,135	\$3,518,026	\$2,379,672	\$278,051	\$6,175,748
DOHMH	6,226	\$3,187,847	\$522,401	\$236,563	\$3,946,811
Parks	2,487	\$378,606	\$622,404	\$69,692	\$1,070,701
Agency Missing	309	\$57,779	\$77,607	\$8,476	\$143,863
Landmarks	51	\$21,843	\$43,150	\$3,675	\$68,668
Other	46	\$13,741	\$25,492	\$2,361	\$41,594
Grand Total	218,148	\$80,093,706	\$108,766,737	\$11,841,853	\$200,743,889

¹ All the data displayed in the tables below is as of 10/5/2015

² Summonses referred to DOF with docket dates from 6/30/2014 through 5/31/2015 (last docket period for FY2015 is 5/31/2015) are considered as FY2015. We have excluded any write-offs or recalls.

Item III: Average Length of Time for Referral of a Judgment from the Environmental Control Board to the Department of Finance

The average elapsed time from docketing to DOF referral was 1.27 days ³

Item IV: Total dollar amount collected by the department for judgments

As of September 30, 2015, DOF collected more than \$17 million against violations that were referred to the agency during FY2015. This is reflected in Table 6. Hence, the collection rate for FY2015 referral is 8.8%.

Table 6: FY15 Revenue for violations docketed during FY15

Payment	# of Summons Paid	Length of Time Between Docket Date & Payment Date in Month Ranges					\$ Total Collected
		0-3M	4-6M	7-9M	10-12M	13-24M	
FY2015	32,885	\$10,535,950	\$3,789,766	\$1,948,732	\$997,274	\$406,130	\$17,677,852

Payments on ECB Judgments Referred to DOF in FY2015 - Disaggregated by Issuing Agency are listed in Table 7.

Table 7: Total Collected by DOF from 7/01/2014 until 9/3/2015

Issuing Agency	# of Summonses Paid	Total Amount Collected
DOB	4,457	\$6,396,853
FDNY	2,910	\$3,990,916
DSNY	18,869	\$3,043,906
DOT	1,911	\$1,571,598
NYPD	1,755	\$1,127,784
DEP	1,150	\$972,700
DOHMH	1,535	\$495,476
Other	298	\$78,620
Total	32,885	\$17,677,852

³ We took a sample of three months and looked at the average of the time that it takes for a violation to be received by DOF.

Item V: Length of Time for Collection of Judgments on Referred Violations during FY2015

Table 8

Issuing Agency	Length of Time Between Docket Date & Payment Date in Month Ranges					\$ Revenue Collected
	0-3M	4-6M	7-9M	10-12M	13-24M	
DOB	\$3,854,210	\$1,322,855	\$712,885	\$310,362	\$196,542	\$6,396,853
FDNY	\$2,436,208	\$937,014	\$340,923	\$207,131	\$69,641	\$3,990,916
DSNY	\$1,597,994	\$670,400	\$431,945	\$253,572	\$89,996	\$3,043,906
DOT	\$1,001,136	\$303,079	\$185,763	\$64,726		\$1,554,704
NYPD	\$683,604	\$241,494	\$130,484	\$60,563		\$1,116,145
DEP	\$658,723	\$168,643	\$77,922	\$58,787		\$964,075
DOHMH	\$253,568	\$125,654	\$66,063	\$38,504		\$483,789
Other Agency*	\$19,607	\$20,629	\$2,747	\$3,629	\$49,951	\$96,563
Parks	\$30,900					\$30,900
Grand Total	\$10,535,950	\$3,789,766	\$1,948,732	\$997,274	\$406,130	\$17,677,852

*Other Agency comprises those missing names, BIC, Landmarks, Seagate PD, and any of those displayed where revenue collected is less than \$25K.

Item VI: Total Number of FY2015 Judgments That Require Corrective Action by Respondent⁴

Table 9

Agency Name	# of Summonses	Base Fine	Penalties	Interest	Total Amount
DOB	18,631	\$36,203,772	\$64,697,907	\$6,498,476	\$107,400,155
FDNY	12,352	\$13,371,581	\$10,550,978	\$1,508,642	\$25,431,201
DEP	1,172	\$1,196,696	\$1,521,457	\$157,908	\$2,876,062
Landmarks	51	\$21,843	\$43,150	\$3,675	\$68,668
Total	32,206	\$50,793,892	\$76,813,492	\$8,168,701	\$135,776,085

⁴ Summonses referred to DOF and placed in location 020555 -docketed during FY2015 from static table of FY2015 Docketed Judgments; includes uncollectible states; includes satisfied summonses; excludes anything recalled.

Item VII: Enforcement Efforts Used by DOF to Collect Judgments in Item 4

Table 10: Numbers of letters sent out

Enforcement Letters Sent FY15:		
Name of Letter	Count of Letter	Total \$ Addressed
DOF Initial letter	78,536	\$280,768,764
DOF NG-Check Letter	237	\$899,499
DOF Partial Payment & Payment Plan Letter	2,928	\$62,668,307
OCA* Demand Letters	72,932	\$244,140,564
Total	154,633	\$588,477,134

* Outside Collection Agencies

Table 11: Number of Executions and Amount Collected by the Sheriff's Office and Marshalls

FY2015			
Sheriff		Marshals	
# of Executions Issued	Amount Collected	# of Executions Issued	Amount Collected
430	\$313,980	52	\$84,550

Item VIII: Total Number of Judgments Expired by Issuing Agency

Summonses have a life span of 8 years. Hence, summonses that are older than 8 years are considered expired and get to be excluded from the inventory. In Table 12," FY07" and "Earlier than FY07" are considered expired, based on the above definition, and were excluded from the inventory.

FY08 through FY15 reflect summonses that were withdrawn and were excluded from the inventory as well.

Table 12: Total Number of Judgments Expired by FY

Fiscal Year of Docket Date	# of Summonses	\$ Amount Due
FY15	34	93,425
FY14	4	2,600
FY13	1	300
FY12	7	1,800
FY11	6	2,500
FY10	6	1,525
FY09	6	3,200
FY08	14	3,925
FY07	162,439	80,157,616
Earlier than FY07	11,845	4,889,944
Total	174,362	85,156,835

Table 13: Total Number of Judgments Expired by Issuing Agency

Agency Name	# of Summonses	\$ Amount Due
DSNY	150,138	\$40,078,789
DOB	7,756	\$21,907,091
DOT	5,214	\$9,167,868
FDNY	4,828	\$6,653,501
DEP	713	\$3,715,877
NYPD	1,616	\$1,722,881
Parks	3,627	\$1,533,146
BIC	97	\$131,034
Agency Missing	226	\$92,214
Landmarks	52	\$89,145
Hunts Point Development	60	\$54,185
Other	35	11,103
Total	174,362	85,156,835