

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

CONSUMER AFFAIRS AND
BUSINESS LICENSING

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March 9, 2018
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HELD AT: Committee Room - City Hall

B E F O R E: RAFAEL ESPINAL, JR.
Chairperson

COUNCIL MEMBERS: Margaret S. Chin
Peter Koo
Karen Koslowitz
Bradford S. Lander

A P P E A R A N C E S (CONTINUED)

Lorelei Salas
DCA Commissioner

Casey Adams
DCA

Mario Rockville, Jr.
DCA, Senior Director of Finance

Pamela Boyd
DCA, General Counsel

1 COMMITTEE ON CONSUMER AFFAIRS AND BUSINESS
LICENSING

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2 SHERESE TORRES: Mike check, mike check.

3 This is the hearing for the Committee on Consumer
4 Affairs. Today is March 9, 2018. Being recorded by
5 Sherese Torres.

6 CHAIRPERSON ESPINAL: [gavel] Good

7 morning and welcome to fiscal 2019 preliminary budget
8 hearing. I'm Rafael Espinal and the Chair of the
9 City Council's Committee on Consumer Affairs and
10 Business Licensing. This morning, we'll be reviewing
11 the Department of Consumer Affairs fiscal year 2019
12 preliminary budget. Specifically, we'll be assessing
13 DCA's programs and activities to ensure that the
14 agency is serving the public in a financial
15 responsible way. Before we begin, I want to
16 acknowledge and welcome my colleagues to our first
17 DCA hearing of the year and new members to the
18 committee, Council Member Margaret Chin from
19 Manhattan and Council Member Peter Koo from Queens.
20 The mayor's fiscal 2019 preliminary budget for the
21 Department of Consumer Affairs is \$40.9 million,
22 including \$27 million in personal services funding,
23 support 439 budgeted full time positions. This
24 funding will support the agency's efforts to resolve
25 consumer complaints, issue various licenses, educate

2 and protect consumers and assure that businesses
3 comply with local and state laws. In a few minutes,
4 we will hear more from DCA Commissioner, Lorelei
5 Salas regarding how the department intends to use the
6 funding it has been allocated in more detail. In our
7 discussion with DCA this morning, I hope to explore
8 different areas of the budget in order to gain
9 clarity and transparency on where and how money is
10 being spent to protect consumers, create financial
11 empowerment for New Yorkers, educate businesses and
12 maintain high standards for employee rights in New
13 York City. In particular, I look forward to hearing
14 more from DCA regarding its budget realignment within
15 its adjudication unit and review the plans for
16 implementation. Additionally, I'd like to examine
17 DCA's reporting in the PMMR to gain a better
18 perspective on how well aligned their budget is with
19 their performance. After we hear from the Department
20 of Consumer Affairs, members will have a chance to
21 follow up with questions for the Commissioner. After
22 that, members of the public will have an opportunity
23 to provide testimony for the committee which I hope
24 the Commissioner or the members of her staff will
25 stay and listen to. I look forward to working with

2 the agency and all other interested parties in
3 finalizing the budget over the following few months.
4 In closing, I want to thank my staff for working to
5 put this hearing together including Andrew Wilburg,
6 John, Russel, Nathan Toth, Balkez Mereg[phonetic] and
7 I'll now ask the committee counsel to please swear in
8 the Commissioner.

9 SHERESE TORRES: Would you raise your
10 right hand. Do you affirm to tell the truth, the
11 whole truth and nothing but the truth in your
12 testimony before this committee and answer council
13 member questions honestly?

14 COMMISSIONER SALAS: I do.

15 CHAIRPERSON ESPINAL: Thank you. You may
16 begin Commissioner.

17 COMMISSIONER SALAS: Good morning Chair
18 Espinal and members of the Committee of Consumer
19 Affairs and Business Licensing. My name is Lorelei
20 Salas and I'm the Commissioner of the Department of
21 Consumer Affairs. I would like to take this
22 opportunity today to congratulate both the new and
23 returning members of this important committee. Chair
24 Espinal, I look forward to continuing our successful
25 partnership in this new session and Council Members

2 Chin and Koo, I look forward to working with all of
3 you to protect consumers and workers and educate
4 businesses in your districts and across New York
5 City. I am joined today by some of my colleagues at
6 DCA and they might help me answer some of your
7 questions later. DCA's mission is to protect and
8 enhance the daily economic lives of New Yorkers to
9 create thriving communities. We do this by licensing
10 more than 81,000 businesses across more than 50
11 industries and enforcing key consumer protection,
12 licensing and workplace laws that apply to countless
13 more. Today I will share with you some of DCA's
14 major successes for New Yorkers over the past year
15 and show you where the agency plans to go in 2018.
16 In last year's testimony, I shared a story of Rhoda
17 Branch, a New Yorker who came to DCA for help when
18 she was taken advantage of by a used car dealer. We
19 were able to get Rhoda \$4,800 in restitution which
20 helped her repair the car she needed to get to work
21 and take care of her family. This year I'd like to
22 start with a story of thousands of small business
23 owners across New York striving to succeed in what
24 they know is the greatest city on earth in the face
25 of high rents, high expenses and what feels like lots

2 of rules to follow. DCA enforces some of those rules
3 and we wanted to find a way to help small businesses
4 understand and comply with the law while preserving
5 and enforcing all the protections it affords
6 consumers and workers.

7 MAN 1: Very good. He's understandable.
8 He's told me like a lot of understandable things and
9 things that's gonna keep my business running.
10 [Inaudible] is one thing. Second thing is like
11 anything, anything like loose shingles. You have to
12 sign the City down as enough, stamp on the cigarettes
13 and the tax like everything has to be sealed.

14 MAN 2: Yeah, seems to be where he had
15 before, our smoke [Inaudible]. Somebody is in the
16 know and that means sometime we have, we don't know
17 everything. Sometime we make some mistake. It
18 doesn't mean, you know, I want there. You know, I
19 just don't know that and that's where when we'll be.

20 COMMISSIONER SALAS: The visiting
21 inspector program or VIP is an exciting new
22 initiative to educate small businesses about City
23 laws and rules through free, no fine inspections.
24 Under VIP, new brick and mortar licensees can
25 schedule these inspections within three months of

2 receiving their license. At a VIP inspection, a
3 senior DCA inspector will educate the business about
4 how to comply with the laws and rules DCA enforces
5 and identify any potential violations for the
6 business to fix before their first official
7 inspection. VIP inspections for the, are conducted
8 in the businesses language of choice. More than
9 3,500 businesses from tobacco retail dealers decide
10 what [Inaudible] to detail laundries who seek a new
11 license from DCA each year. VIP helps these small
12 businesses understand the law and fix problems before
13 they receive fines. This program is an important
14 part of Mayor de Blasio's continuing commitment to
15 reduce fines on small businesses. In addition to
16 VIP, DCA continues to improve and expand our efforts
17 to educate businesses about their obligations through
18 direct outreach and engagement. In 2017, DCA held
19 open houses for cigarette retail dealers and laundry
20 businesses affected by recent changes in the law.
21 These advance gave businesses the chance to talk
22 directly to DCA staff about how new requirements who
23 affect their business and submit questions for the
24 agency to answer. More than 260 businesses attended
25 these sessions which were held across the five

2 boroughs and included live interpretation into
3 languages other than English. Over the past year,
4 DCA's outreach team conducted 21 business education
5 days during which we visited almost 18,000
6 businesses. When DCA holds a business education day,
7 we invite the local Council Member, merchant
8 associations or business improvement districts as
9 well as representatives from the Departments of Small
10 Business Services and Sanitation. We've made it a
11 priority to listen to business owners and create
12 neuvanies[phonetic] for them to talk to DCA in a
13 friendly informal setting. Last fall DCA held a
14 small business roundtable in South Sunset Park with
15 business owners, community leaders and merchant
16 associations as part of Mayor de Blasio's city hall
17 and new boroughs series in Brooklyn. The event was a
18 unique opportunity for business owners to bring their
19 challenges and suggestions directly to me. I deeply
20 appreciated the attendees thoughtful feedback on how
21 the City could better support businesses like theirs
22 and was impressed by the sense of responsibility they
23 felt for the wellbeing of consumers and workers in
24 their communities. Last month, I held another
25 roundtable for businesses in South Queens in

2 partnership with Council Member Daneek Miller and I
3 look forward to holding more roundtables in other
4 communities across the City. Over the past year, DCA
5 has taken aggressive action to protect consumers and
6 workers and whole businesses who rob them
7 accountable. When I testified before you last year,
8 I identified predatory lending for used car dealers
9 as a major problem for consumers like Rhoda Branch
10 and a primary target for DCA. I am proud to say that
11 DCA and the Council have worked together to notch
12 several important accomplishments in this area. In
13 October, Mayor de Blasio signed local laws 197 and
14 198. These laws introduced by Chair Espinal and
15 former Council Member Dan Garodnick, expand
16 protections for consumers who buy used cars and
17 combat predatory sales and financing practices in the
18 used car industry. During the development of these
19 bills which started with a public hearing I co-led
20 with Chair Espinal in 2016. DCA heard from many
21 consumers that they were rushed into purchases and
22 those they later regretted using high pressure sales
23 tactics. Because of these laws, many consumers will
24 for the first time, be offered the option to review
25 and think over a contract for a reasonable period of

2 time before taking the car home. Common predatory
3 practices like price packing contracts by slipping in
4 expensive add-ons or accessories are now prohibited.

5 The passage of these laws is a major accomplishment
6 for consumers and I commend the committee for its
7 hard work and wise judgment in making this happen.

8 Public awareness is an important tool in DCA's
9 efforts to protect consumers. Our multi-pronged
10 approach to educating the public about predatory
11 lending in the used car industry included a steady
12 flow of press announcements about enforcement and
13 legislative milestones. In a campaign to arm current
14 and prospective used car owners with the knowledge
15 they need to avoid predatory practices. DCA's multi-
16 lingual campaign ads ran on targeted bus shelters,
17 telephone kiosks and LinkNYC towers as well as in
18 community and ethnic newspapers, on radio and on-
19 line. DCA's robust public awareness efforts are
20 proof of our commitments to educating consumers and
21 workers across all media and in ways that are
22 accessible to every community. DCA's office of the
23 general counsel also scored major victories for
24 consumers in court and at the negotiating table. In
25 March, we announced charges against the used car

2 dealership, Major World, a case that is still
3 underway at the Office of Administrative Trials and
4 Hearings. In November, we announced a settlement
5 agreement with three financing companies that engaged
6 in deceptive and unlawful trade practices in
7 connection with subprime auto loans offered through
8 used car dealerships. That settlement secured almost
9 \$400,000 for 50 consumers who were given high
10 interest loans and opened the door for more consumers
11 to come forward and claim restitution. When DCA
12 learned that the group A New Beginning for Equal
13 Right and its president, Carlos Davila, were charging
14 immigrant New Yorkers up to \$200 for an
15 identification card they falsely claimed would
16 protect buyers from immigration enforcement agents,
17 we took action. Cases like these send a strong
18 message. Businesses who scam, deceive or steer
19 consumers into predatory loans will be held to
20 account. DCA regularly develops multilingual
21 educational materials covering key issues and laws
22 and we actively pursue paid and earned media
23 opportunities to educate New Yorkers about their
24 rights as consumers and workers. The services DCA
25 provides and the best ways to protect themselves from

1 predatory conduct. When the Equifax data breach was
2 revealed, we alerted consumers through steps they
3 could take to protect their identities. We warned
4 immigrant New Yorkers about predatory providers that
5 lure people in with false promises of an easy ten
6 year Visa without disclosing that applicants must
7 satisfy several strict conditions and place
8 themselves in deportations to qualify for the
9 benefit. One of our major initiatives was a series
10 of presentations to educate the public about
11 predatory lending and provide strategies for
12 identifying and avoiding it. DCA reached almost
13 4,000 New Yorkers through 95 community center
14 presentations across the City. At these events which
15 took place at neighborhood gatherings, places of
16 worship and community board meetings, we had the
17 opportunity to hear directly from consumers and
18 workers about what was affecting them, their friends,
19 their families and their communities. Through these
20 events and others, we've heard a lot from consumers
21 and workers. Fast food and retail workers showed us
22 how unpredictable schedules make it hard to save and
23 plan for the future. Clients at our financial
24 empowerment centers told us how unstable costs and
25

2 income make it hard to get a handle on household
3 finances and drive family [Inaudible] the costly
4 alternative financial services to make ends meet. A
5 thing that resonated in both the personal stories of
6 New Yorkers and immerging economic research is income
7 volatility. DCA hopes to be able to use the tools at
8 our disposal to help New Yorkers cope with and
9 overcome income volatility. Your income is volatile
10 if the amount you take home increases or decreases by
11 25% or more from one month to the next. A volatile
12 income can make it hard for families to plan and save
13 for the future and presents a host of other
14 challenges. Families with volatile incomes are more
15 likely to experience food insecurity, delay important
16 spending like bill payments and use alternative
17 financial services. Without a sense of how money is
18 coming in each month, families cannot budget or plan
19 for their futures. Income volatility is a big
20 problem with many causes and many potential
21 solutions. In the year ahead, helping New Yorkers
22 experiencing income volatility will be a critical
23 element of DCA's decision making process. We want to
24 ask ourselves whether and how it can integrate
25 methods for reducing income volatility into all parts

2 of DCA's existing work and develop new programs and
3 initiatives helpful to New Yorkers experiencing
4 income volatility. In some cases, we found that
5 executing and expanding on what we already do is the
6 best way to combat income volatility. That is
7 certainly the case with DCA's popular NYC free tax
8 prep program. I will let some of the New Yorkers who
9 are using the program this year tell you about their
10 experiences.

11 [Recorded Speakers] I paid \$150 to get my
12 taxes done and I wasn't happy with it. Here I'm not
13 paying anything and I feel very safe and comfortable
14 getting it done.

15 These people are professionals and know
16 about accounting and taxes for a living versus me.
17 I'm just a kinda layman's person when it comes to tax
18 so I imagine that this process will be a bit easier
19 than kind of doing it on my own like I usually do.

20 I've been going to get my taxes free for
21 four years cause some people can afford to do this.
22 You know, if they go to other places where they get
23 charged for it. Over here it's free. [End Recorded
24 Speakers]

2 COMMISSIONER SALAS: Since 2015 when the
3 de Blasio administration made its first investment in
4 the program, more than 425,000 returns have been
5 filed quickly, safely and without charge using NYC
6 pre-tax prep services. These services have brought
7 more than \$500 million in refunds in tax prepared fee
8 savings to hardworking New Yorkers. This important
9 program is just one piece of DCA's Office of
10 Financial Empowerment's approach to helping New
11 Yorkers with low or volatile incomes. With the help
12 of our community partners, OFE maintains more than 20
13 financial empowerment centers across the five
14 boroughs. OFE's financial empowerment centers help
15 New Yorkers tackle debt, save for the future, open a
16 bank account, improve credit and take charge of the
17 financial futures. In 2017, OFE financial counseling
18 programs provided almost 15,500 free one-on-one
19 financial counseling sessions to almost 9,300 New
20 Yorkers. Earlier this year, Mayor de Blasio
21 announced the launch of Empowered NYC, a new
22 initiative to strengthen the help of New Yorkers with
23 disabilities by testing, adopting and promoting new
24 financial empowerment strategies focused on the
25 specific needs of individuals with disabilities

2 living across the five boroughs. OFE also leverages
3 its in-house expertise and partnerships with outside
4 experts and advocates to produce research and
5 analysis on the issues that matter most to the
6 financial health of New Yorkers. In December, DCA
7 released student loan whirlwind across New York City
8 neighborhoods, the first neighborhood level
9 examination of student loan outcomes in New York
10 City. The report found that although New Yorkers on
11 average have student loan delinquency and default
12 rates that are slightly lower than the national
13 average, certain neighborhoods experience
14 significantly higher rates despite low overall loan
15 balances. OFE launched targeted student loan clinics
16 in these neighborhoods in January. A key
17 illustration of how OFE's research and analysis can
18 drive issue conversations forward and spur the
19 development of creative initiatives to help New
20 Yorkers in the ways they need most. Also in
21 December, we released how neighborhood help New
22 Yorkers get ahead and I believe some of these reports
23 are included in your packets. This is a report of
24 findings from the Collaborative for Neighborhood
25 Financial Help, a partnership between OFE, the new

2 economy project and the Bedford Stuy and Restoration
3 Corporation aimed at understanding how neighborhoods
4 impact resident's financial help and stability. The
5 report made key findings about how to different
6 sources, services and opportunities a neighborhood
7 provides can shape the financial futures of its
8 residents. We look forward to using these data to
9 inform further outreach and targeted initiatives to
10 pioneer new approaches for helping residents and
11 neighborhoods thrive financially. This thoughtful
12 strategic approach also guides the work of DCA's
13 other divisions including the Office of Labor Policy
14 and Standards. Over the past year, DCA's Office of
15 Labor Policy and Standards has overseen the
16 implementation of groundbreaking new policies and
17 continue to enforce the key municipal labor laws New
18 Yorkers depend on. In October, months of ground
19 laying work by OLPS which included conducting
20 outreach to offer 1,000 fast food and retail
21 businesses and providing training to about 150 fast
22 food franchise owners to help them prepare for
23 implementation, culminated in Mayor de Blasio's fair
24 work week package of laws going into effect. Because
25 of these laws and outreach education and enforcement

2 work done by OLPS, thousands of fast food and retail
3 workers across the New York City will benefit from
4 more stable schedules that allow them to save, plan
5 for their futures and spend more time with their
6 families. DCA takes its commitment to serve as a
7 central resource for working New Yorkers to accept
8 their rights under the law seriously. In March 2017,
9 OLPS brought together more than 100 home care
10 workers, 90 caregivers and house cleaners for the
11 first of several convenings to hear their stories and
12 inform the work of the paid care division. The next
13 month we convened a public hearing on the state of
14 worker's rights in New York City. Through these
15 forums we heard from over 200 workers and
16 organizations reflecting the rich diversity that
17 makes our City such a unique and vibrant place.
18 These stories documented some of extraordinary
19 challenges New Yorkers face just trying to make ends
20 meet. These challenges included wage theft,
21 hazardous conditions, abusive treatment by employers
22 and, of course, volatile wages and compensation.
23 Thanks to the leadership of the City Council and
24 particularly those on this committee, the City's
25 protections now extend beyond those workers who are

2 in traditional employment situations. Freelancers
3 among them, writers, editors, artist, photographers
4 and other workers who make New York City a global
5 capital of arts, entertainment, fashion and media all
6 too often face difficulties securing timely and
7 complete payment of the moneys they've earned. Under
8 the Freelance Isn't Free Act, freelancers in New York
9 City now enjoy first of their kind protections that
10 are not available anywhere else in the nation. Since
11 the law went into effect in May of last year, OLPS
12 has been hard at work educating freelancers about
13 their rights, guiding them through the complaint
14 process and providing important information about how
15 to pursue claims in court. To date, OLPS has
16 assisted nearly 500 freelancers, 86 of whom have
17 reported payment of a total of over \$188,000 in
18 compensation after contacting DCA. OLPS continues to
19 actively enforce key labor laws like Basic Leave and
20 Commuter Benefits. To date, OLPS has obtained over
21 \$7 million in restitution and penalties for almost
22 23,000 workers whose right under the Basic Leave Law
23 were violated. Hello Council Member Lander. How are
24 you? DCA is constantly working to streamline the
25 licensing process for businesses and improve the

2 experience of interacting with the agency both at the
3 licensing window and in the field during an
4 inspection. We're also always looking for ways to
5 refine our consumer mediation process to help
6 consumer and businesses resolve their disputes to
7 mutual benefit. DCA, hello Council Member Koslowitz.
8 DCA continues to meet or exceed our targets for
9 customer service and mediation. Response times for
10 consumer complaints and licensing requests are
11 prompt. New Yorkers waited less than ten minutes for
12 service at our licensing center last year on average
13 while the agency processed almost 50,000 license or
14 renewal applications. We are also in the process of
15 reviewing our existing license applications and
16 identifying places where we can simplify or eliminate
17 paperwork. We've already reviewed and streamlined
18 applications or renewal packages for 43 of the
19 license categories. DCA's consumer services division
20 which assists consumers by helping them work out
21 disputes with businesses resolved almost 15,000
22 complaints to the satisfaction of both consumers and
23 businesses last year. DCA is committed to deploying
24 all the tools at our disposal to protect and enhance
25 the daily economic lives of New Yorkers. Some of

2 those tools have not been updated since they were
3 created decades ago. Technology and economic
4 behavior changed rapidly and government must work
5 diligently to keep pace. The threats to consumers
6 and workers have evolved and DCA's tools should
7 evolve to meet them. In this new session of the
8 Council, I look forward to working with this
9 committee to ensure that DCA has the tools we need to
10 protect consumers and workers, hold predatory actors
11 accountable and promote a cultural compliance among
12 New York City businesses. Thank you for the
13 opportunity to share some of DCA's successes and tell
14 you about our path to addressing income volatility
15 and other issues affecting consumers and workers. As
16 always, we look to the City Council as a close
17 partner in these efforts. At DCA we know that the
18 metrics indicators and dollar figures we bring to the
19 City Council are important but that's not how we
20 ultimately measure our success. Instead, we find our
21 success in the stories of the New York person we are
22 able to help, the fast food worker who can start
23 planning to finish her degree at night because her
24 schedule is more stable, the struggling young person
25 who learns how to manage his student loans, get his

2 taxes in order and finally begins to see a path
3 toward taking charge of his financial future, the
4 bodega owner who needs help understanding the law,
5 not a violation for failing to grasp it. To us these
6 stories are the measures of success. Thank you so
7 much for listening to us today and I will be happy to
8 answer any questions you have.

9 CHAIRPERSON ESPINAL: Thank you
10 Commissioner for your testimony. We have been joined
11 by Karen Koslowitz from Queens and Brad Lander who
12 danced and snapped his finger into the hearing. I'm
13 glad we repealed the Cabaret law. Otherwise we would
14 have been cited by DCA for the dancing but I want to
15 give my colleagues a chance to ask questions if they
16 have any before I ask any questions.

17 COUNCIL MEMBER CHIN: Thank you Chair and
18 it's a pleasure to be on this committee and thank you
19 Commissioner for your testimony and it's really
20 wonderful to hear all the successes from DCA really
21 educating our, you know, small businesses owner and
22 doing a lot to help consumer and I think that Council
23 we are very proud of the legislation that we have
24 passed. When you talk about those, you know, second
25 hand car dealership affects all the immigrant

2 community across the City and we're really happy that
3 the success that you've been able to accomplish and,
4 of course, freelancer that we were able to provide
5 the protection and basically, look, we still got a
6 way to go. The question I have is that, you know,
7 DCA's budget is very small. It's almost as small as
8 Department for the Aging but these are important
9 agency that provides a very vital service and I just
10 wanted to make sure, I mean do you think you have
11 enough staff to really go out and do the education
12 and the also the enforcement because one of the
13 issues in my district. I know that when we were,
14 it's a social adult daycare and when we were working
15 on the legislation, we tried to get DCA as the agency
16 to do this oversight and that didn't happen. The
17 only way that consumer can complain about a social
18 adult daycare that not providing good services is
19 through a complaint to DIFTA and the reason we've
20 heard a lot is always, it's governed by the State but
21 these organizations are operating in the City and I
22 really see a role for Department of Consumer Affairs
23 because these are consumers and they're using
24 government benefit because they only accept seniors
25 who have Medicaid and if a senior has Medicare, they

2 go there and they get rejected so a senior will often
3 time come to our office and was complaining. Well,
4 I'm a senior, I want to be able to take advantage of
5 the service or I need the service but I can't get it
6 because I don't have Medicaid. That's one issue and
7 all of a sudden we have seen more social adult
8 daycare established in the City than senior center.
9 We have about 255 senior center. We have more than
10 300 social adult daycare that are registered with the
11 Department for the Aging so I think that's something
12 that I would love to work with DCA and on this
13 committee to see how we can provide the protection to
14 our seniors and making sure we also protect
15 government benefit because these social adult daycare
16 are supposed to help seniors who are more vulnerable
17 but the stories that we are getting and hearing from
18 the community, they're not doing that and there are
19 instances where, you know, they're paying people and
20 giving people coupons and stuff to attract them to
21 come and so we want to be able to work with DIFTA and
22 DCA and figure a way to really bring them in because
23 we do need good social adult daycare. There are a
24 lot of seniors who need this service and but the way
25 it is happening now is just not doing what it is

2 supposed to do so I do see a role that DCA can help
3 with that and maybe by having, you know, more
4 personnel to be able to help with the enforcement and
5 registration, so maybe you can give me some feedback
6 on that. Thank you.

7 COMMISSIONER SALAS: Sure, yes. So we
8 have in the last couple of years tried to use our
9 existing authority to protect consumers and going to
10 certain areas that in the past maybe we hadn't gone
11 into like some of the work we're doing now like
12 prosecuting lawyers who are coming out with the
13 [Inaudible] says and deceiving consumers and having
14 them spend thousands of dollars in that is an example
15 of the kind of litigation we are engaging in right
16 now so we'll be happy to sit down with you and
17 explore whether there's anything in our existing
18 authority that allows us to do some of the work here.
19 With respect to the questions about resources, we,
20 you know, we work with our existing resources. We
21 have to prioritize often and we try to prioritize by
22 focusing on the areas in which we see the greatest
23 harm to consumers and workers. We also try to
24 coordinate among the different divisions to make sure
25 that we're creating efficiencies and that we're

3 having more impact by using, being very smart about
4 how we use all of our existing resources.

5 COUNCIL MEMBER CHIN: Yeah, I think that
6 though for outreach and education, you probably could
7 use more resources on that. You know, the
8 multilingual aspect. I think one of the issues is
9 that a lot of the workers might not feel comfortable
10 enough to complain because of fear of retaliation but
11 the basic law we've passed but I think it's really
12 good to continue to do the education. I mean the
13 program that you had visiting the small businesses,
14 we did one in my district and I found that list to be
15 very, very helpful and the owners and the manager,
16 they were receptive and some of them actually know
17 about the law but imagine going through every
18 business just in Chinatown alone we have, I think
19 within the bid area, we may have more than 2000
20 businesses so it's a large number across the City and
21 to be able to kind of go back and visit them even
22 yearly, it's a lot of resources to be able to do that
23 but it's necessary. People need to be reminded that
24 they need to, you know, provide good services and
25 make sure that consumers are protected.

2 COMMISSIONER SALAS: We definitely
3 believe in making sure that businesses are armed with
4 the right tools and information to comply with the
5 laws. Variety helps them, it helps consumers and
6 workers too so we're very supportive of expanding
7 outreach operations.

8 COUNCIL MEMBER CHIN: Thank you Chair.

9 CASEY ADAMS: And Council Member as well,
10 we should say that because of the Chair's bill from a
11 few years ago, we have consumer protection materials
12 specifically targeted towards seniors and that list a
13 couple of comments, scams or predatory tactics that
14 are used against seniors because people think they're
15 vulnerable and in many cases they are and this
16 material helps to educate them about what resources
17 are available and what they can do to help themselves
18 if they've been the victim of a scam and so we'll be
19 happy to provide those to your office and thank you
20 to Chair Espinal for that bill.

21 CHAIRPERSON ESPINAL: Casey do you mind
22 stating your name for the record?

23 CASEY ADAMS: Yes, my name is Casey
24 Adams, DCA.

2 CHAIRPERSON ESPINAL: And just to follow-
3 up on that, so how can a senior access those
4 documents? Are they distributed to senior centers
5 across our City?

6 CASEY ADAMS: Right they're distributed
7 in all of our outreach events that we think have
8 significant chance of having seniors there to receive
9 them and they are available, they can also just be
10 taken down off of our website in multiple languages.
11 We translated them so people can print them on their
12 own and distribute them so we've done a lot of work
13 to make sure that we are reaching to where we can,
14 where we can get them into senior's hands.

15 CHAIRPERSON ESPINAL: All right, thanks.
16 Brad Lander.

17 COUNCIL MEMBER LANDER: Thank you very
18 much Mr. Chair. It's a honor to join, join this
19 committee. I was a frequent guest last term but I'm
20 glad to be here as a voting member and your
21 leadership has been, has really helped move things
22 forward and Commissioner, you as well, what obviously
23 I haven't focused especially on OLPS with you but
24 just what you've done with DCA in the last couple of
25 years is really extraordinary and the kind of thing

2 that I think people are hungry for from government
3 and don't see much from government so thanks to both
4 of you and obviously on some of the, you know, we've
5 given you a lot more to do in the last few years in
6 this committee and I'm really proud of that and we
7 see it going around the country. Actually, a
8 colleague of mine in Austin just got paid sick days
9 passed there and they're gonna put it on the ballot
10 in Dallas and San Antonio. They're working on it in
11 Westchester, really growing. Philly is having their
12 hearing on fair work week this week and I know
13 they've checked with your office and with ours. It's
14 part of a movement and this City's role is central
15 and then, you know, so adding the fair work week
16 enforcement, of course, adding the freelancers and
17 free enforcement and thank you so much for those
18 first numbers. It looks to me though in the budget
19 like your headcount is flat so I want to know what
20 either brilliant management you are using or whether
21 we actually need to be looking at giving you the
22 staff to enforce, you know, we didn't take away with
23 the exception of the Cabaret law, which I guess maybe
24 you could save a little bit by not having to enforce
25 the Cabaret law but we haven't taken that much off

2 the books in other areas of licensing so what, I mean
3 maybe if you could just drill down on OLPS. What is
4 the head count and how are you projecting given your
5 responsibility increase across the quite significant
6 area of law which, of course, I'm fully on board for.
7 I just want to make sure the resources and this in
8 some ways goes to what Council Member Chin was
9 saying, but with specific focus on OLPS. What's the
10 head count and is it sufficient to get the growing
11 work done?

12 CHAIRPERSON ESPINAL: I want to add to
13 Brad's question because we also notice that there is
14 a 10% vacancy rate as of December 2017 so if you can
15 also dig into that as well, it would be helpful.

16 COMMISSIONER SALAS: Sure and I might get
17 some help from my director of budget, Maria
18 Rockville, so let me just say that there's the
19 package of laws that OLPS enforces is extremely
20 critical, all right, and we believe in it. It's part
21 of our mission. It's work that we really care about
22 and so we do everything we can to make sure that it's
23 received the attention it needs and is part of the
24 mayor's priority.

2 CHAIRPERSON ESPINAL: This is not in any
3 way a question of whether you guys care enough about
4 or prioritize this work. It's our job to make sure
5 you have the right resource level to do the work and
6 I want to make sure we're doing our job there as
7 well.

8 COMMISSIONER SALAS: So the division has
9 grown. I mean, we have 44 head count now in OLPS and
10 what has happened is that the agency has self-funded
11 some of those lines because precisely it was just
12 raised about having that vacancy rate of like around
13 10% or so, so there is some unused money that we are
14 carrying over from year to year because of the
15 recruitment process and just like those, it takes a
16 long time to actually fill those vacancies sometimes
17 so we have been able to use our own existing funds to
18 add to the head count. Additional funds are always
19 welcome obviously but right now we believe that we
20 have been able to meet our mandates by being very
21 smart and stretching everything we can to do the work
22 yeah.

23 CHAIRPERSON ESPINAL: All right so let me
24 ask about one indicator though that makes me
25 concerned that we might need to provide you more

3 resources which is the growth in time on the paid
4 sick days complaints. The complaints have grown.
5 The numbers you are reviewing has grown. That's good
6 but it looks like the length of time to resolve them,
7 at least four month actuals in the MMR this year from
8 last year is about double what it was so that just
9 jumped out to me as a sign of that seems like
10 evidence and it's just not surprising given that
11 we've got all these new responsibilities that you
12 might need some additional inspectors to do that
13 work. Can you, so my assumption is maybe you need
14 more people. If you have different reasons why
15 that's high, I'd be glad to hear them.

16 COMMISSIONER SALAS: I mean I think it's
17 really a combination of, you know, having like more
18 of a caseload, writing more laws to enforce so having
19 to divide out the work among the same staff but also
20 I would say that some of the investigations over the
21 first year or two maybe the investigations were
22 conducted in a faster way because the issues were
23 faster to resolve or the period in which the law was
24 in place was shorter so it was easier to come to a
25 settlement agreement with businesses. The cases that
we're looking at for that period of time where that

2 it taking longer presents, some of them present more
3 difficult issues, complicated issues than we're
4 talking about larger cases so it's harder to arrive
5 at a settlement but I have to say that we have, we
6 are committed to going back to having our complaint
7 case as the cases in which we respond to complaints
8 for basically to try to keep them within 180 days.
9 That's our goal and I think we're making great
10 progress towards that to reducing that, you know,
11 like the longer period of time that we take for the
12 year that was reported so we're moving towards going
13 back to 180 days for the time that it takes OLPS to
14 complete an investigation and before the case moves
15 through oath.

16 CHAIRPERSON ESPINAL: All right, thank
17 you and I have a couple more questions but I guess
18 I'll just note here and this is some ways as much for
19 the Chair and for us, you know. It's the
20 responsibility of a commissioner to say we can do the
21 work with the budget that the mayor has allocated
22 toward us in the preliminary budget. Part of our
23 responsibility especially in a case where we've added
24 so many responsibilities through laws is to make sure
25 it really is so I just think this is an area that we

2 should drill down and, you know, if you need some
3 modest additional head count to implement all these
4 laws we've passed, we should make sure you have it
5 and that we're therefore not letting those complaint
6 times grow and I also assume for next year that
7 you'll update the MMR with some indicators for all of
8 these new, all these new laws as well. Paid sick
9 days is in there but nothing yet on freelancers, on
10 fair work week, on paid care.

11 COMMISSIONER SALAS: So we are in
12 discussions with the mayor of the [Inaudible] to
13 think about what needs to be included for next year
14 but we're actually right now obviously tracking
15 everything so we can be ready for that.

16 CHAIRPERSON ESPINAL: Yeah, and thank you
17 for those, you know, both on the fair work week and,
18 you know, I think I was talking about we've heard
19 from the first workers who in fast food now got full
20 time jobs that they couldn't get before, were stuck
21 in part time jobs and thanks to the law have moved
22 into full time which is obviously an enormous thing
23 and getting the new freelance data is really exciting
24 and I look forward to the first annual report in May.
25 Two more quick questions. One, I'm excited to learn

2 about the visiting inspector program. We've been
3 doing some work with the Department of Small Business
4 Service and the mayor's office for people with
5 disabilities to make sure that small businesses could
6 get more information on compliance with ADA and with
7 accessibility which is not a law you guys are
8 assigned to enforce but obviously a critical barrier
9 for a lot of New Yorkers from accessing small
10 business so does this program and we should have
11 probably looped you into that work and I don't know
12 whether they did, do the inspectors in this program
13 have some ability to give people the same kind of
14 voluntary advice on how to comply with the ADA and
15 make their new place. You know, there's both
16 questions about what is necessary under the law and
17 what would help make their stores accessible even if
18 they don't necessarily, compliance is not triggered
19 by whatever work they're doing and if that's not the
20 case could we work to make it the case.

21 COMMISSIONER SALAS: So I would just say
22 one thing that our, when we go, our senior inspectors
23 go to visit a business to educate them on the laws,
24 there are so many, already so many laws and
25 regulations that DCA enforces that we spend the time

2 talking about only the issues that we enforce, right.
3 I think it's, I think it might be for us, complicated
4 to actually try to educating on laws that we do not
5 enforce. You know, we wouldn't want to give them the
6 wrong information. If it's about bringing materials
7 for them, I think that's something we can definitely
8 discuss and consider.

9 CHAIRPERSON ESPINAL: I'd be glad to set
10 up a conversation with Commissioner Colese[sp] and
11 with Commissioner Bishop about what they've already
12 done and might be able to give you. I hear you that
13 we got a lot of laws on the books but partly there
14 are federal laws that folks have to comply with and
15 part of what drove this was that a lot of the small
16 businesses were getting hit with lawsuits.
17 Unfortunately there are some folks who in the name of
18 the ADA filed just tons of lawsuits against small
19 businesses without even having actually really gone
20 to them and that's what brought this to my attention
21 but both things are true. We want to protect the
22 businesses from getting hit and we want to make the
23 venues accessible so, so let's set up that
24 conversation. If there's something we could do to
25 make this program also help people address ADA

2 compliance and make their places, their places more
3 accessible it would be really good.

4 COMMISSIONER SALAS: We were just talking
5 about resources. I have like three, three inspectors
6 who do this work so it's, you know, in terms of time,
7 it's a lot but I'll be happy to sit down and figure
8 out which ways we can help each other.

9 CHAIRPERSON ESPINAL: I hear you. I'm
10 gonna just push back a little though. We've got, we
11 don't have that many places we touch them.

12 COMMISSIONER SALAS: Yes.

13 CHAIRPERSON ESPINAL: The challenge with
14 the small businesses is they are sitting there. They
15 don't know that they've got this rule in place.
16 They're not focused on the fact that that little lip
17 where there's a step up from the sidewalk to the door
18 which it's an old building and so they just rented
19 the space and they don't know how, it might not be
20 easy to figure out how to put a ramp in but, but no
21 one ever comes and tells them about it and then a)
22 people with disabilities can't get into their store
23 but b) they might get hit with a lawsuit so if we're
24 touching them already, doing something to make them
25 aware. Anyway, we'll follow up.

2 COMMISSIONER SALAS: No and Casey just
3 reminded me that we do so many outreach events. I
4 think we were like close to 1,000 last year that we
5 definitely, those are the times when we can bring
6 additional information with us and it's not always
7 about talking about entire specifics of the law but
8 it's about bringing the materials with us.

9 CHAIRPERSON ESPINAL: All right, we'll,
10 we'll follow up on this.

11 COMMISSIONER SALAS: We'll do that.

12 CHAIRPERSON ESPINAL: Thank you.

13 COMMISSIONER SALAS: Did you, I'm not
14 sure if I answered fully the question that you had on
15 the vacancy rate.

16 CHAIRPERSON ESPINAL: I mean you
17 mentioned that the reason there is a vacancy is
18 because processing times and hiring people, that's
19 the reason that that number's there.

20 COMMISSIONER SALAS: Yes, and I would say
21 that actually our vacancy rate is like smaller now
22 than it was before, right. We work hard to make sure
23 that we are reducing that gap so I think we started
24 with 13%. We are now at 10% maybe. We are, all our
25 vacancies are posted right now. It's just a matter

2 of going through that process but, you know, we are
3 working hard on this.

4 CHAIRPERSON ESPINAL: Okay, also speaking
5 on those numbers, we also notice that there has been
6 \$2 million in PS accruals as well, \$1.5 because of
7 the adjudication responsibilities to oath. Is that a
8 number that you're gonna continue seeing moving
9 forward or are you looking, how are you looking to
10 use that \$2 million? Last year, right.

11 MARIO ROCKVILLE: Hi esteemed Council
12 Members. My name is Mario Rockville, Jr. I'm the
13 senior director of finance at DCA. With respect to
14 the adjudication unit of appropriation, we are
15 actually going to appear at a PS budget realignment
16 in order to make sure that our budget better reflects
17 our operation so most of these lines which relates to
18 settlement and hearing support staff are more
19 actually using them. We're just had restructuring
20 happen mid-fiscal year '17 and we're actually in the
21 process of realigning our budget so once fiscal year
22 '19 starts, you will actually see our budget better
23 reflected, reflect our operational organizational
24 structure.

2 CHAIRPERSON ESPINAL: So those accruals
3 are staying in house and the agency is using them to
4 hire new staff?

5 MARIO ROCKVILLE: Actually, they're
6 actually already in use. It's just that we haven't
7 restructured our budget yet so you're seeing the
8 money sit in that unit of appropriation but in house,
9 they're actually being leveraged and just to also
10 piggy back off of the Commissioner when she mentioned
11 our vacancy rate. A lot of our vacancies are
12 actually posted and again the hiring via the civil
13 service process and also some of the hiring freeze
14 has delayed some of our hiring but ourself are
15 actually pretty aggressive with the hiring process
16 and actually from fiscal year 2016, our vacancy rate
17 was somewhere about 17%. It actually dipped to about
18 11%, 10% so we're actually using our resources very
19 efficiently in the agency.

20 CHAIRPERSON ESPINAL: Okay, great, yeah
21 but you know just over the years we always hear about
22 the lack of enforcement or lack of resources for
23 enforcement or I just want to make sure that every
24 dollar that the agency's accruing is able, they're
25 able to use it in efficient way to have those

2 positions filled and the work is being done so thank
3 you. Up next we have Peter Koo from Queens who has a
4 question and then followed by Karen Koslowitz.

5 COUNCIL MEMBER KOO: Thank you Chair.

6 I'm also very happy to join your committee. I think
7 this is a very exciting committee and agree with the
8 slide you have there. If you shop at a business, own
9 a business or work at a business, DCA touches your
10 life nearly every day and it should. It covers \$8
11 million people here so I thought your, your decision
12 is really understaffed to touch lives for \$8 million
13 people, right, so we have to increase the budget and
14 all this other because I feel you always understaffed
15 but whenever to call you for certain enforcement you
16 always said hey, we only have so many people. We
17 have to cover five boroughs. I forgot, how many
18 inspectors you have? 20, not too many, right.

19 COMMISSIONER SALAS: 40 some, give me one
20 second please. We have 43 inspectors and then we
21 have 11 supervising inspectors so they're not always
22 in the field because they're supervising staff.

23 COUNCIL MEMBER KOO: You have 40
24 inspectors?

25 COMMISSIONER SALAS: 43 inspectors

2 COUNCIL MEMBER KOO: Oh, 43.

3 COMMISSIONER SALAS: And 11 supervising
4 inspectors. There's an additional three that are
5 dedicated to the visiting inspector program so those
6 area not enforcing. They're educating.

7 COUNCIL MEMBER KOO: Yeah, that's not a
8 lot, okay. So my, my question is to this actually not
9 on the inspectors. Since I became a council member
10 for my district, my biggest problem in my district is
11 stoop lines, you know, because faulting is a
12 transportation hot wire. We have so many buses, the
13 number 7 train not available. All concentrated in
14 the few blocks in downtown and but somehow, they are
15 long food lines, you know. Pull up in front of my
16 supermarkets. Even a supermarket can have a stoop
17 line selling vegetables over foods I can understand
18 that but there is parked in front of the restaurants
19 or [Inaudible] and other stores, you know, but they
20 selling fruit and vegetables and they all have
21 licenses, you know, so I just wonder how your agency
22 can issue stoop line licenses for those who are not
23 operating as a supermarket or grocery store. You
24 know, I can tell that is three or four. Why, at the
25 entrance of Main Street and 41 Avenue and, and, and a

2 few other places? Why in downtown area therefore and
3 the front store is a restaurant but the side store is
4 a, well, they have a stoop line license for
5 vegetables, you know, and it bothers me because when
6 you have food lines, even though they only have two,
7 three or four but people stand there and pick the
8 apples because they are obstructing the traffic,
9 pedestrian traffic. People complain, they yell, you
10 know, and they, they are in a rush to get on the
11 train, you know, and but they, they had bypass all
12 these people standing on the street and people with a
13 stroller, the mothers with two babies and two
14 strollers there, forget it. You know, you cannot
15 pass. You have to go out on the street. That's the
16 biggest problem. It's not that I don't understand.
17 I sympathize. People they sell stuff on the street,
18 right. It's not easy. It's cold. It's really cold.
19 If it's hot, it's too hot but obstruction of
20 pedestrian traffic is, is, is not good for downtown
21 area so I hope you can look into this and make sure
22 you don't [Inaudible] and applications for stoop
23 lines [Inaudible] at the location and make sure to is
24 related to business. There's no way a restaurant can
25 apply for a stoop line license selling vegetables in

2 the front or other unrelated business, you know, so
3 please look into that.

4 COMMISSIONER SALAS: Yes, I just want to
5 say that I know that you have a lot of concerns and
6 we walked together in Flushing to observe the
7 conditions there. In terms of our licensing, do you
8 want to say something.

9 CASEY ADAMS[?]: Yeah, I think that we,
10 obviously we issue licenses to businesses that fit
11 the requirements of the law and so I think there's
12 always, there's a mix and Flushing is an example of
13 this. There are other areas like Brighton Beach
14 where we've seen this. There are issues with folks
15 who are unlicensed or they're exceeding the bounds of
16 their license because there are strict requirements
17 that they have to abide with with the respect to the
18 size of the stands and we have been aggressive in
19 working with the Department of Sanitation and the
20 Police Department to go out and enforce against those
21 unlicensed stands so we've done confiscations where
22 we've actually seized all the food and donated it to
23 City Harvest with the partnership of Sanitation and
24 the Police Department from stands that are exceeding
25 the bounds of their license causing really bad

2 problems of congestion so we, as the Commissioner
3 said. I've worked with your office. She's worked
4 with your office on this issue. We've worked with
5 other council members as well and we're happy to
6 provide whatever resources we can and knowledge about
7 the law to the best of our ability.

8 COUNCIL MEMBER KOO: Yeah, because they,
9 they, they, when I ask people from my office, from
10 pretending they are business owners to apply for a
11 stoop line license on Main Street when people who are
12 in the front oh they say, oh you cannot apply for a
13 food line license because this is a restricted area
14 or something like that but the reality then I was
15 surprised to see that people open the street line,
16 the stoop line business with a license when
17 [Inaudible]. My question is just like that, how come
18 when people call you and say I want to apply, the
19 people immediate tell on Main Street or between so
20 and so and so, between these two, is a restricted
21 area. You cannot apply for a stoop line license but
22 when people submit the paperwork, they get license,
23 yeah so that's the question. You have to look into
24 that yeah.

2 CASEY ADAMS: I think we're happy to
3 follow up with you to look at these specific cases
4 because obviously if someone is in an area where
5 they're not allowed to have a stoop line stand
6 license and they're operating one or they have a
7 license, we want to look into that right away so
8 we'll be happy to follow up with you and look at
9 those cases.

10 CHAIRPERSON ESPINAL: Thank you.
11 Koslowitz.

12 COUNCIL MEMBER KOSLOWITZ: Thank you.
13 You know, it has always amazed me that DCA is an
14 agency that can bring in a lot of money to the City
15 of New York and yet through the years your budget has
16 always been low that you can't do the right jobs.
17 Certainly not blaming you cause I understand that you
18 have always been short changed and it always annoys
19 me to see that and as a consumer going out there and
20 shopping, you said you had 14 inspectors

21 COMMISSIONER SALAS: 43.

22 COUNCIL MEMBER KOSLOWITZ: How many?

23 COMMISSIONER SALAS: 43.

24 COUNCIL MEMBER KOSLOWITZ: How many are
25 in Queens?

2 COMMISSIONER SALAS: We have six in
3 Queens.

4 COUNCIL MEMBER KOSLOWITZ: Six.

5 COMMISSIONER SALAS: Six oh sorry, in
6 addition so for generally for all of the industries
7 that we license and inspect. We have a dedicated
8 tobacco unit so those are inspectors that are only
9 going to tobacco retail dealers and for that we have,
10 which ones are in Queens. We have a couple.

11 MARIO ROCKVILLE: Yeah that unit operates
12 in different boroughs but it's dedicated to tobacco
13 but we can find out. We can look more into how many
14 of them are frequently in Queens and get back to you.

15 COUNCIL MEMBER KOSLOWITZ: Okay, because
16 what I have found. I was the Chair of Consumer
17 Affairs for many years and I passed many, many laws
18 and a lot of them, because of the lack of inspectors,
19 I mean if you have 43 inspectors and Queens has 2.3
20 million people and lots of stores. I know I
21 represent Forest Hills and Q Gardens and all along
22 Queens Boulevard there's nothing but stores and I
23 have gone shopping in the grocery store and not once,
24 not twice in the supermarket and picked up milk that
25 expired three days before the day I'm in the

2 supermarket and you know what I usually do is I take
3 the milk and I bring it up to the counter and I give
4 it to them and that's dairy products, a lot of dairy
5 products whether it be cottage cheese or sour cream,
6 they expired but many people don't realize that and
7 they, you know, you want milk and you're in a hurry
8 and you pick up the bottle of milk and you take it
9 home and you don't look at, not everybody looks at
10 the date and they pour the milk and they taste it and
11 it's sour. It's no good so if there were more
12 inspectors out there to look at these stores,
13 certainly I don't want to, you know, burden the
14 businesses but I think it's the responsibility
15 actually of the businesses to make sure that their
16 products that they're selling are up to date but that
17 doesn't happen and it really bothers me and like I
18 said, there's so much money that could be made for
19 the City of New York through DCA. How many vending
20 licenses do you have now?

21 COMMISSIONER SALAS: I'm sorry, how many
22 vending

23 COUNCIL MEMBER KOSLOWITZ: Vending
24 licenses are out there? Street vendors?

25

2 CASEY ADAMS: Are you referring to general
3 vendors? General vendors is capped by law so it
4 never exceed, I believe the number is somewhere in
5 the 830's. It's been that way for a number of years.

6 COUNCIL MEMBER KOSLOWITZ: No, the
7 licenses?

8 CASEY ADAMS: That's right, general
9 vendor licenses.

10 COUNCIL MEMBER KOSLOWITZ: And how many
11 did you say?

12 CASEY ADAMS: It's about 830. It's
13 capped by law.

14 COUNCIL MEMBER KOSLOWITZ: 830 for the
15 whole City of New York?

16 CASEY ADAMS: That's right. In addition
17 to that there are licenses that are issued to
18 veterans which are governed by state law but the, if
19 someone just wants to come off the street and apply
20 for a license and they're not a veteran, that number
21 is around 830.

22 COUNCIL MEMBER KOSLOWITZ: Because I know
23 I have seen a large increase of vendors just in my
24 area where you never saw a vendor. They're all over
25 the place.

2 COMMISSIONER SALAS: Just, the number
3 doesn't include food vendors, right? Vendors are not

4 COUNCIL MEMBER KOSLOWITZ: No, I'm
5 talking about food vendors.

6 CASEY ADAMS: DCA actually doesn't
7 license food vendors. That's the Department of
8 Health so we license if you sell goods or services on
9 the street. That's a general vendor. That was the
10 number we were talking about but the Department of
11 Health is the one that issues

12 COUNCIL MEMBER KOSLOWITZ: Right, I, I do
13 know that but consumer affairs has some oversight on
14 the vendors. I mean I just introduced the law that
15 I'm waiting for the Department of Health to letter
16 grade all the vendors.

17 CASEY ADAMS: We can follow up with the
18 Department of Health and get that number for you but
19 because they're not DCA licenses, we don't have them
20 today but we can, we can get it for you.

21 COUNCIL MEMBER KOSLOWITZ: Okay.

22 COMMISSIONER SALAS: I would, you know,
23 obviously if we had more resources, we could do even
24 more, right. What I can tell you is that we're
25 always, we're conscious of that where we're cautious

2 of where we're using our resources and we do try to
3 make decisions as to where we need to put them, right
4 and where we see the worse violation, that's where we
5 are going to prioritize but I hear you and yes, you
6 know, if there are areas in which you think that we
7 need to be doing more enforcement, we'll be happy to
8 sit down and talk about that.

9 COUNCIL MEMBER KOSLOWITZ: Okay, thank
10 you very much.

11 CHAIRPERSON ESPINAL: Along those lines,
12 which fines general the most revenue for the agency?

13 COMMISSIONER SALAS: I would say it's
14 tobacco, the tobacco retail dealers violations.
15 That's where we have the highest number of violations
16 and where we issue the most fines.

17 CHAIRPERSON ESPINAL: We've actually
18 noticed that there has been a decrease of compliance
19 around the tobacco laws. Is there any reason that
20 you can point to on why that's the case, meaning that
21 more people are being fined for selling tobacco to
22 minors?

23 CASEY ADAMS: I think there is a number
24 of factors that go into that and it can be a
25 combination of the turnover in the inspector rate so

2 if the minor is either more skilled or less skilled
3 because they've been doing it for longer or less time
4 than that can result in the agency under covering
5 more violating and in addition we've been trying to
6 do stronger tobacco enforcement and in some cases
7 that results in more violations because our
8 enforcement practices have been refined and are doing
9 a better job of finding those violations and our
10 general counsel is reminding me that there's also a
11 lot of business turnovers so there may be new
12 entrants into the market who don't understand the
13 regulations as well and therefore are more likely to
14 violate the law.

15 CHAIRPERSON ESPINAL: Has the fact that
16 the smoking age changed in the past few years also
17 played a role into this or are there still retailers
18 out there that are selling cigarettes to people under
19 the age 21 or over the age of 18 that you are aware
20 of?

21 CASEY ADAMS: We have different units for
22 tobacco 18, tobacco 21. I don't have the breakout
23 for you for the compliance rate between those two but
24 we can look into it.

2 CHAIRPERSON ESPINAL: Okay, and what are
3 the, which licenses actually generate the most
4 revenue, can you give that?

5 CASEY ADAMS: Again, that really depends
6 on a number of factors because we, our licenses, some
7 of them are one year, some of them are two years so
8 depending on the year, you'll get a different answer
9 for what, what generates the most revenue.

10 CHAIRPERSON ESPINAL: So generally what,
11 what, is there any one license you can point to and
12 say this license is what creates the most revenue for
13 the agency or the City?

14 CASEY ADAMS: Not unequivocally. We'll
15 look into it more but for instance, not all license
16 categories are exactly alike so for sidewalk cafes
17 there is both a license fee and a consent fee to use
18 this public sidewalk for the purpose of a business
19 and so there's a lot of, there's a lot of money
20 that's associated with that that the business pays to
21 the City and in other categories, there's a
22 relatively low license fee but a lot of people who
23 hold the license.

24 COMMISSIONER SALAS: But we can go back
25 and look into that and give you an answer.

2 CHAIRPERSON ESPINAL: I have a question
3 regarding the sidewalk cafes, actually aside. Does
4 the agency interact with other agencies when it comes
5 to sidewalk café, for example, maybe DOT or the Parks
6 Department and the reason I bring this up is because
7 a restaurant actually reached out to me recently
8 because they received a violation because their
9 sidewalk café application wasn't reflecting the
10 recent work that the Parks Department did on their
11 sidewalk so for example, this past year they were
12 able to have 80 seats out in their sidewalk but the
13 Parks Department planted a tree within that year and
14 DCA came back and fined the business for not
15 including the tree in their license and also the
16 amount of seating they are now able to put out into
17 the street has dropped to about 15 I believe so
18 there's been a significant drop in the amount of
19 people able to sit outside and actually be able to
20 gain revenue. Is there any instances where the
21 agency works with other agencies to talk about
22 sidewalk cafes?

23 CASEY ADAMS: So I'd like to circle back
24 on that question that we were just discussing about
25 licensing revenue. We actually did look into this

2 and in the last two calendar years, 2016 and 2017,
3 the two license categories that produced the most
4 fees collected were second hand dealer general and
5 home improvement contractor and we have a significant
6 number of home improvement contractor paying those
7 fees and as well second hand dealers which are all
8 across the City.

9 PAMELA BOYD: Hi, I'm Pamela Boyd,
10 general counsel for DCA. I just wanted to answer
11 your questions about whether or not we work with
12 other agencies. Sidewalk café is one of a few
13 license categories that are multistakeholder
14 categories and so, especially in sidewalk café, we
15 work very often with Parks, the Department of
16 Transportation and we hear a lot about things like
17 trees being planted after the fact. When we get a
18 complaint like that or when we see a violation like
19 that that the business is challenging, we will always
20 go and talk to Parks. We work with them to try and
21 determine why the tree was planted and it's not even
22 always a tree. Sometimes it's a bench and if we can
23 make a determination that the café came first, we can
24 sometimes convince Parks to remove the tree. Often,
25 no often, sometimes by law, the tree can stay. In

2 the event that the tree can stay, then we have to
3 work with the business for the business to redo their
4 plans to account for the tree and sometimes that can
5 result in a reduction in the size of the café they're
6 allowed to operate because we always have to account
7 for proper clearances for safety.

8 CHAIRPERSON ESPINAL: Has DCA ever
9 forgiven any of these fines given to businesses
10 because of the work other agencies have done to the
11 sidewalk while they've had the license?

12 PAMELA BOYD: I cannot imagine that we
13 have not. I mean, my guess would be yes that we
14 have. I mean if there was an invalidly issued fine
15 because of something that was outside of the control
16 of the business, I think that we would withdraw that
17 fine and I can probably find you an example of when
18 that happened.

19 CHAIRPERSON ESPINAL: Okay, thank you.
20 Speaking of licenses, the Cabaret law, actually the
21 repeal goes into effect in two weeks. Is that going
22 to, how does that change the operations of the
23 agency, if it does at all?

24 PAMELA BOYD: We have actually stopped
25 taking applications for sidewalk, I'm sorry. I'm

2 still on sidewalk cafes, for cabarets and dance halls
3 and we are not doing any enforcement in anticipation
4 of obviously the appeal going into effect.

5 CASEY ADAMS: And on the outreach side,
6 we did mail all of our existing cabaret licensees to
7 notify them that they'll no longer be required to
8 have that license and we've updated all the materials
9 on the website so that if a business comes looking to
10 see if they need to apply for a cabaret license,
11 they'll have the right information at their
12 fingertips.

13 CHAIRPERSON ESPINAL: Great, thank you.
14 Any other questions from my colleagues?

15 COUNCIL MEMBER KOO: So how many total
16 licenses consumer affairs issue?

17 CASEY ADAMS: We license about 81,000
18 businesses. It fluctuates dependent again, as with
19 the revenue it fluctuates depending on where in the
20 year we are because some licenses will turn over,
21 some licenses will expire but on the whole it's
22 generally around 80,000 and that includes both
23 businesses and individuals who have a business such
24 as a home improvement contractor.

2 COUNCIL MEMBER KOO: But not all
3 businesses are licensed by DCA though, right? Not
4 all businesses?

5 CASEY ADAMS: That's right.

6 COUNCIL MEMBER KOO: The department
7 stores, they don't need a license from you, right?

8 COMMISSIONER SALAS: No, there are some
9 businesses, there are a number of businesses that we
10 actually inspect because we regulate them but they do
11 not have a license from DCA so the 81,000 is just a
12 number of licensees but besides that, there are a lot
13 more that we also inspect.

14 CASEY ADAMS: So a good example of that
15 would be a bodega or a supermarket. They're not
16 required to get a license from DCA but we would
17 inspect them for compliance with certain agin markets
18 and weights and measures laws.

19 COUNCIL MEMBER KOO: You still go into
20 those where you check the scales, things like that,
21 right?

22 CASEY ADAMS: That's weights and
23 measures, yes and as well, we regulate all businesses
24 under the Consumer Protection Law so that law applies
25 to any business so if you are engaging in deceptive

2 trade practices with respect to a consumer then DCA
3 has authority.

4 COUNCIL MEMBER KOO: So can you, can you
5 inspect stores that are not licensed to sell
6 cigarettes but they are selling cigarettes?

7 CASEY ADAMS: Yes, we have, as the
8 Commissioner mentioned earlier, we have a dedicated
9 tobacco unit that does only tobacco sales and so it's
10 both the age requirement, packaging and pricing
11 requirement, selling of loosies and one of those
12 things is if you're selling without a license, we can
13 inspect you.

14 COUNCIL MEMBER KOO: Because recently
15 because the tax increased in cigarettes, a lot of
16 consumers are buying cigarettes off the, on the
17 streets at illegal places now so I wonder how you can
18 do inspections on those places then sometimes they
19 are bakery stores or even barber shops and on the
20 side they're selling cigarettes from other states
21 [Inaudible].

22 COMMISSIONER SALAS: We work together
23 with the Department of Finance and also with the
24 Sheriff's Department and when we see situations in
25 which there is illegal sale of tobacco and maybe it's

2 not within an establishment that we usually visit, so
3 we'd love to hear from you. You know, if you have
4 more information we can pull up on that.

5 COUNCIL MEMBER KOO: I'm sorry, you say
6 Department of Finance they're doing the enforcement?

7 CASEY ADAMS: It's, it's both so in the
8 situation that you're describing where it's not
9 unfolding in the context of the business that we
10 regulate, then we have the ability to partner with
11 the Sheriff's Department within the Department of
12 Finance as well as the NYPD to do, to take
13 appropriate measures there but if it's business, a
14 bodega that doesn't have a license from us and is
15 selling cigarettes or they're taking them out of the
16 pack and selling them as loosies, that's something
17 that our unit can do.

18 COUNCIL MEMBER KOO: Thank you.

19 COUNCIL MEMBER CHIN: Can you tell me how
20 many inspector do you have in this visiting inspector
21 program, how many staff you have assigned to do this?

22 COMMISSIONER SALAS: Three.

23 COUNCIL MEMBER CHIN: Um?

24 COMMISSIONER SALAS: Three.

2 COUNCIL MEMBER CHIN: Three, so all your
3 inspections, is it, how many are based on complaint
4 and also how many are your regular inspection that
5 you do every year?

6 COMMISSIONER SALAS: So let me just say,
7 the visiting inspector program is completely
8 separate, right, because that's not in response to
9 any complaints or that is in response to you getting
10 a license from DCA so you apply for a license and
11 once we grant the license within the first three
12 months, we're going to go out there and give you an
13 educational visit, right. No violations result from
14 that and it's a way of making sure that we're
15 welcoming you to the City and we're giving you the
16 tools you need to succeed. In terms of complaint
17 inspections and patrol inspections, do you have
18 numbers?

19 CASEY ADAMS: We don't have numbers today
20 because our inspections can be prompted by a number
21 of different inputs so one of them is you file a
22 complaint with 311 or on the DCA website. The other
23 is that you are on a regular patrol route and, of
24 course, we will also receive complains from council
25 members which will prompt an inspection but we do, we

2 have some more data than we can share with you about
3 the inspections themselves.

4 COMMISSIONER SALAS: For 2017, we
5 conducted 73,724 inspections so for last year.

6 COUNCIL MEMBER CHIN: 73

7 COMMISSIONER SALAS: 73,724

8 COUNCIL MEMBER CHIN: And those are just
9 regular inspections, not by complaint or is that
10 including complaint?

11 COMMISSIONER SALAS: Was that?

12 CASEY ADAMS: It's all of them.

13 COUNCIL MEMBER CHIN: All of them.

14 COMMISSIONER SALAS: All of them so we
15 will have to go and see if we can get numbers on just
16 what were complaints, right but that's the total
17 number of inspections.

18 COUNCIL MEMBER CHIN: Yeah, I mean the
19 reason I was asking this, the visitor program, you
20 know, is great if somebody is starting out but also
21 people who've been in business it's also good for
22 them to get a reminder, a regular, I mean not just go
23 there and just give them tickets but to give them a
24 visit and kinda reeducate. Are you complying? This
25 is the rules and same thing like what Council Member

2 Koo raised about the stoop line. I think it's like
3 it would be great to really offer once a year to
4 visit these businesses because often time they just
5 don't follow the rules so I think a reminder visit is
6 also important.

7 COMMISSIONER SALAS: Just a couple of
8 things that we are currently doing and we'll be happy
9 to partner with you all is that we do business
10 educations days so we work closely with a council
11 member and you may propose a certain, you know,
12 particular set of blocks where there's a lot of
13 commercial activity and we'll go there and do, all we
14 do again is we go door to door providing education so
15 it's similar to VIP in the sense that there are no
16 fines issued but it's different because it's not for
17 new licensees. It's for existing businesses so we do
18 that. We do the business education days and we also
19 have been, have started doing round tables so if you
20 have a BID or a merchant's association that has
21 particular concerns that they want to bring tour
22 attention, we'll go out there and sit down with them
23 and just like hear them out and answer their
24 questions so there are different ways in which we can

2 accommodate that especially if you have area that you
3 want us to visit, we'll be happy to do that.

4 COUNCIL MEMBER CHIN: Are you doing that
5 also with all the BIDs in the City?

6 COMMISSIONER SALAS: What we've done so
7 far, I think, only two and we have two more on the
8 calendar for the next few weeks so I don't know that
9 we have a list of all the BIDs that we're going to
10 but we're just mostly working with council members
11 right now.

12 CASEY ADAMS: And when we do the business
13 education days which I know that you've done one with
14 us, we all, we try to invite the appropriate BIDs and
15 merchants associations so that they can come and walk
16 with us to visit the businesses and teach them about
17 these laws and those as well are not cases where an
18 identified violation would result in a fine so we can
19 point something out and we can you should fix this
20 before an inspection but we won't issue a violation
21 at that time and those we've done, we've done lot of
22 them. We've done more than 20 for the past year.
23 We've visited over 1,800 businesses and we continue
24 to actively schedule those both with council members
25 and with merchants association and bids. I wanted to

2 just circle back on your question about complaints
3 versus inspections. We can't draw a straight line
4 between these numbers from the data we have in front
5 of us today but as the Commissioner mentioned, we did
6 almost 74,000 inspections and during that same period
7 we received over 20,000 complaints so that gives you
8 an idea and not all those complaints will result in
9 an inspection. Sometimes it's the consumer asking,
10 looking to DCA to help them mediate their complaint
11 but some of them will.

12 COUNCIL MEMBER CHIN: Yeah, I think it's
13 also really good to coordinate more with the BID
14 because they're out there every day cleaning and they
15 could be the one that can alert you to where like the
16 stoop line violations are so this way you have a more
17 closely working relationship with them to educate,
18 you know, the business owner so this way I think that
19 that could be more of a regular working relationship.

20 CASEY ADAMS: Yeah, we absolutely agree
21 and I think we view those organizations as partners
22 because once we've done a business education day and
23 they've done it with us, then they have a better
24 understanding of our laws and rules and they can
25 continue to educate businesses and serve as a

2 resource for people they have relationships with when
3 they come and say, hey, what does, how do I comply
4 with this DCA law rule? That BID will already have
5 the tools to either show them what they need to do or
6 point them towards DCA resources that are
7 appropriate.

8 COUNCIL MEMBER CHIN: How many bilingual
9 staff do you have on site, I mean on your agency?
10 Like the language capability of the agency?

11 CASEY ADAMS: We do have a roster of
12 staff who have volunteered language skills and I
13 don't have that with me today but we can get it to
14 you but in terms of language access capability, we,
15 as we mentioned in the presentation, we make that a
16 high priority. We translate all of our commonly used
17 outreach and education materials and we put them on
18 our website in typically eight to ten different
19 languages and we make sure that if there is a
20 targeted piece that is going to a specific community,
21 that we translate it for that language and as well,
22 we of course have language line available for all New
23 Yorkers who come in. If you come into our licensing
24 center, we have a language access sign that allows
25 them to use language line or for the DCA worker to

2 coordinate with one of their co-workers who can
3 communicate in that language.

4 COMMISSIONER SALAS: There also are
5 inspectors, right. If they go into a business, they
6 have access to language line on their phones and they
7 will use interpretation services as needed.

8 COUNCIL MEMBER CHIN: So, I mean, do you
9 also make it a priority to recruit inspectors that
10 are bilingual? It's much easier just, you know,
11 speak face to face than call up the language line
12 and.

13 COMMISSIONER SALAS: Definitely that's
14 something that we look for and we welcome. I mean,
15 I'm not really sure if like, depending on the title,
16 the position we're hiring from, sometimes there are
17 civil service lists and we have to, you know, we have
18 to hire from those lists.

19 COUNCIL MEMBER CHIN: But you do, I guess
20 you could list like prefer right, to have bilingual
21 ability in different languages and

22 COMMISSIONER SALAS: We can and we do but
23 just to reiterate we are kind of beholden to the
24 civil service system and how it works so we often do
25 say a language preferred or we request it.

2 COUNCIL MEMBER CHIN: I mean Chair, I
3 don't know how it relates to this committee but I
4 know that there are legislation being introduced to
5 get more information out there about how to apply,
6 take the civil service exam because often time a lot
7 of people don't even know that's available and that's
8 something that we definitely should let the public
9 know so that more people with language ability can
10 apply and get into the system because it just makes,
11 it seems like it just makes the work so much better
12 in terms of communicating and getting people to
13 understand the rules and regulation if they can do it
14 in the language that they understand.

15 COMMISSIONER SALAS: You're absolutely
16 right and I think we should definitely think about
17 ways in which we can make sure people know about how
18 to apply for these jobs for sure.

19 COUNCIL MEMBER CHIN: Thank you, thank
20 you, Chair.

21 CHAIRPERSON ESPINAL: Thank you. Going
22 back on business outreach, we notice in the numbers
23 that there are actually no four months actuals for FY
24 '17 and '18. Is there a reason for that? In the
25 MMR.

2 CASEY ADAMS: Yeah, we don't have an
3 answer for you today but let us look into that on our
4 side and get back to you as soon as we can.

5 CHAIRPERSON ESPINAL: Okay, thank you.
6 Is it possible to get a list of all the licensees and
7 fees that the agency

8 CASEY ADAMS: Possible to get a list of?

9 CHAIRPERSON ESPINAL: The licensees and
10 fees?

11 CASEY ADAMS: Yeah, that's all, that's
12 all available on our website but we can put it
13 together for you as well.

14 CHAIRPERSON ESPINAL: Yeah, that would be
15 helpful.

16 CASEY ADAMS: Yeah, we have, many of the
17 fees are set by our rules and are available there but
18 we'll get you a list of everyone we license and what
19 the fee associated with that is.

20 CHAIRPERSON ESPINAL: That you, so we
21 also noticed that 21% of the summons have been
22 accessed were not paid within the first 120 days
23 compared with just 8% at the same point last year.
24 Is there any concern from DCA that these fines would

2 not be paid and there might be a decrease in revenue
3 for the agency this year?

4 PAMELA BOYD[?]: Hi, I think that part of
5 that could be that we're now at oath and now that the
6 cases are being heard, there is appeal rights. There
7 are default rates. There are as a right vacates, you
8 can vacate a default as a right and so the process is
9 just extended and so, it is very difficult to rely on
10 any number honestly that's probably lower than result
11 of a six month look back period and in fact, at oath
12 you have a right to vacate a default for a year and
13 so it could be that that number won't be dependable
14 until a year is past so I don't think that we're
15 concerned about that just yet because I think the
16 number is something like 94% of the respondents take
17 advantage of that right to vacate a default.

18 CHAIRPERSON ESPINAL: So being that they,
19 this has been pushed over to oath now, the person
20 paying the fine has more rights as to appealing and
21 being able to push when they have to pay these fines?

22 PAMELA BOYD[?]: Right, so the period in
23 which they have to pay the fine is really extended.

24 CHAIRPERSON ESPINAL: Right, okay. I
25 mean I'm done with questions. Is there anything

2 else? All right, the last question is regarding the
3 revenue estimates. We've noticed that this year
4 you've underestimated your revenues by \$5 to \$6
5 million compared to what the agency received in '17
6 and '18 and also we also noticed that in the
7 preliminary budget of '17 and '18, you've also
8 underestimated those revenues as well. Is there a
9 reason for this practice?

10 CASEY ADAMS: So DCA works with OMB to
11 estimate those revenues and we know that they try,
12 typically try to be conservative because DCA's
13 revenues are vulnerable to shifting based on general
14 economic climate and weather and other factors
15 because of, because many of our revenues are
16 collected from businesses in the form of license fees
17 or fines and so to our understanding, it's a choice
18 to be conservative to ensure that those factors don't
19 surprise the City.

20 CHAIRPERSON ESPINAL: Okay, so despite
21 the increase in consumer restitution, the water
22 between last year and this year, there's still a
23 decrease from earlier years. Can you explain, how
24 are you going to go back on target to pre-2017
25 levels?

2 CASEY ADAMS: Are you referring to
3 general consumer restitution or paid sick leave
4 restitution?

5 CHAIRPERSON ESPINAL: General.

6 CASEY ADAMS: Though again I think this
7 goes back to, partially to the growing pains of the
8 oath transition so we expect that some of these
9 numbers will stabilize as both consumers, businesses
10 and agency staff get more used to the procedures at
11 oath as opposed to the procedures at our old
12 tribunals but I believe that the four month actual
13 has shown some recovery and restitution and we're
14 committed to making sure that it gets back to where
15 we were.

16 COMMISSIONER SALAS: We're also working
17 closely with the mayor's office of operations to make
18 sure that the actual MMR metrics better, best capture
19 the work the DCA does and not just, you know, it's
20 not actually affected by processes that are outside
21 of DCA like oath now right so hopefully you'll see
22 some of those changes for the next MMR.

23 CHAIRPERSON ESPINAL: Okay, well we'll
24 keep an eye on that. Um, I think that's it, right?
25 Well thanks for testifying. It was great seeing you

2 Commissioner and the rest of the team. We'll see
3 other at the next hearing. You're free to go.

4 COMMISSIONER SALAS: Maybe beforehand.
5 Thank you so much.

6 CHAIRPERSON ESPINAL: Thank you. I want
7 to call up, we have one witness from the public who
8 would like to testify, Mia Micovitz[sp] from the
9 Anti-Violence Project. Please forgive me if I
10 mispronounced your name. Sorry, say that again.
11 Yeah, we're about to close the hearing. She's the
12 only person we have testifying. We'll keep it open
13 for five minutes. Should give her time to get here.

14 [pause]

15 CHAIRPERSON ESPINAL: Is Mia in the
16 house?

17 MIA: I'm here.

18 CHAIRPERSON ESPINAL: Awesome, good
19 afternoon. Just state your name for the record
20 before you begin. Thank you. Is the button on?

21 MIA: Oh, now it is.

22 CHAIRPERSON ESPINAL: All right, great.
23 Is that better?

24 MIA: Oh, Mia Micovitz.

25 CHAIRPERSON ESPINAL: Good to go.

2 MIA: Good afternoon, Chair Espinal and
3 thank you to the whole Consumer Affairs Committee for
4 having me and hearing my testimony today. My name
5 again is Mia Micovitz and I'm the program associate
6 and community organizing in public advocacy at the
7 New York City anti-violence project. I run the
8 volunteer and outreach programs. I coordinate AVP's
9 pride activities and I support the organizing
10 department's administrative capacity. In my own role
11 in engaging LGBTQ and HIV affected survivors through
12 outreach, it's clear that the root causes of violence
13 are not only interpersonal but they're systemic.
14 This means we need to think about prevention on many
15 levels at once. When I first came to AVP, I didn't
16 identify as a survivor. I just knew that I wanted to
17 give back. As a queer transgender person working in
18 film and television at the time, I was struggling
19 with long gaps of unemployment, depression,
20 discouragement and felt isolated from others like
21 myself. The more I learned volunteering at AVP, the
22 more I began to feel connected to my community and
23 empowered to educate myself about the violence that
24 my community had endured and that I had also
25 experienced but hadn't yet given a name to. The

2 people I met through ADP and the organizations that
3 we partner with changed me. There are so many
4 survivors in New York City who deserve the
5 opportunity to connect with their community who are
6 being cut off, either because of the fear, isolation
7 by their abusive, violent partners, the denial of
8 their identities by service providers and also often
9 their own families and the constant barrage of sexual
10 harassment and other violations of their boundaries.
11 The Anti-Violence projects programs include a 24 hour
12 Spanish/English crisis intervention hotline with
13 calls going up 34% in fiscal year 2017 over the
14 previous fiscal year. That reflects the turbulent
15 times impacting LGBTQ communities. Some of our other
16 programming includes one on one counseling with
17 support groups reaching over 1,100 community members
18 in all five boroughs, our economic empowerment
19 program which includes tax workshops, credit and debt
20 resumes and cover letters, AVP's legal services
21 representing survivors in all civil legal matters
22 including immigration, family, housing and public
23 benefits. We have seen a 24% increase in overall
24 clients seeking legal services since the 2016
25 election. Our leadership development program

2 includes job readiness and paid internship like
3 speaker's bureaus is one workshop we do and there's a
4 bunch more. Community organizing, outreach and
5 education, activities that have reached more than
6 43,000 people just in the last year in all five
7 boroughs again with information about staying safe
8 which includes bystander and prevention trainings,
9 know your rights training and much more. We also do
10 policy advocacy work with the City Council on
11 community forums and policy solutions to violence. I
12 respectfully ask that you continue to, that the New
13 York City Council continues your support of AVP and
14 that the Committee work with us on these issues so
15 that New York City can become a safer place for LGBTQ
16 and HIV affected communities where we can thrive.
17 Thank you very much.

18 CHAIRPERSON ESPINAL: Thank you for your
19 testimony, Mia. Just a quick question. Do you do
20 any work with the Department of Consumer Affairs? Do
21 you interact with the agency at all?

22 MIA: Um, we do, yes. Mostly our client
23 services department but sometimes we collaborate for
24 outreach events, yes.

2 CHAIRPERSON ESPINAL: All right, thank
3 you.

4 MIA: Thank you.

5 CHAIRPERSON ESPINAL: Noted, appreciate
6 it. Have a good weekend.

7 MIA: You too.

8 CHAIRPERSON ESPINAL: Okay with that said
9 this meeting has come to its conclusion and
10 adjourned. Thank you. [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date March 27, 2018