

# THE COUNCIL OF THE CITY OF NEW YORK

Hon. Corey Johnson  
Speaker of the Council

Hon. Andrew Cohen  
Chair, Committee on Consumer Affairs and Business Licensing



Report of the Finance Division on the  
Fiscal 2021 Preliminary Plan and the  
Fiscal 2020 Preliminary Mayor's Management Report for the

## **Department of Consumer Affairs**

March 6, 2020

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## Department of Consumer Affairs

The Department of Consumer Affairs (DCA or the Department) ensures that New York City's consumers, businesses, and workers benefit from a fair and vibrant marketplace. The Department of Consumer Affairs is a revenue-generating agency with the majority of income deriving from licenses, permits, franchise fees, and fines.

### Program Areas

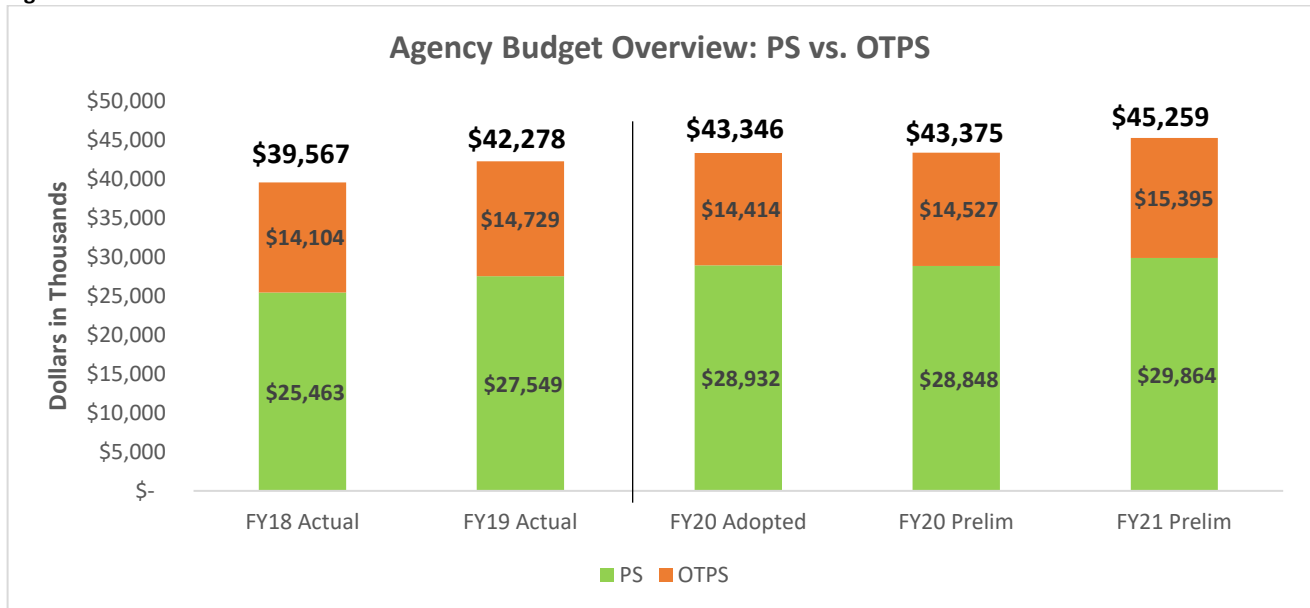


#### **The Department's activities include:**

- Issuing licenses in 55 business categories and performing onsite inspections to ensure compliance with license regulations, weights and measures regulations, and the New York City Consumer Protection Law;
- Mediating and resolving individual consumer complaints, obtaining restitution for consumers, and bringing litigation and enforcement actions against repeat violators to halt deceptive advertising;
- Educating the public and businesses about their rights and responsibilities through press releases and press conferences, public awareness campaigns, community outreach, public hearings, the 311 Customer Service Center, its website, and publications;
- Providing free, one-on-one financial counseling through its network of more than 20 Financial Empowerment Centers, improving access to income-boosting tax credits, connecting individuals to safe and affordable banking and asset-building products and services, and enforcing and improving consumer protections to enhance financial stability, and
- Empowering working families by providing the tools and resources they need to achieve a healthy work-life balance.

## Fiscal 2021 Preliminary Budget Highlights

Figure 1



The Department’s Fiscal 2021 Preliminary Budget totals \$45.3 million, including \$29.9 million in Personal Services (PS) funding to support 433 full-time positions, and \$15.4 million in Other Than Personal Services (OTPS). PS costs refer to funds intended to pay for salaries and benefits for employees of the agency, while the OTPS category accounts for funding used for all other general operating costs of the agency. Of the total OTPS funding in Fiscal 2021, approximately \$7.9 million, or 51.3 percent, is allocated to the Office of Financial Empowerment (OFE), which provides low-income New Yorkers with services to increase access to high-quality, low-cost financial education and counseling, safe and affordable financial inclusion, and access to income-boosting tax credits and savings. DCA’s Fiscal 2021 Preliminary Budget is \$1.9 million more than its Fiscal 2020 Adopted Budget of \$43.3 million. This is primarily due to a baselined new need, beginning in Fiscal 2021, of \$1.5 million that was added in the November 2019 Plan, discussed later in this report. Since the Adoption of the Fiscal 2020 Budget, DCA has identified savings of \$600,000 in Fiscal 2020 and \$250,000 in Fiscal 2021.

### Highlights of DCA’s Fiscal 2021 Preliminary Budget

**New Needs.** DCA has identified a new need of \$1.5 million in baselined funding, beginning in Fiscal 2021, for the Taxi and Limousine Commission (TLC) Driver Assistance Program.

**Citywide Savings Program.** Since Adoption of the Fiscal 2020 Budget, the Department has identified savings of \$600,000 in Fiscal 2020 and \$250,000 in Fiscal 2021, primarily through OTPS savings and PS savings achieved through delays in hiring vacant positions.

**Miscellaneous Revenue.** The Fiscal 2021 Preliminary Budget projects that DCA will generate miscellaneous revenue totaling \$29.9 million in Fiscal 2021, including:

- ✓ \$20.4 million from Licenses, Permits, and Franchise fees; and
- ✓ \$8.5 million from Fines and Forfeitures.

**Contract Budget.** The Department’s Fiscal 2021 Contract Budget totals \$1.7 million with six contracts, which accounts for 11.3 percent of the Agency’s Fiscal 2021 OTPS Budget.

**Preliminary Mayor's Management Report (PMMR) Highlights.** Notable performance improvements and declines reported by DCA in the Fiscal 2020 PMMR include the following.

- ✓ The number of resolved consumer complaints by DCA decreased from 2,701 in Fiscal 2018 to 2,536 in Fiscal 2019, while complaints processed within 28 days decreased from 71 percent to 66 percent during the same period. However, all complaints were processed within 90 days in Fiscal 2018 and Fiscal 2019.
- ✓ The average processing time for business licenses decreased from four days in Fiscal 2018 to two days in Fiscal 2019, while wait times in licensing centers decreased from 15 minutes in Fiscal 2018 to eight minutes in Fiscal 2019.
- ✓ DCA's Office of Financial Empowerment served 8,405 clients in Fiscal 2019, a decrease of 1,766 clients from Fiscal 2018.
- ✓ The average number of days to resolve Paid Sick Leave (PSL) cases decreased from 280 days in Fiscal 2018 to 247 days in Fiscal 2019.

## Financial Plan Summary

Table 1

DCA Financial Summary						
<i>Dollars in Thousands</i>						
	FY18	FY19	FY20	Preliminary Plan		*Difference
	Actual	Actual	Adopted	FY20	FY21	FY20-FY21
<b>Personal Services</b>						
Adjudication	\$65	\$611	\$0	\$0	\$0	\$0
Administration	8,855	9,237	13,647	13,800	13,816	169
Licensing/Enforcement	16,543	17,701	15,285	15,048	16,049	764
<b>Subtotal</b>	<b>\$25,463</b>	<b>\$27,549</b>	<b>\$28,932</b>	<b>\$28,848</b>	<b>\$29,864</b>	<b>\$933</b>
<b>Other Than Personal Services</b>						
Contractual Services	\$1,117	\$927	\$233	\$1,693	\$1,747	\$1,514
Fixed & Misc. Charges	20	12	1	1	1	0
Other Services & Charges	12,040	13,239	13,195	11,688	12,628	(567)
Property & Equipment	382	143	84	381	119	35
Supplies & Materials	545	408	901	765	900	(1)
<b>Subtotal</b>	<b>\$14,104</b>	<b>\$14,729</b>	<b>14,414</b>	<b>14,527</b>	<b>15,395</b>	<b>\$981</b>
<b>TOTAL</b>	<b>\$39,567</b>	<b>\$42,278</b>	<b>\$43,346</b>	<b>\$43,375</b>	<b>\$45,259</b>	<b>\$1,914</b>
<b>Funding</b>						
City Funds			\$39,390	\$39,447	\$41,377	\$1,987
Other Categorical			59	59	0	(59)
State			1,960	1,932	1,932	(28)
Intra City			1,937	1,937	1,950	13
<b>TOTAL</b>	<b>\$39,567</b>	<b>\$42,278</b>	<b>\$43,346</b>	<b>\$43,375</b>	<b>\$45,259</b>	<b>\$1,914</b>
<b>Budgeted Headcount</b>						
Adjudication	1	1	0	0	0	0
Administration	109	117	169	169	169	0
Licensing/Enforcement	282	287	266	266	264	(2)
<b>TOTAL</b>	<b>392</b>	<b>405</b>	<b>435</b>	<b>435</b>	<b>433</b>	<b>(2)</b>

*\*The difference of Fiscal 2020 Adopted Budget compared to Fiscal 2021 Preliminary Budget.*

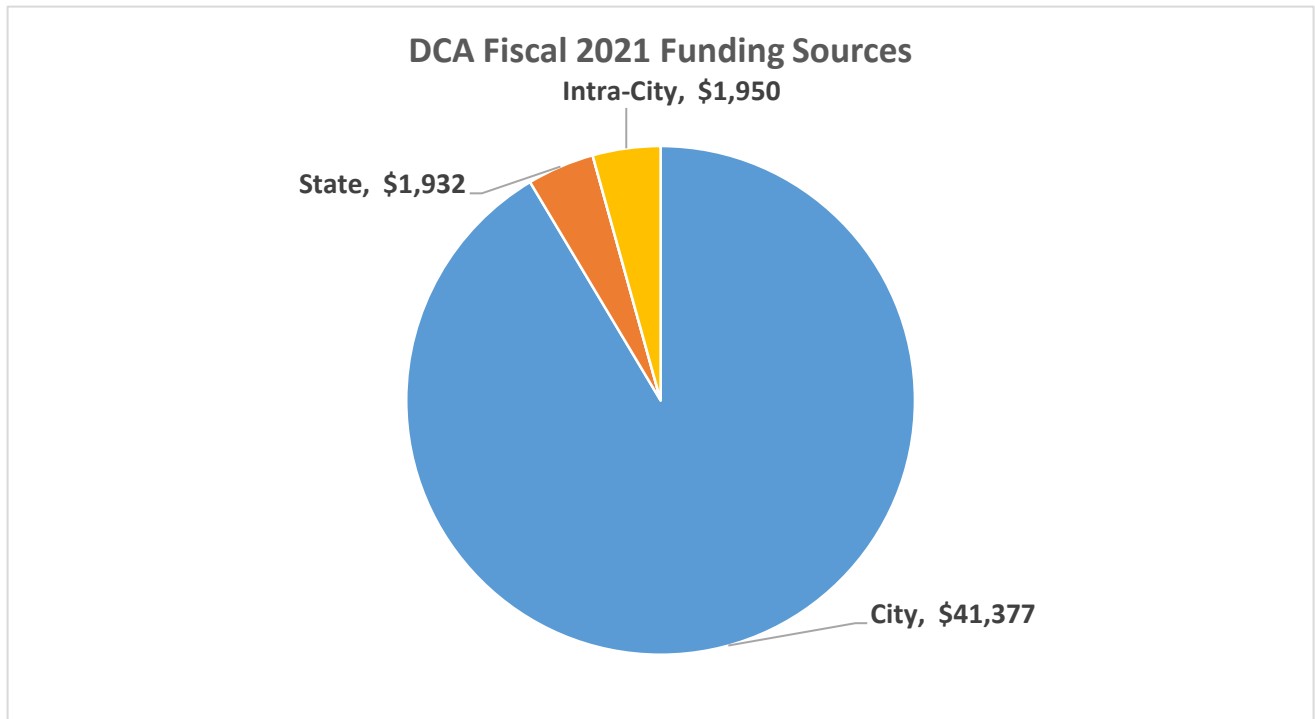
DCA's Fiscal 2021 Preliminary Budget totals \$45.3 million, and includes \$29.9 million in Personal Services funding to support 433 full-time positions across its Divisions. DCA's Fiscal 2021 budget is \$1.9 million more than its Fiscal 2020 Adopted Budget of \$43.3 million. This increase is primarily due to a baselined new need that was added in the November 2019 Plan. Specifically, \$463,386 was added

in Fiscal 2020, \$1.5 million added in Fiscal 2021 and Fiscal 2022, and \$1.1 million added in Fiscal 2023 for OTPS costs associated with the Taxi and Limousine Commission (TLC) Driver Assistance Program. According to DCA, its Office of Financial Empowerment has been collaborating with TLC to implement the Driver Assistance Center, in which DCA’s role is to facilitate the provision of financial counseling for TLC licensees as well as providing legal services for drivers. This funding will be used to fund financial counselors to assist TLC licensees in reviewing their budgets, managing their debts, and providing attorneys to assist drivers with legal issues related to their medallions or providing referrals to other services.

Beginning in Fiscal 2020, due to an operational shift within the Department, part of the responsibilities for the Adjudication Division, specifically the Adjudication Tribunal, has been transferred to the Office of Administrative Trials and Hearings (OATH). The two remaining departments of the Adjudication Division have shifted to other program areas within the Department. Specifically, the Legal Settlements Unit was integrated into DCA’s Administration Division, and the Collections Unit was absorbed by DCA’s Licensing & Enforcement Division. Additionally, in the Fiscal 2020 Executive Budget, the Department conducted a reorganization of its PS funding and headcount, in which 51 positions were moved from the Licensing and Enforcement Division, largely from its Legal and Regulatory Compliance Unit, which was then allocated to the Administration Division, primarily in its Human Resources Unit and Finance Unit.

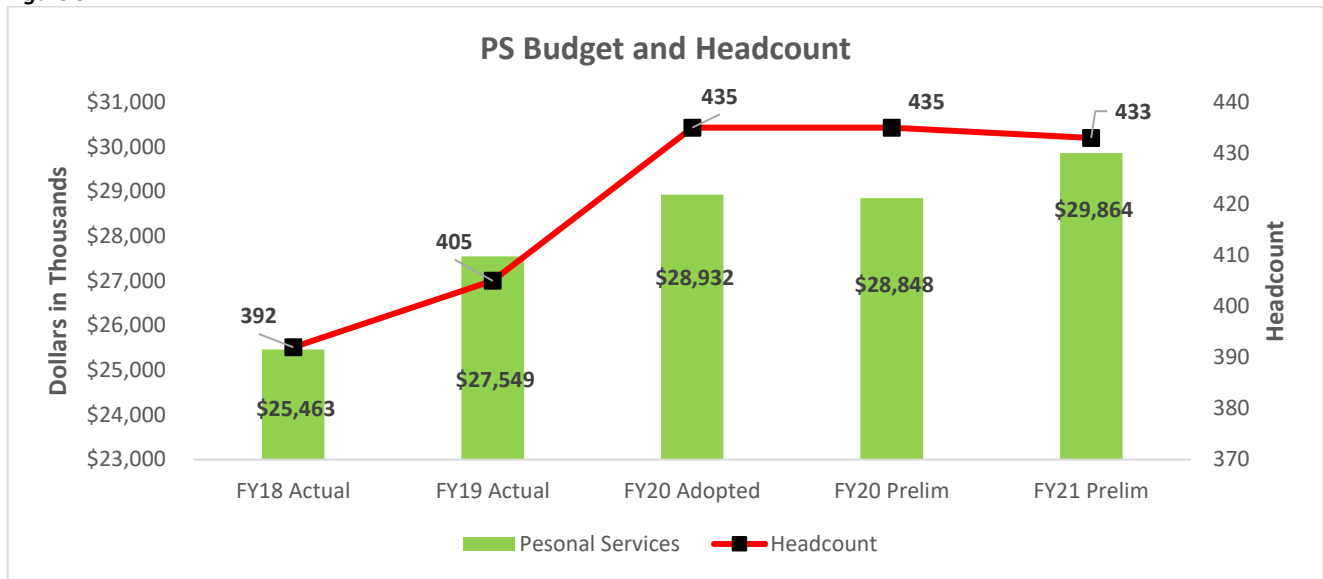
Figure 2 below shows the Department’s Fiscal 2021 funding sources, with City funding accounting for \$41.4 million, or 91.4 percent, of the Department’s total operating budget for Fiscal 2021. Other smaller portions of DCA’s operating budget are funded through State and Intra-City funding sources. For additional information regarding budgetary changes that happened since the Adoption of the Fiscal 2020 Budget, please refer to Appendix A.

**Figure 2**



## Headcount

Figure 3

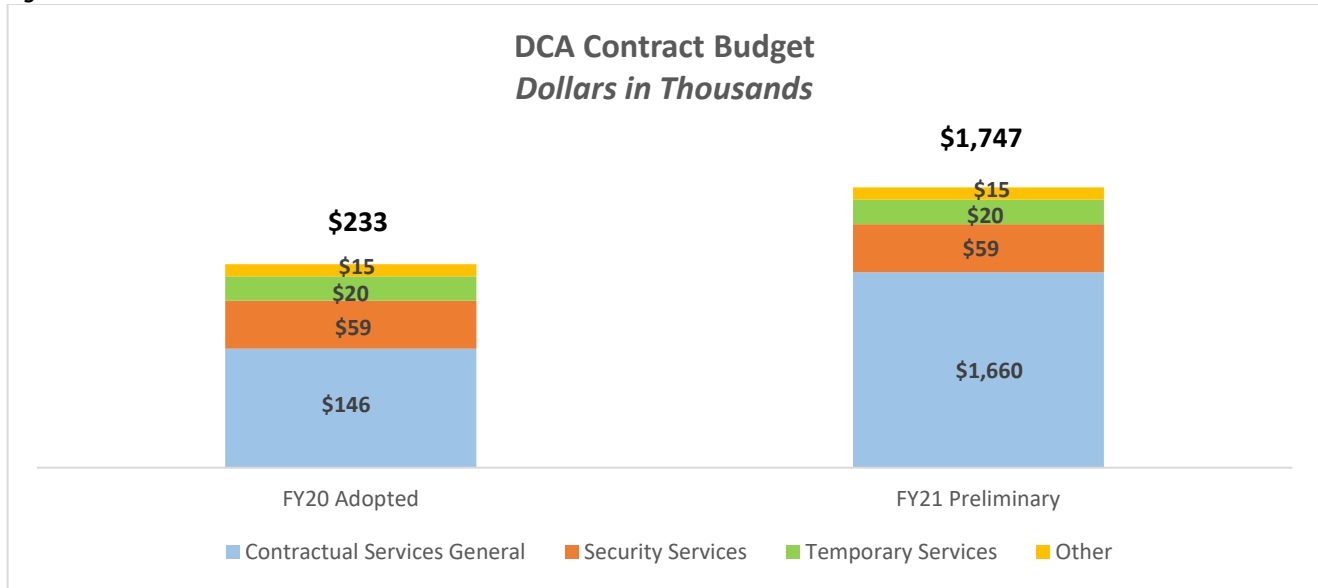


The Department’s Fiscal 2021 Preliminary Budget includes \$29.9 million in Personal Services funding to support 433 full-time positions across its two Divisions. As of November 2019, the Department was operating with an 8.3 percent full-time staff vacancy rate, equivalent to 36 vacant positions, all of which are City-funded. The Licensing and Enforcement Division is DCA’s largest in terms of headcount, with 264 budgeted full-time positions, approximately 61 percent of DCA’s full-time budgeted headcount for Fiscal 2021. It should be noted that DCA’s Fiscal 2021 headcount decreases by two positions when compared to its Fiscal 2020 Adopted Budget. This is due to funding associated with the City Community Development Grant Program that has not yet been fully allocated for Fiscal 2021. Funding for DCA’s PS budget increases in Fiscal 2021 when compared to its Fiscal 2020 Adopted Budget, due to collective bargaining adjustments included in the November 2019 Plan. This addition is discussed in the “Program Areas” section of this report.

## Contract Budget

The New York City Charter mandates the preparation of a Contract Budget to identify expenditures for contractual services, which are defined as any technical, consultant or personnel service provided to the City by means of a contract. The Contract Budget is actually a subset of the OTPS portion of the City’s Expense Budget. The Administration prepares a Contract Budget twice each fiscal year. The Fiscal 2021 Preliminary Contract Budget totals \$16.9 billion for procurement expenditures across all agencies. Figure 4 details the difference between the Fiscal 2020 Adopted Contract Budget and the Fiscal 2021 Preliminary Contract Budget for DCA.

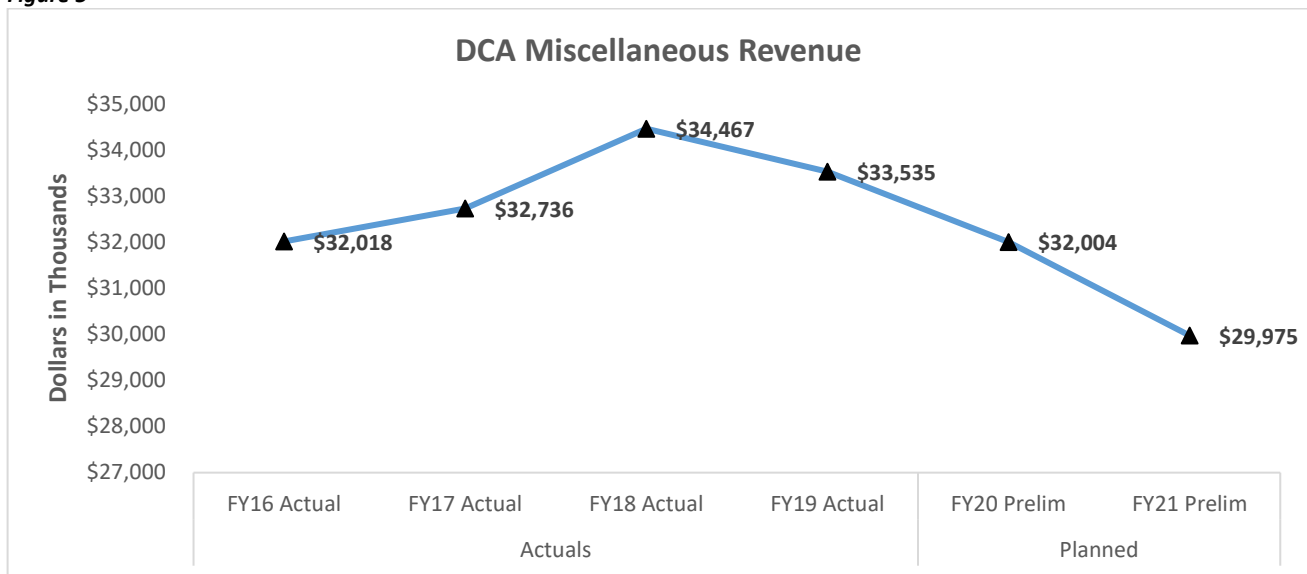
Figure 4



DCA’s Fiscal 2021 Preliminary Contract Budget totals \$1.7 million for six contracts, accounting for 11.3 percent of the Department’s OTPS budget. Contracts for General Contractual Services comprise the vast majority (approximately 95 percent) of DCA’s total Contract Budget for Fiscal 2021. DCA’s Fiscal 2021 Preliminary Contract Budget is \$1.5 million more than its Fiscal 2020 Adopted Budget, primarily brought about by OTPS costs associated with the Taxi and Limousine Commission (TLC) Driver Assistance Program. For additional information regarding DCA’s Contract Budget, please refer to Appendix B.

### Miscellaneous Revenue

Figure 5



The Preliminary Plan projects that the Department of Consumer Affairs will generate miscellaneous revenue of \$29.9 million in Fiscal 2021. DCA estimates that \$20.4 million will be generated from licenses, permits, and franchise fees, of which \$7.7 million will be generated from general business license fees spanning 55 different categories, and \$11.5 million from licenses for sidewalk cafes. The other major miscellaneous revenue stream for DCA is fines and forfeitures, which the Department



estimates it will generate \$8.5 million for Fiscal 2021. Smaller miscellaneous revenue streams for DCA includes charges for services and minor sales. DCA estimates that it will generate \$800,000 from the State Tobacco Program and \$215,000 from minor sales. Planned miscellaneous revenue for minor sales in Fiscal 2020 totals \$500,000, in order to reflect sidewalk care consent fee interest payments. For additional information regarding DCA’s miscellaneous revenue streams, please refer to Appendix C.

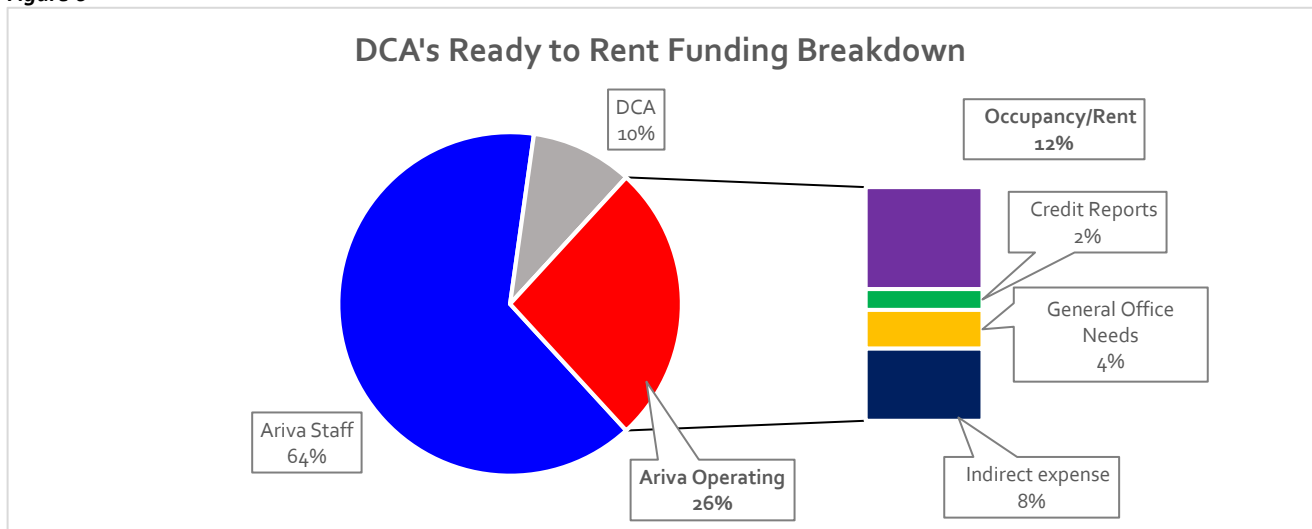
### Council Initiatives

#### Financial Empowerment for NYC’s Renters (Ready to Rent)

The Council’s funding supports a financial empowerment program for New Yorkers seeking to rent housing. Ready to Rent provides increased capacity for housing outreach events led by community-based organizations as part of the Department of Housing Preservation and Development (HPD) Housing Ambassador Program. Outreach is targeted to neighborhoods slated to be rezoned in connection with the Mayor’s Housing Plan, and neighborhoods that have 10 or more housing projects coming online within the next year.

The Council has designated DCA to work in collaboration with HPD to carry out this initiative. As part of the Fiscal 2020 Adopted Budget, this initiative has allocated \$255,000 to DCA and \$195,000 to HPD.<sup>1</sup> DCA and HPD allocated \$230,000 directly to a community-based organization called Ariva who provides outreach and financial counseling for New Yorkers in targeted neighborhoods. Ariva uses \$166,956 to pay salaries for five staff positions, including two senior financial counselors, one administrative assistant, one custodian, and one program director. The other \$63,044 allocated to Ariva is used for general overhead operating expenses. DCA uses the remaining \$25,000 from the initiative to pay for the department-led marketing campaign for Ready to Rent.

Figure 6



### State Budget Actions

- Enhancing Consumer Protection Laws in New York State.** The New York State Fiscal 2021 Executive Budget proposes to enhance consumer protection laws within the State of New

<sup>1</sup> Schedule C, Fiscal Year 2020. <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2019/12/Fiscal-2020-Schedule-C-Final-Merge.pdf>

York, in order to protect against fraud. The proposal includes changing the State consumer protection law to be consistent with federal law, which would empower State authorities to have the same level of enforcement actions as federal authorities when dealing with intentional fraud practices. Additionally, it intends to eliminate unnecessary exemptions from the Financial Services Law (FSL), which currently exempts many consumer products and services from State oversight and would amend the FSL to require other non-financial services companies to pay the State Department of Financial Services (DFS) assessments to cover the cost associated with examination and oversight. Lastly, the proposal wants to amend the State Insurance Law, in order to increase fines from \$1,000 to capping penalties at \$5,000, or two times the damages, or the economic gain attributed to such violation. According to DCA, this proposal would not have an impact on the agency's miscellaneous revenue streams, as these would be adjudicated by the State Attorney General (AG) or other appropriate State entities.

- **Guaranteed Paid Sick Leave.** The New York State Fiscal 2021 Executive Budget includes a proposal to require all employers to provide their employees with paid sick leave, whereby medium sized employers with 1 – 99 employees, must guarantee at least five days of job-protected paid sick leave per year, and large employers, with 100 or more employees, must guarantee at least seven days of job-protected paid sick leave per year. The proposal aims to improve economic security and employee productivity for the State's most vulnerable populations. According to DCA, this proposal would not have an impact on its budget, as these protocols would be enforced by the New York State Department of labor.

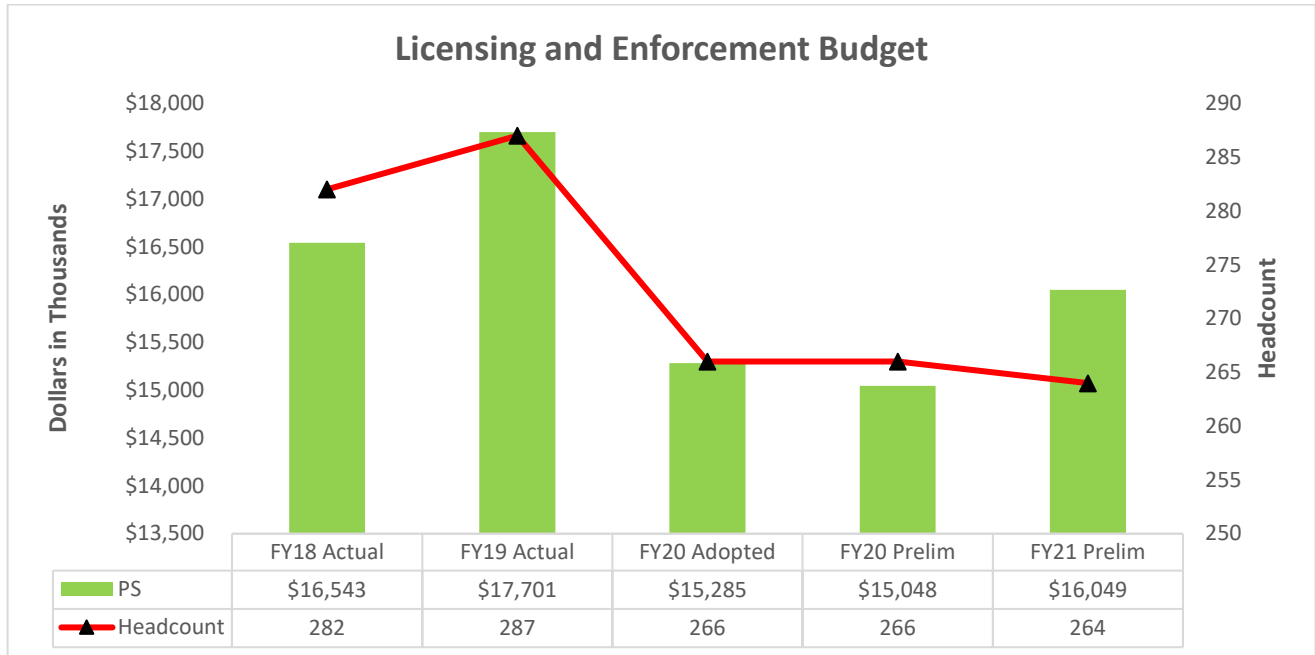
## Program Areas

The Department has two Units of Appropriation (U/As) for its Administration and Licensing and Enforcement Division, along with another U/A that houses all Other than Personal Services expenses. For additional information regarding DCA's U/A breakdown, please refer to Appendix D.

### Licensing and Enforcement

DCA's Licensing & Enforcement Unit (LEU) oversees the Department's licensing enforcement and consumer services operations. The LEU issues licenses and provides regulatory and statutory enforcement of 55 different license categories designed to maintain fairness and integrity across the City's various marketplaces. The LEU includes divisions such as the Licensing Division, Enforcement Division, The Office of Labor Policy and Standards, Computer Services, Auditing & Accounting, and Legal & Consumer Services.

Figure 7



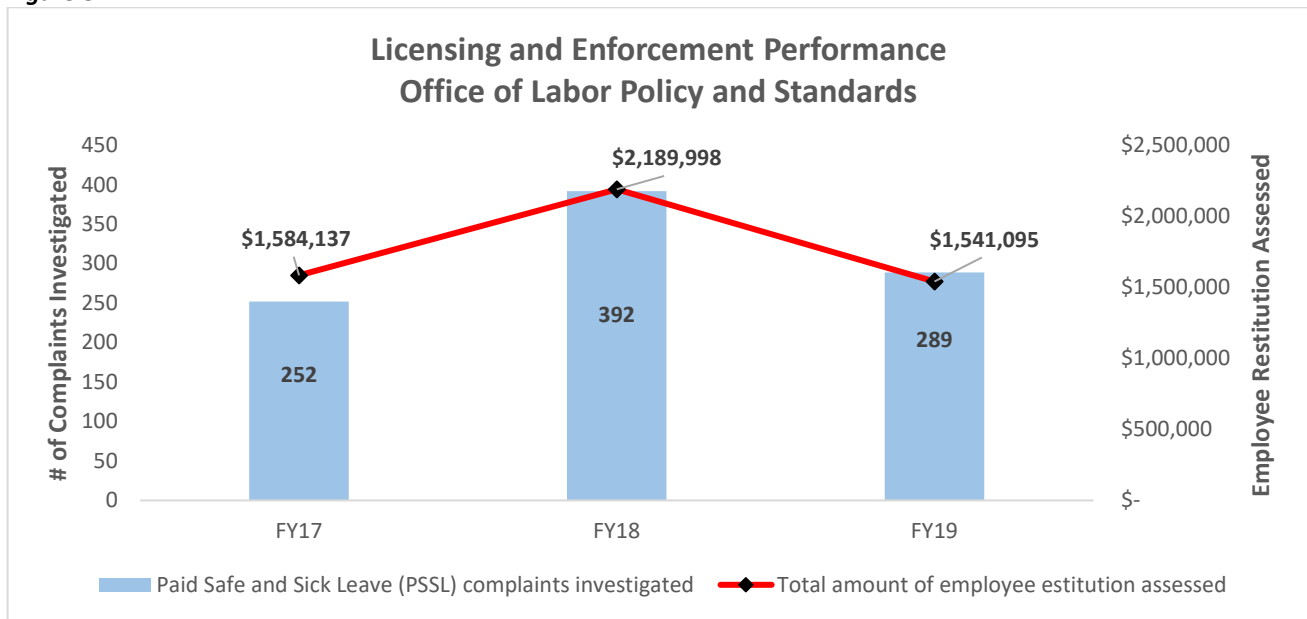
The Licensing and Enforcement’s Unit proposed budget for Fiscal 2021 totals \$16 million in Personal Services funding, to support 264 budgeted full-time positions. The Licensing and Enforcement Unit is the Department’s largest division, accounting for 61 percent of the Department’s budgeted positions and 35.5 percent of the Department’s PS budget for Fiscal 2021. The funding and headcount decrease since Fiscal 2019 actuals is due to the Department’s headcount reorganization, mentioned in the “Financial Plan Summary” section of this report. For additional information regarding the Licensing and Enforcement Division’s programmatic funding breakdown, please refer to Appendix D1.

**Financial Plan Actions**

- **Collective Bargaining Adjustments.** In the November 2019 Plan, \$40,828 was added in Fiscal 2020 and \$45,080 baselined beginning in Fiscal 2021 for costs associated with collective bargaining agreements at the Department with the Civil Service Bar Association (CSBA).
- **Citywide Savings.** In the Fiscal 2021 Preliminary Budget, DCA will generate one-time budgetary savings of \$250,000 in Fiscal 2020 through delays in hiring vacant positions at the Division. The Licensing and Enforcement Division has 25 vacancies, of which the majority originate from the Office of Labor Policy and Standards (OLPS). According to DCA, these vacancies have led to increased caseloads among investigators and resulted in longer turnaround times for investigations.

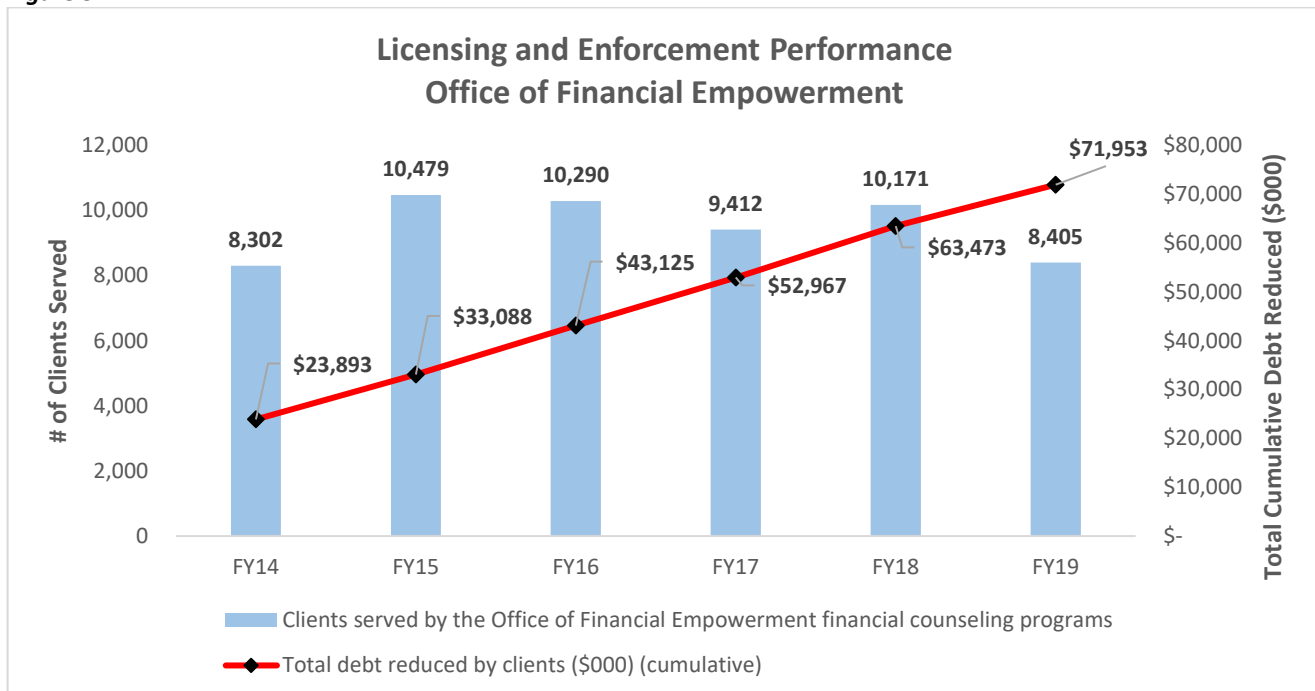
**PMMR Performance Measures for Licensing & Enforcement**

**Figure 8**



The Office of Labor Policy and Standards (OLPS), housed within the Licensing and Enforcement Division, is charged with investigating complaints regarding the Paid Safe and Sick Leave (PSSL) law. During the first four months of Fiscal 2020, OLPS closed 93 PSSL investigations, assessing \$1 million in restitution for 3,090 employees, with the average time to resolve these investigations being 272 days. According to the Preliminary Mayor’s Management Report (PMMR), the decrease in PSSL investigations stems from an increase in the size and complexity of the investigations and a shift in resources to accommodate enforcement of the Fair Workweek Laws and staff shortages that have impacted the volume and pace of enforcement.

**Figure 9**



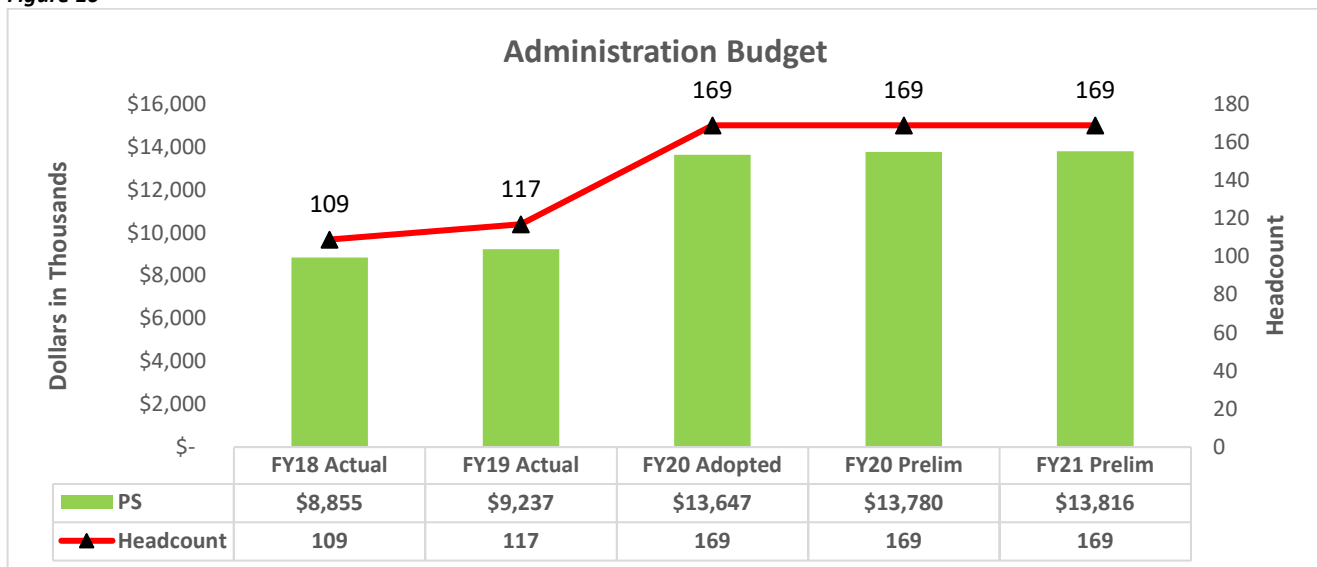
The Office of Financial Empowerment (OFE), housed within the Licensing and Enforcement Division, is tasked with providing financial counseling programs to New Yorkers. During the first four months of Fiscal 2020, the number of clients served was 12 percent less than the number of clients served during the same period in Fiscal 2019, largely attributable to the successful spinoff of La Ventanilla Asesoría Financiera, a pilot program which provides financial counseling services at the Mexican Consulate in New York City. According to the PMMR, although the program is still ongoing, and OFE remains involved as a key stakeholder, data for this program is no longer reported in the Mayor’s Management Report (MMR). Since Fiscal 2014, OFE clients have cumulatively reduced their debt by \$71.9 million.

DCA added three new performance indicators to its PMMR to track performance for assisting freelancers with exercising their rights under the Freelance Isn’t Free Act, which went into effect in the beginning of Fiscal 2019. Under the Freelance Isn’t Free Act, a freelance worker is defined as any individual hired or retained as an independent contractor by a hiring party to provide services for compensation. Freelancer services may be commonly referred to as gigs, tasks, projects, side or contingent work, working on contract or spec, freelancing, contracting, subcontracting, consulting, moonlighting, entrepreneurship, self-employment, among other categories. Whether or not an individual is an “independent contractor” depends on a variety of factors and the nature of their work arrangement. For additional information regarding the Licensing and Enforcement Division’s Fiscal 2020 PMMR indicators, please refer to Appendix E1.

**Administration**

DCA’s Administration Division (AD) includes spending for operations, staffing, budgeting, materials management, and other internal administrative services. It includes Executive Staff, Data Analysis & Planning, Human Resources, Agency Services, Finance, General Services, General Counsel, Consumer Services, External Affairs, Communication & Marketing, and Information Technology.

Figure 10



The Administration Division’s proposed budget for Fiscal 2021 totals \$13.8 million, all of which is Personal Services funding, to support 169 full-time positions. The Division is the second largest within the Agency, accounting for approximately 39 percent of the Agency’s budgeted positions and 31 percent of the Agency’s PS budget for Fiscal 2021. The funding and headcount increase since Fiscal 2019 actuals is due to the Department’s headcount reorganization, mentioned in the “Financial Plan

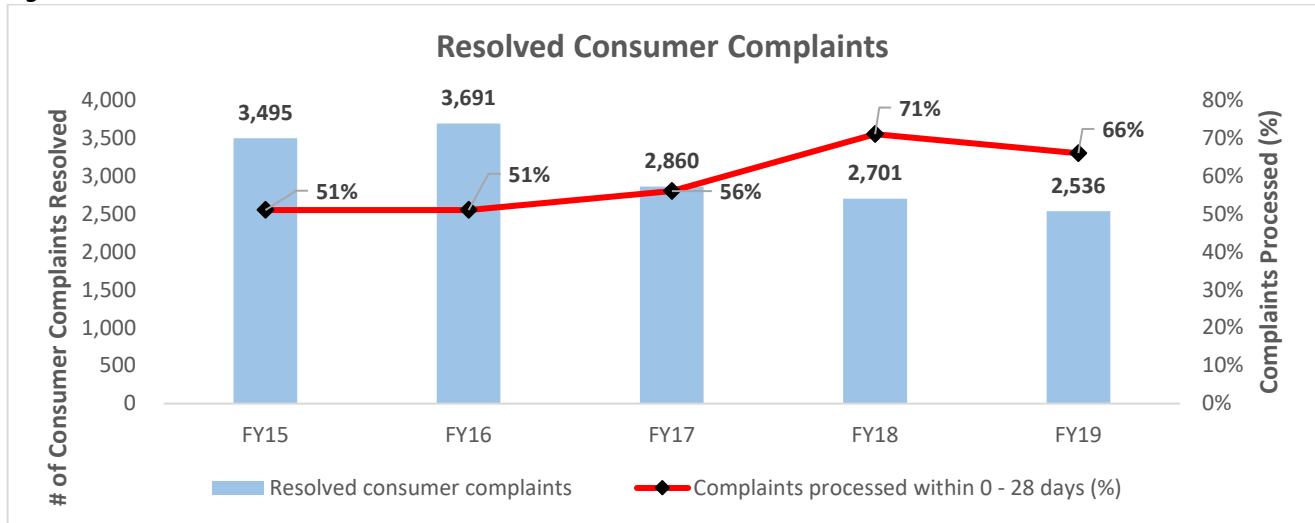
Summary” section of this report. For additional information regarding the Administration Division’s programmatic funding breakdown, please refer to Appendix D2.

**Financial Plan Actions.**

- **Collective Bargaining Adjustments.** In the November 2019 Plan, \$152,685 was added in Fiscal 2020 and \$168,415 baselined beginning in Fiscal 2021 for costs associated with collective bargaining agreements at the Department with the Civil Service Bar Association (CSBA).

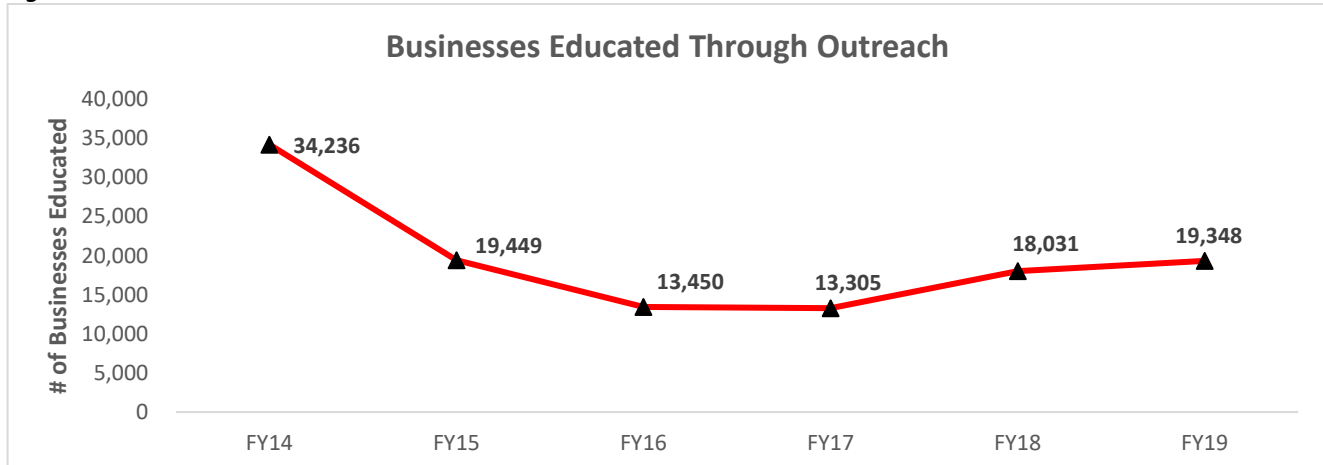
**PMMR Performance Measures for Administration**

Figure 11



The Administration Division prioritizes the metrics around the median number of days to process consumer complaints and the number of mediated complaints resolved to the satisfaction of the business and consumer. The AD has consistently met or exceeded targets for both of these metrics over the last five years, and is currently meeting or exceeding targets for both metrics in the first four months of the current year. According to the PMMR, the complaints processed within 28 days decreased from 71 percent in Fiscal 2018 to 66 percent in Fiscal 2019. DCA stated that these changes are attributable to a smaller proportion of complaints received that were valued at \$200 and below – cases which are typically resolved within 20 days.

Figure 12

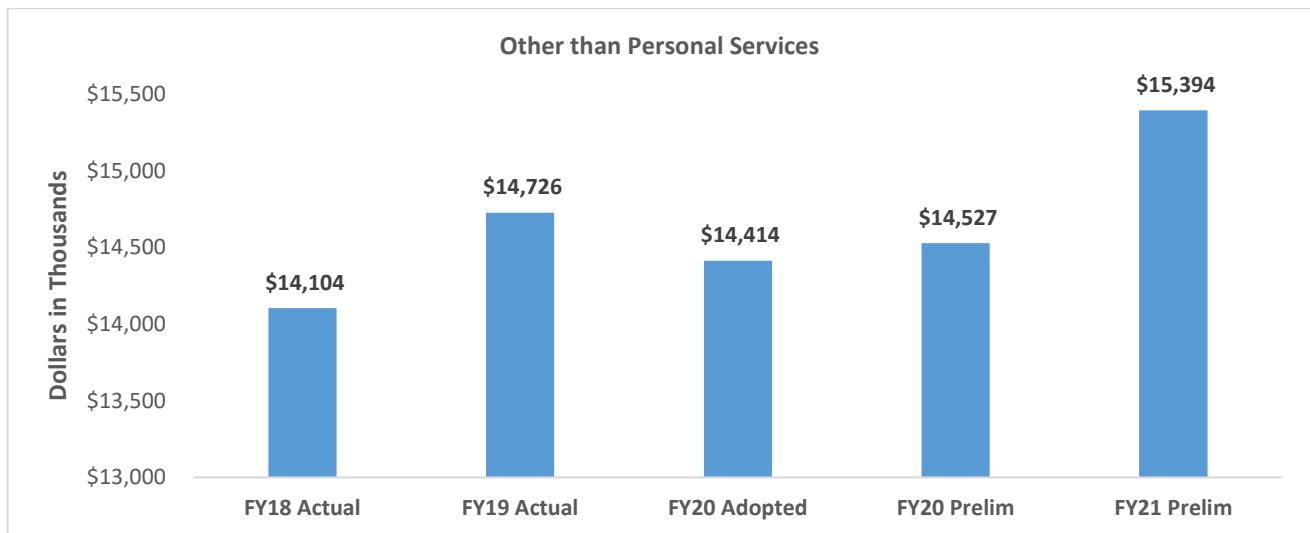


Additionally, the Administration Division measures the number of businesses educated on their responsibility and obligation to consumers in an effort to reduce the number of overall complaints caused by non-intentional violations on behalf of businesses. Although DCA does not recognize this performance metric as a critical performance indicator, it is directly aligned with the agency’s focus on protection, education, and regulation of the marketplace for consumers, businesses and workers. Since Fiscal 2014, the number of businesses educated through direct outreach decreased by 43 percent, however, DCA rebounded in Fiscal 2019, educating more than 19,000 businesses through direct outreach. For additional information regarding the Administration Division’s Fiscal 2020 PMMR performance indicators, please refer to Appendix E2.

**Other than Personal Services (OTPS)**

The Other than Personal Services (OTPS) Unit of Appropriation includes all other non-PS funding within the Department of Consumer Affairs. It houses OTPS costs associated with the Licensing and Enforcement Division and the Administration Division.

**Figure 13**



The Other than Personal Services proposed budget for Fiscal 2021 totals \$15.4 million, which is \$980,000 more than its Fiscal 2020 Adopted Budget of \$14.4 million. This increase is primarily driven by a baselined new need, beginning in Fiscal 2021, of \$1.5 million that was added in the November 2019 Plan for OTPS costs associated with the Taxi and Limousine Commission (TLC) Driver Assistance Program, which will create the Driver Assistance Center, and will provide TLC licensees with legal and budgetary services and advice related to their individual budgets, issues related to their medallions, individual financial counseling, among other services. For additional information regarding the OTPS programmatic funding breakdown, please refer to Appendix D3.

**Financial Plan Actions.** Since Adoption of the Fiscal 2020 Adopted Budget, the Department of Consumer Affairs has identified OTPS savings of \$350,000 in Fiscal 2020 and \$250,000 in Fiscal 2021. Below is a list of savings identified by the Department.

- **OTPS Savings.** The Department of Consumer Affairs will generate budgetary savings of \$250,000 in Fiscal 2021 through reduced projected costs associated with Documentum software licenses in use by the Office of Financial Empowerment (OFE).

- **Marketing Campaign Reduction.** The Department will generate one-time budgetary savings of \$100,000 in Fiscal 2020 through a reduction in marketing campaign spending. DCA provides outreach campaigns for its Office of Financial Empowerment that support New Yorkers with low income with improving their financial stability. These initiatives include the NYC free tax prep program, the NYC Financial Counseling Centers, and the Student Loan Debt Reduction program. According to DCA, these savings were in response to the Office of Management and Budget's (OMB) request to identify savings within the Department's existing budget.



## Appendices

### A: Budget Actions in the November and the Preliminary Plans

<i>Dollars in Thousands</i>	FY20			FY21		
	City	Non-City	Total	City	Non-City	Total
<b>DCA Budget as of the Adopted 2020 Budget</b>	<b>\$ 39,390</b>	<b>\$ 3,956</b>	<b>\$ 43,346</b>	<b>\$ 39,900</b>	<b>\$ 3,909</b>	<b>\$ 43,809</b>
<b>New Needs</b>						
TLC Driver Assistance OTPS Cost	\$ 463	-	\$ 463	\$ 1,514	-	\$ 1,514
<b>Subtotal New Needs</b>	<b>\$ 463</b>	<b>-</b>	<b>\$ 463</b>	<b>\$ 1,514</b>	<b>-</b>	<b>\$ 1,514</b>
<b>Other Adjustments</b>						
Collective Bargaining Adjustments	\$ 194	-	\$ 194	\$ 214	-	\$ 214
OTPS Savings	(250)	0	\$ (250)	(250)	0	(250)
Tobacco Revenue Decrease	0	(28)	\$ (28)	0	(28)	(28)
Marketing Campaign Reduction	(100)	0	\$ (100)	0	0	-
PS Savings	(250)	0	\$ (250)	0	0	-
<b>Subtotal Other Adjustments</b>	<b>\$ (406)</b>	<b>\$ (28)</b>	<b>\$ (434)</b>	<b>\$ (37)</b>	<b>\$ (28)</b>	<b>(64)</b>
<b>Total All Changes</b>	<b>\$ 57</b>	<b>\$ (28)</b>	<b>\$ 29</b>	<b>\$ 1,477</b>	<b>\$ (28)</b>	<b>\$ 1,450</b>
<b>DCA Budget as of the 2021 Preliminary Budget</b>	<b>\$ 39,447</b>	<b>\$ 3,928</b>	<b>\$ 43,375</b>	<b>\$ 41,377</b>	<b>\$ 3,881</b>	<b>\$ 45,259</b>

### B: DCA Contract Budget

Department of Consumer Affairs Fiscal 2021 Contract Budget				
<i>Dollars in Thousands</i>				
Category	FY20 Adopted	Number of Contracts	FY21 Preliminary	Number of Contracts
Contractual Services General	\$ 146	1	\$ 1,660	1
Security Services	59	2	59	2
Temporary Services	20	1	20	1
Training Program for City Employees	6	1	6	1
Professional Svcs. Other	2	1	2	1
<b>Total</b>	<b>\$ 233</b>	<b>6</b>	<b>\$ 1,747</b>	<b>6</b>

### C: DCA Miscellaneous Revenue

DCA Miscellaneous Revenue – Fiscal 2021 Preliminary Plan						
DCA Miscellaneous Revenue Sources <i>(Dollars in Thousands)</i>	Actuals				Planned	
	FY16 Actual	FY17 Actual	FY18 Actual	FY19 Actual	FY20 Prelim	FY21 Prelim
Consumer Affairs Licenses	\$ 8,308	\$ 8,263	\$ 9,046	\$ 8,357	\$ 9,348	\$ 7,726
Fees on Sidewalk Cafes	12,097	12,710	12,162	12,192	11,518	11,518
Bingo and Games of Chance	51	54	44	32	50	50
Weights Measures Inspection Fees	910	819	886	569	801	743
Review/Consent Filing Fees	324	241	235	326	300	300
Photo ID and Exam Fees	200	147	202	139	187	123
Consumer Affairs Fines	9,145	9,185	10,358	10,367	8,500	8,500
State Tobacco Program	389	667	859	895	800	800
Minor Sales	594	650	675	658	500	215
<b>Total</b>	<b>\$ 32,018</b>	<b>\$ 32,736</b>	<b>\$ 34,467</b>	<b>\$ 33,535</b>	<b>\$ 32,004</b>	<b>\$ 29,975</b>

**D: Program Areas**

**D1: Licensing & Enforcement**

<b>Licensing &amp; Enforcement</b>						
<i>Dollars in Thousands</i>						
	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>Preliminary Plan</b>		<b>*Difference</b>
	<b>Actual</b>	<b>Actual</b>	<b>Adopted</b>	<b>FY20</b>	<b>FY21</b>	<b>FY20-FY21</b>
<b>Spending</b>						
<b>Personal Services</b>						
Full-Time Salaried - Civilian	\$16,037	\$17,068	\$14,599	\$14,471	\$15,392	\$793
Additional Gross Pay	214	408	46	46	46	0
Overtime - Civilian	284	225	85	102	87	2
Fringe Benefits & Unsalared	8	0	555	429	524	(31)
<b>TOTAL</b>	<b>\$16,543</b>	<b>\$17,701</b>	<b>\$15,285</b>	<b>\$15,048</b>	<b>\$16,049</b>	<b>\$764</b>
<b>Funding</b>						
City Funds			\$11,970	\$11,760	\$12,808	\$838
State			1,756	1,729	1,729	(27)
Intra City			1,501	1,501	1,512	11
Other Categorical			58	58	0	(58)
<b>TOTAL</b>	<b>\$16,543</b>	<b>\$17,701</b>	<b>\$15,285</b>	<b>\$15,048</b>	<b>\$16,049</b>	<b>\$764</b>
<b>Budgeted Headcount</b>						
Full-Time Positions - Civilian	282	287	266	266	264	(2)

*\*The difference of Fiscal 2020 Adopted Budget compared to Fiscal 2021 Preliminary Budget*

**D2: Administration**

<b>Administration</b>						
<i>Dollars in Thousands</i>						
	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>Preliminary Plan</b>		<b>*Difference</b>
	<b>Actual</b>	<b>Actual</b>	<b>Adopted</b>	<b>FY20</b>	<b>FY21</b>	<b>FY20-FY21</b>
<b>Spending</b>						
<b>Personal Services</b>						
Full-Time Salaried - Civilian	\$8,612	\$8,939	\$13,619	\$13,747	\$13,788	\$169
Additional Gross Pay	141	219	0	0	0	0
Unsalared	9	11	1	1	1	0
Overtime - Civilian	93	67	27	52	27	0
P.S. Other	0	1	0	0	0	0
<b>TOTAL</b>	<b>\$8,855</b>	<b>\$9,237</b>	<b>\$13,647</b>	<b>\$13,800</b>	<b>\$13,816</b>	<b>\$169</b>
<b>Funding</b>						
City Funds			\$13,647	\$13,800	\$13,816	\$169
<b>TOTAL</b>	<b>\$8,855</b>	<b>\$9,237</b>	<b>\$13,647</b>	<b>\$13,800</b>	<b>\$13,816</b>	<b>\$169</b>
<b>Budgeted Headcount</b>						
Full-Time Positions - Civilian	109	117	169	169	169	0

*\*The difference of Fiscal 2020 Adopted Budget compared to Fiscal 2021 Preliminary Budget.*

## D3: Other Than Personal Services

<b>Other Than Personal Services</b>						
<i>Dollars in Thousands</i>						
	<b>FY18</b>	<b>FY19</b>	<b>FY20</b>	<b>Preliminary Plan</b>		<b>*Difference</b>
	<b>Actual</b>	<b>Actual</b>	<b>Adopted</b>	<b>FY20</b>	<b>FY21</b>	<b>FY20-FY21</b>
<b>Spending</b>						
<b>Other Than Personal Services</b>						
Contractual Services	\$1,117	\$927	\$233	\$1,693	\$1,747	\$1,514
Fixed & Misc. Charges	20	12	1	1	1	0
Other Services and Charges	12,040	13,239	13,195	11,688	12,628	(567)
Property and Equipment	382	143	84	381	119	35
Supplies & Materials	545	408	901	764	900	(1)
<b>TOTAL</b>	<b>\$14,104</b>	<b>\$14,729</b>	<b>\$14,414</b>	<b>\$14,527</b>	<b>\$15,395</b>	<b>\$981</b>
<b>Funding</b>						
City Funds			\$13,774	\$13,887	\$14,757	\$983
State			202	202	202	0
Intra City			437	437	436	(1)
Other Categorical			1	1	0	(1)
<b>TOTAL</b>	<b>\$14,104</b>	<b>\$14,729</b>	<b>\$14,414</b>	<b>\$14,527</b>	<b>\$15,395</b>	<b>\$981</b>

\*The difference of Fiscal 2020 Adopted Budget compared to Fiscal 2021 Preliminary Budget.

## E: Fiscal 2020 Preliminary Mayor's Management Report Performance Indicators

## E1: Licensing and Enforcement

Ensure all businesses comply with NYC's Consumer Protection Law and related laws	Actual			Target		4-Month Period	
	FY17	FY18	FY19	FY19	FY20	FY19	FY20
Total inspections	75,951	65,673	62,971	*	*	21,501	19,776
Total summonses issued	15,971	15,152	16,338	*	*	4,892	5,334
Licensing Law compliance rate (%)	95%	95%	93%	93%	93%	93%	91%
Inspected stores complying with NY State regulations regarding the sale of tobacco to minors (%)	89%	89%	86%	90%	90%	91%	88%

Promptly negotiate settlements on violations issued to businesses	Actual			Target		4-Month Period	
	FY17	FY18	FY19	FY19	FY20	FY19	FY20
Total settlements (\$000)	\$6,530	\$5,725	\$6,393	*	*	\$1,770	\$2,105

Ensure that business licensing is easy	Actual			Target		4-Month Period	
	FY17	FY18	FY19	FY19	FY20	FY19	FY20
Basic license application - Average processing time (days)	3	4	2	4	4	2	2
Licensing Centers wait time (minutes)	8	15	8	15	15	10	5

Help residents with low incomes achieve financial stability	Actual			Target		4-Month Period	
	FY17	FY18	FY19	FY19	FY20	FY19	FY20
Clients served by Office of Financial Empowerment financial counseling programs	9,412	10,171	8,405	*	*	3,686	3,235
Percent achieving measurable success (%)	39.9%	38.0%	25.0%	*	*	NA	NA
Total debt reduced by clients (\$000) (cumulative)	\$52,967	\$63,473	\$71,953	*	*	\$65,655	\$75,483
Total savings accumulated (\$) (cumulative)	\$4,326,485	\$5,321,956	\$6,877,862	*	*	\$5,628,265	\$7,017,402

Investigate complaints in a timely manner to ensure employers' compliance with the Paid Safe and Sick Leave Law	Actual			Target		4-Month Period	
	FY17	FY18	FY19	FY19	FY20	FY19	FY20
Paid Safe and Sick Leave (PSSL) complaints received	315	304	261	*	*	76	87
PSSL complaints investigated	252	392	289	*	*	123	93
Average time to resolve PSSL complaint investigations (days)	182	280	247	Down	Down	288	272

Assist freelancers in exercising their rights under the Freelance Isn't Free Law	Actual			Target		4-Month Period	
	FY17	FY18	FY19	FY19	FY20	FY19	FY20
Freelance Isn't Free inquiries received	NA	255	349	*	*	129	147
Freelance Isn't Free complaints received and addressed	NA	258	602	*	*	183	249
Amount recovered for Freelance Isn't Free Complaints (\$)	NA	\$298,915	\$866,574	*	*	\$369,223	\$299,166

**E2: Administration**

Mediate consumer complaints with businesses to achieve fair and timely outcomes	Actual			Target		4-Month Period	
	FY17	FY18	FY19	FY19	FY20	FY19	FY20
Total docketed complaints	3,049	2,804	2,720	*	*	1,007	886
Resolved consumer complaints	2,860	2,701	2,536	*	*	894	875
Consumer restitution awarded (\$000)	\$2,291	\$3,485	\$1,620	*	*	\$617	\$678

Educate businesses to help them understand their responsibilities toward consumers and their employees	Actual			Target		4-Month Period	
	FY17	FY18	FY19	FY19	FY20	FY19	FY20
Businesses educated through direct outreach	13,305	18,031	19,348	*	*	3,380	3,871