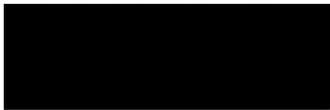


**DEPARTMENT OF CONSUMER AFFAIRS  
CITY OF NEW YORK**

DEPARTMENT OF CONSUMER AFFAIRS,

Complainant,

-against-

AARIDGE CARRIAGE INC.  


and

SALVATORE TERRANOVA  


Respondents.

**CONSENT ORDER**

**Violation No. PL 1051214**

**License # 0709926  
(Horse Drawn Cab)**

SALVATORE TERRANOVA ("Respondent") acknowledges receiving the above-captioned Notice of Hearing charging it with violating NYC Administrative Code ("Code") §§20-101 and 20-381(e). The Respondent agrees to entry of this consent order to settle the charges contained in the Notice of Hearing.

**Background**

1. The Department issued Horse-Drawn Cab Driver license No. 0709926 to Respondent on or about April 21, 1998.
2. Respondent's Horse-Drawn Cab Driver's license was renewed on or about May 25, 2010.
3. On or about May 5, 2010, the Department issued Notice of Hearing, Violation No. LL005144865 to Respondent alleging that Respondent operated a horse-drawn cab without proper lighting in violation of section 2-212(s)(2) of Title 6 of the Rules of the City of New York.

4. On or about August 6, 2010, Respondent appeared at the Department and entered into an Assurance of Discontinuance, attached hereto as Exhibit A, settling violation no. LL005144865 and agreeing to pay a fine of \$150 on or before August 21, 2010 and other relief.
5. Respondent did not pay the fine on or before August 21, 2010, as required by the Assurance of Discontinuance he signed.
6. On or about August 22, 2010, the Department sent a notice to Respondent notifying him that he was in default of the Assurance of Discontinuance and that his license would be suspended unless he paid the entire amount of the fine and a penalty of \$100 to the Department on or before September 1, 2010.
7. Respondent did not pay the fine or penalty on or before September 1, 2010 or anytime thereafter.
8. On or about September 1, 2010, the Department suspended Respondent's license.
9. Although the Department directed Respondent on or about September 1, 2010 to surrender his license pending payment of the fine owed to the Department, Respondent did not do so.
10. Respondent continued to operate a Horse-Drawn Cab after September 1, 2010 on a daily basis.
11. On July 25, 2011, while Terranova was operating the Horse-Drawn Cab with license plate number 087 1100 on 59<sup>th</sup> Street in New York City, a taxi cab struck the Horse-Drawn Cab in the rear end.
12. Section 20-381(a) of the Code states in relevant part: "It shall be unlawful for any person to operate a horse drawn cab within the city without having a valid horse drawn cab driver's license from the commissioner."

**Fine**

13. Respondent shall pay \$250 to satisfy the fine and penalty in violation no. LL005144865.
14. Respondent shall pay \$1,000 as a fine for engaging in unlicensed activity as charged in the instant proceeding.

**License Renewal**

15. Upon payment of the full amount of the fines set forth in paragraphs 13 and 14, Respondent shall be permitted to apply to renew his Horse-Drawn Cab driver's

license, which expired on May 31, 2012, provided he does submits a renewal application on or before July 29, 2012.

### **Injunctive Relief**

16. In the event that Respondent shall secure a current Horse-Drawn Cab Driver License, Respondent shall:
- a. comply with all laws and rules applicable to Horse-Drawn Cab operators in the City of New York, including, but not limited to, Title 20 of the Code and Title 6 of the RCNY; and
  - b. comply with all of the terms of the Assurance of Discontinuance annexed hereto as Exhibit A.

### **Consequences of Material Breach**

17. In the event that Respondent shall secure a current Horse-Drawn Cab Driver License, any material breach of this Consent Order shall be a basis for automatic revocation of the license.
18. The following activities shall constitute a material breach of the Consent Order:
- a. failing to pay any fine imposed by the Department in a timely manner;
  - b. failing to respond to any inquiry or request for information made by the Department;
  - c. operating a Horse-Drawn Cab without a current DCA license therefor;
  - d. operating a Horse-Drawn Cab while the DCA license therefor is suspended;
  - e. operating a Horse-Drawn Cab that is occupied by (i) more than four adults, (ii) more than two adults and four children, each of whom is under twelve years of age, or (iii) more than three adults and two children, each of whom is under twelve years of age; and
  - f. charging or collecting rates for the use of a Horse-Drawn Cab by one or more passengers in excess of the rates permitted by section 20-380 of the Code.

### **Waiver of Appeals**

19. Respondent hereby waives any further right to a hearing and appeal on any of the matters referred to herein, under Title 20, Chapter 1, and Section 20-381(e) of the

Code or under Article 78 of the New York State Civil Practice Law and Rules, §§7801-7806.

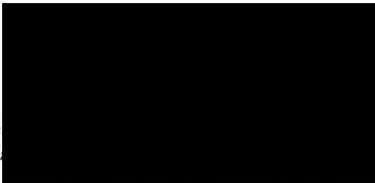
**Miscellaneous**

20. Nothing in this Order shall be construed to limit in any way the authority of the Department to exercise its enforcement powers under Sections 20-101 or 20-320 of the Code.

Agreed to for the Respondents by:

Accepted for the Department of Consumer Affairs by:

Salvatore Ferraro  
Signature Date 7/5/12

  
Deputy General Counsel

7/9/12  
Date

Lawrence S. Margolin  
Attorney for Respondent  
Lawrence S. Margolin Esq.  
PO Box 3856  
New York, NY 10008

**Businesses licensed by the Department of Consumer Affairs (DCA) must comply with all relevant local, state and federal laws. Copies of New York City licensing and consumer protection laws are available in person at DCA's Licensing Center, located at 42 Broadway, 5th Floor, New York, NY, by calling 311, New York City's 24 hour Citizen Service Hotline, or by going online at [www.nyc.gov/consumers](http://www.nyc.gov/consumers).**

# EXHIBIT A

DEPARTMENT OF CONSUMER AFFAIRS  
CITY OF NEW YORK

-----X

DEPARTMENT OF CONSUMER AFFAIRS,

-against- Complainant, **ASSURANCE OF DISCONTINUANCE**

TERRANOVA, SALVATORE LL 005144865



License # 0709926

Respondent.

-----X

TERRANOVA, SALVATORE ("Respondent") hereby consents to this Assurance of Discontinuance ("AOD") to settle the above captioned violation and agrees as follows:

**Acknowledgement of Citation**

1. Respondent acknowledges that it was served the above-referenced citation citing Title 20, Chapter 2, Subchapter \_\_\_\_\_ Section \_\_\_\_\_ *et seq.* of the New York City Administrative Code and/or Title 6 of the Rules of the City of New York ("RCNY") Section 2-212S.

**Authorized Representative For Respondent**

2. TERRANOVA, SALVATORE, as owner for Respondent is authorized to settle the above captioned matter.

**Injunctive Relief**

3. Respondent agrees to bring their business practices into compliance with current requirements stated in the Code and/or the RCNY and to continue to comply with these rules so long as engaged in business at this location or anywhere else within the five boroughs of the City of New York.

**Fines/Suspension**

4. Respondent shall pay a fine of \$ 150.00 as settlement of the above-referenced citation in the form of a check, money order or online at nyserv.nyc.gov made payable to "NYC Department of Consumer Affairs" on or before Aug 16, 2010

<p><b>MAIL PAYMENTS TO:</b> Department of Consumer Affairs Collections Division 42 Broadway, 9<sup>th</sup> Floor New York, NY 10004</p>
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5. If the Respondent's payment is late, the Department shall add a late fee of **\$100.00** to the amount owed by the Respondent and the entire balance (including late fee) due under this settlement agreement shall be due immediately. Failure to submit payment for this settlement agreement may result in the suspension or revocation of the respondent's license(s) with the Department.

**Resolution of Consumer Complaints**

6. Respondent shall make all possible efforts in good faith to resolve all consumer complaints filed with the Department within ten (10) business days of Respondent's receipt of copies of said complaints, regardless of whether Respondent was licensed by the Department at the time of the activity about which the consumer complained. Respondent shall respond to subsequent communications from the Department concerning the complaints within five (5) business days.
7. Respondent shall submit to the Department's jurisdiction to adjudicate the merits of every complaint.
8. The name, address, telephone number, email address, if any, and title of the individual responsible for addressing complaints received by DCA is  
TERRANOVA, SALVATORE 646-678-9679

**Records Disposal – Privacy Concerns**

9. Respondent shall dispose of records containing personal identifying information such as social security numbers, driver's license numbers, non-driver identification card numbers, mother's maiden name, financial services account numbers or codes, savings account numbers or codes, checking account numbers or codes, debit card numbers or codes, automated teller machine numbers or codes, electronic serial numbers, and/or personal identification numbers by:
  - a. Shredding the records before disposal;
  - b. Destroying the personal identifying information contained in the record; and/or
  - c. Modifying the record to make the personal identifying information unreadable.
10. Respondent shall immediately notify the Department and the police of any breach of security or unauthorized possession of personal identifying information that compromises the security, confidentiality, or integrity of such information.
11. Respondent shall shorten (truncate) the account information on electronically printed credit and debit card receipts given to consumers. Respondent shall not include more than the last five digits of the credit card number and shall delete the card's expiration date.
12. Nothing in this AOD shall be construed as waiving or abrogating Respondent's responsibilities under federal, state or local law concerning record-keeping or record maintenance.

**Consequences of Breach of AOD**

13. Any material breach of any provision of this AOD either Respondent and/or Respondent's agent, shall be a basis for automatic revocation of license(s) issued to Respondent by the Department.
14. Any material breach of any provision of this AOD shall be deemed to be proof that no person who has an equity interest of 10% or more in Respondent's business and/or significant managerial responsibility for the operation of Respondent's business, is possessed of the characteristics, including integrity, honesty, and fair dealing, required of persons who or which hold any license issued by the Department.
15. Any of the following shall be a basis for automatic revocation of license(s) issued to Respondent by the Department:
  - a. Respondent fails to pay any restitution or fine ordered by the Department's administrative tribunal; or

- b. Respondent fails to pay any consumer restitution awarded by any other court of competent jurisdiction within thirty days of Respondent's receipt of the decision of such court.

**Waiver of Appeals**

- 16. Respondent hereby agrees to waive any further right to a hearing and appeal on any of the matters referred to herein, under Title 20, Chapter 1, and Section 20-104 of the Code or under Article 78 of the New York State Civil Practice Law and Rules, §§7801-7806.

**Miscellaneous**

- 17. Nothing in this AOD shall be construed to limit in any way the authority of the Department to exercise its enforcement powers under Sections 20-101 or 20-320 of the Code.

DATE: Aug 6, 2010

Agreed to for the Respondent by:

X *Jonathan Mintz*

Signature

TERRANOVA, SALVATORE

Print Name

Accepted for the Department of Consumer Affairs by:



Signature



Name and Title

Telephone number 646-678-9679

Email: not available

**SO ORDERED:**

Jonathan Mintz  
Commissioner

Emailed to  
Enforcement

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