

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

-----X
DEPARTMENT OF CONSUMER AFFAIRS,

Complainant,

CONSENT ORDER

**Violation No. LL 5206426
LL 5206427**

-against-

COPPOLINO'S COLLISION INC. AND
GEORGE COPPOLINO

Respondents.
-----X

Coppolino's Collision Inc. and George Coppolino ("Respondents") acknowledge receiving the above captioned Notice of Hearing charging the Respondents with violating Title 6 of the Rules of the City of New York ("RCNY"), §1-14 and NYC Administrative Code ("Code") §§20-101 and 20-104(e)(3). The Respondents agree to entry of this consent order to settle the charges contained in the Notice of Hearing.

Admissions

1. Respondents admit that they received a subpoena duces tecum served upon them by the Department on or about August 18, 2011.
2. Respondents admit that they did not appear in person to answer the subpoena issued by the Department.

Injunctive Relief

3. Respondents shall comply with all laws and rules applicable to tow company licensees in the City of New York, including, but not limited to, Title 20 of the Code and Title 6 of the RCNY.
4. Respondents shall timely respond to a subpoena or records request issued by the Department and appear in person at the Department on the return date of the subpoena or records request.

Fines

5. Respondents shall pay a fine of \$25,000.00 according to the attached payment agreement.

License Documents

6. Within one week of the execution of this Order, the Respondents shall file corrective papers with DCA reflecting that George Coppolino is the sole shareholder of Coppolino's Collision Inc.

DARP and ROTOW

7. Respondent Coppolino's Collision Inc. shall continue to be suspended from the Directed Accident Response Program ("DARP") and ROTOW program for an additional three (3) months from the date this consent order is executed.

Future Cooperation

8. The Respondents shall testify at any future proceeding at DCA's Administrative Tribunal, and in any other civil or criminal proceeding, including before a court or grand jury, regarding the subject matter of these proceedings, including, but not limited to:
 - a. The former and present ownership structure of the business;
 - b. All communications regarding the ownership structure of the business;
 - c. Any advice given to the Respondents regarding the ownership structure of the business;
 - d. Any advice given to the Respondents regarding the filing of licensing documents at DCA; and
 - e. Any other matter related to the tow truck industry and Respondents' business.

Resolution of Consumer Complaints

9. Respondents shall make all possible efforts in good faith to resolve all consumer complaints filed with the Department within ten (10) business days of Respondents' 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. Respondents shall respond to subsequent

communications from the Department concerning the complaints within five (5) business days.

10. Respondents shall submit to the Department's jurisdiction to adjudicate the merits of every complaint.
11. Respondents shall provide DCA with the name, address, telephone number, email address, if any, and title of the individual responsible for addressing complaints received by DCA, within 10 business days of execution of this CJO.

Records Disposal – Privacy Concerns

12. Respondents 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.
13. Respondents 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.
14. Respondents shall shorten (truncate) the account information on electronically printed credit and debit card receipts given to consumers. Respondents shall not include more than the last five digits of the credit card number and shall delete the card's expiration date.
15. Nothing in this Order shall be construed as waiving or abrogating Respondents' responsibilities under federal, state or local law concerning record-keeping or record maintenance.

Consequences of Breach of this Order

16. Any material breach of any provision of this Order either Respondents and/or Respondents' agent, shall be a basis for automatic revocation of license(s) issued to Respondent' by the Department.

17. Any material breach of any provision of this Order shall be deemed to be proof that no person who has an equity interest of 10% or more in Respondents' business and/or significant managerial responsibility for the operation of Respondents' business, is possessed of the characteristics, including integrity, honesty, and fair dealing, required of persons who hold any license issued by the Department.

18. Any of the following shall be a basis for automatic revocation of license(s) issued to Respondents by the Department:

- a. Respondents fail to pay any restitution or fine ordered by the Department's administrative tribunal; or
- b. Respondents fail to pay any consumer restitution awarded by any other court of competent jurisdiction within thirty days of Respondents' receipt of the decision of such court.

Waiver of Appeals

19. Respondents hereby 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

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 Respondent by:

George Coppolino 7/13/11
Signature Date

George Coppolino
Print Name

Accepted for the Department of Consumer Affairs by:

[Redacted Signature] 7/29/11
Signature Date

[Redacted Print Name]

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.