

CITY OF NEW YORK  
DEPARTMENT OF CONSUMER AFFAIRS

DEPARTMENT OF CONSUMER AFFAIRS,

Complainant,

-against-

Empire Lawyers Service, Inc.,  
225 Broadway, Suite 1802,  
New York, NY 10007

Respondent.

CONSENT ORDER

Violation No. PL 1051274

Empire Lawyers Service, Inc. ("Respondent") consents to this Consent Order ("CO") to settle the above-captioned violation with the Department of Consumer Affairs ("DCA" or "the Department") and agrees as follows:

**ACKNOWLEDGMENT OF SERVICE**

Respondent acknowledges receipt of the Notice of Hearing in the above-captioned matter, which charged it with violating Sections 20-112 and 20-113 of the New York City Administrative Code.

**I. DEFINITIONS**

- A. Terms are defined in 6 RCNY § 2-231.
- B. "Material breach" means the failure to comply with this CO in whole or in part by commission or omission.
- C. "Report to the Department" means directing a written communication to the New York City Department of Consumer Affairs, Attn.: Legal Division, 42 Broadway, 9th Floor, NY, NY 10004, or as specifically indicated in this CO.

**II. FINES**

- A. Respondent agrees to pay \$500.00 as a fine to the Department for past unlicensed activity payable by bank check or money order to the "NYC Department of Consumer Affairs" on or before execution of this CO.

### **III. INJUNCTIVE RELIEF**

- 1) Respondent shall file an application with the Department for a Process Serving Agency ("PSA") license within five (5) business days of the execution of this CO.
- 2) Respondent shall, in accordance with 6 RCNY § 2-234a(b), develop and implement policies and procedures set forth in a written Compliance Plan to ensure that individual process servers to whom it distributes process for service act with integrity and honesty and comply with the recordkeeping requirements applicable to process servers.
- 3) Respondent shall:
  - a. at least once each month, review for completeness and accuracy the records of each individual process server to whom it assigns or distributes process;
  - b. prepare a monthly written report of its review of the records maintained pursuant to 6 RCNY § 2-233 of each individual process server to whom it assigns or distributes process during that month using the Monthly Compliance Report template available on the Department's website ([nyc.gov/processserver](http://nyc.gov/processserver));
  - c. maintain each monthly report for at least seven (7) years;
  - d. take appropriate disciplinary action against an individual process server who fails to comply with the law, including, but not limited to, suspending or terminating its employment, agency or other relationship with the individual process server
  - e. maintain records of any disciplinary actions taken against the individual licensed process server;
  - f. report to the Department in writing the name and license number of each individual licensed process server who does not comply with the law governing process servers within ten (10) days of learning of such non-compliance; and
  - g. make available, upon request, to the Department a copy of its record review procedures, any written reports of the reviews it maintains, and copies of any referrals of individual process servers to the Department.
- 4) Within ten (10) days of the date that this Consent Order is executed by the Department, Respondent shall memorialize Paragraphs 2(a)-(g) in its written Compliance Plan.
- 5) Upon notification from the Department, a principal of Respondent shall appear at the Department within sixty (60) days for a review of Respondent's implementation of its

Compliance Plan, compliance with the terms of this Order and such other issues as the Department, in its discretion, deems appropriate. Respondent shall produce such records as the Department may request at the scheduled meeting. Failure to appear at a scheduled meeting or produce requested documents will constitute a violation of this Order.

**IV. MISCELLANEOUS**

- 1) Respondent affirms that the address and telephone number listed with the Department are current and correct.
- 2) Respondent appoints DAVID STEIN as its designated agent who may be contacted regarding this CO and any consumer complaints and represents that the following is his/her e-mail address:  

- 3) Respondent acknowledges that the Department intends to use this e-mail address to communicate official matters to Respondent and Respondent agrees to accept such communications.
- 4) Respondent shall notify the Department in writing when its address, telephone number and/or e-mail address change within 10 days of such change.

**V. NON-COMPLIANCE WITH THIS ORDER**

- 1) A finding, after notice and hearing, that Respondent has committed a material breach of the terms of this Order shall be sufficient grounds for the revocation of Respondent's license and for ineligibility to be licensed for a period of five years.
- 2) Specific violations of this Order shall constitute independent and separate violations of any applicable law, regulation or rule.
- 3) Violations of law and violations of this Order shall be assessed as separate fines, with a maximum penalty of \$1,000.00 for each violation.

**VI. WAIVER OF APPEALS**

- 1) Respondent waives any right to a hearing, appeal of and/or any challenge of the facts alleged by the above-referenced violation under Code § 20-104 or under Article 78 of the New York State Civil Practice Law and Rules (CPLR), §§ 7801-7806, in any forum.

**VII. DEPARTMENT'S AUTHORITY**

- 1) Nothing in this Order shall be construed to limit in any way the authority of the Department to exercise its regulatory or enforcement powers under Code §§ 20-104 or 20-409.

**VIII. EXECUTION OF AGREEMENT**

- 1) This Order may be signed in counterparts. Photocopied, faxed, or scanned images of this Order and the signatures thereto shall be deemed originals.

Agreed to by Empire Lawyers Service, Inc.

Accepted for the Department of Consumer Affairs

By: David Glasser

By: [REDACTED]

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date

**SO ORDERED:**

Jonathan Mintz  
Commissioner

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 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).