

# BUSINESS INTEGRITY COMMISSION

Noah D. Genel, Commissioner/Chair



## WHAT WE DO

The Business Integrity Commission (BIC) regulates and monitors the trade waste hauling industry and the wholesalers and businesses operating in the City's public wholesale markets, and ensures the integrity of businesses in these industries. Through vigorous background investigations of license and registration applications, the establishment of standards for services and conduct of business, and long-term criminal investigations, BIC carries out its mandate to make certain that these regulated industries and businesses remain free of organized crime and other forms of corruption. BIC protects New York City consumers by ensuring that businesses in certain industries and markets act in an honest manner. By fostering an open marketplace, BIC ensures that businesses in those industries and markets are protected from unfair competition. BIC also has the authority to regulate the shipboard gambling industry, although that industry currently does not operate in New York City.

## FOCUS ON EQUITY

The core mission of the Business Integrity Commission includes eliminating organized crime and other forms of corruption from the industries BIC regulates: the commercial trade waste industry and the public wholesale food markets. By fostering an open marketplace, BIC ensures that the regulated businesses are able to compete fairly and that the marketplaces are free from the criminal activity that once dominated them. By ensuring businesses in the regulated industries operate with good character, honesty and integrity, BIC helps maintain a fair marketplace for all businesses that have contact and work with our regulated companies.

## OUR SERVICES AND GOALS

---

### **SERVICE 1 Regulate the City's commercial waste hauling industry.**

- Goal 1a Ensure that all businesses in the commercial waste hauling industry abide by the law.
- Goal 1b Process license and registration applications for the waste hauling industry in a timely manner.

---

### **SERVICE 2 Regulate businesses in and around the City's public wholesale markets.**

- Goal 2a Ensure that businesses in and around public wholesale markets abide by the law.
- Goal 2b Process registration applications for public wholesale businesses in a timely manner.

# HOW WE PERFORMED IN FISCAL 2020

## SERVICE 1 Regulate the City's commercial waste hauling industry.

**Goal 1a** Ensure that businesses in the commercial waste hauling industry abide by the law.

In Fiscal 2020, the number of violations BIC issued to licensed commercial waste haulers increased 47 percent. Many of these violations pertained to licensees and registrants who failed to comply with Local Law 145 of 2013 (LL 145), the trade waste vehicle emissions law that went into effect on January 1, 2020. BIC enforcement efforts resulted in a 63 percent increase in violations issued to illegally operating waste haulers compared to Fiscal 2019.

Performance Indicators	Actual					Target		Trend	
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	5-Year	Desired Direction
★ Violations issued to private waste haulers	892	640	488	494	746	*	*	Down	*
★ Violations issued to legally operating private waste haulers	709	343	312	371	545	*	*	Down	*
★ Violations issued to illegally operating private waste haulers	183	297	176	123	201	*	*	Down	*
★ Waste hauling applications denied	18	8	5	7	6	*	*	Down	*
Waste hauling complaints received	449	351	352	423	334	*	*	Down	*
Violations admitted to or upheld at the Office of Administrative Trials and Hearings (%)	98.0%	100.0%	88.0%	100.0%	98.0%	*	*	Neutral	Up
★ Critical Indicator	"NA" Not Available	↕↔ Directional Target				* None			

**Goal 1b** Process license and registration applications for the waste hauling industry in a timely manner.

For Fiscal 2020 the average age of pending waste hauling applications improved 14 percent and was 12 percent under its target. Although the average time to approve new and renewal waste hauling applications increased 17 percent, a new waste hauling application increased 6 percent and was 14 percent under the target. This reflects the prioritization of new waste hauling applications. New applicants cannot operate unless their applications are approved, whereas renewal applicants may continue to operate while their applications are under review. The time to process waste hauling applications was affected by a number of initiatives that drew resources from BIC units.

Performance Indicators	Actual					Target		Trend	
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	5-Year	Desired Direction
★ Average time to approve waste hauling applications (days) - New and Renewal	235	240	129	190	222	200	200	Down	Down
★ Average time to approve waste hauling applications (days) - New	154	136	112	122	129	150	150	Down	Down
★ Average time to approve waste hauling applications (days) - Renewal	254	274	134	205	241	210	210	Down	Down
★ Average age of pending waste hauling applications (days)	214	220	122	185	160	180	180	Down	Down
★ Waste hauling applications pending	600	359	617	524	639	*	*	Up	*
Waste hauling applications approved - New and Renewal	994	876	1,006	806	761	*	*	Down	Up
Waste hauling applications approved - New	187	216	210	152	134	*	*	Down	Up
Waste hauling applications approved - Renewal	807	660	796	654	627	*	*	Down	Up
★ Critical Indicator	"NA" Not Available	↕↔ Directional Target				* None			

## SERVICE 2 Regulate businesses in and around the City's public wholesale markets.

**Goal 2a** Ensure that businesses in and around public wholesale markets abide by the law.

BIC continues to enforce the rules and regulations related to this industry and in Fiscal 2020 the number of violations issued to public wholesale market businesses was 54 compared to 62 in Fiscal 2019.

Performance Indicators	Actual					Target		Trend	
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	5-Year	Desired Direction
Violations issued at public wholesale markets	97	64	57	62	54	*	*	Down	*
Violations admitted to or upheld at the Office of Administrative Trials and Hearings (%)	98.3%	100.0%	100.0%	100.0%	100.0%	*	*	Neutral	Up
★ Public wholesale market applications denied	0	1	0	0	0	*	*	Down	*
★ Public wholesale market applications pending	107	16	25	83	45	*	*	Down	*
★ Critical Indicator	"NA" Not Available	↕↔ Directional Target				* None			

**Goal 2b** Process registration applications for public wholesale businesses in a timely manner.

In Fiscal 2020, the number of public wholesale market applications approved increased 185 percent. However, the average time to approve a public wholesale market application took longer and the average age of a pending public wholesale market application increased 46 percent. These increases are attributed to the renewal application cycle, as a greater number of market operators were due to renew in 2019, and to initiatives that drew resources from BIC units.

Performance Indicators	Actual					Target		Trend	
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	5-Year	Desired Direction
★ Average time to approve public wholesale market applications (days)	309	270	149	196	254	200	200	Down	Down
Average age of pending public wholesale market applications (days)	215	227	108	133	194	150	150	Down	Down
Public wholesale market applications approved	62	121	37	39	111	*	*	Neutral	Up
★ Critical Indicator	"NA" Not Available	↕↔ Directional Target				* None			

## AGENCY CUSTOMER SERVICE

Performance Indicators	Actual					Target		Trend	
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	5-Year	Desired Direction
Letters responded to in 14 days (%)	100%	100%	100%	100%	100%	*	*	Neutral	Up
E-mails responded to in 14 days (%)	100%	100%	100%	100%	99%	*	*	Neutral	Up
Completed customer requests for interpretation	93	24	68	68	44	*	*	Down	*
Average wait time to speak with a customer service agent (minutes)	3.02	2.98	3.09	2.92	4	*	*	Up	Down
CORE customer experience rating of facilities (0-100)	100	100	100	NA	100	*	*	NA	Up
★ Critical Indicator	"NA" Not Available	↕↔ Directional Target				* None			

## AGENCY RESOURCES

Resource Indicators	Actual <sup>1</sup>					Plan <sup>2</sup>		5yr Trend
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	
Expenditures (\$000,000) <sup>3</sup>	\$8.1	\$9.6	\$8.8	\$8.8	\$9.0	\$9.3	\$9.2	Neutral
Revenues (\$000,000)	\$6.9	\$4.8	\$7.4	\$4.9	\$5.5	\$6.7	\$4.9	Down
Personnel	77	78	81	77	82	93	84	Neutral
Overtime paid (\$000)	\$57	\$67	\$106	\$113	\$156	\$90	\$24	Up

<sup>1</sup>Actual financial amounts for the current fiscal year are not yet final. Final fiscal year actuals, from the Comptroller's Comprehensive Annual Financial Report, will be reported in the next PMMR. Refer to the "Indicator Definitions" at [nyc.gov/mmr](http://nyc.gov/mmr) for details. <sup>2</sup>Authorized Budget Level <sup>3</sup>Expenditures include all funds  
 "NA" - Not Available \* None

## SPENDING AND BUDGET INFORMATION

Where possible, the relationship between an agency's goals and its expenditures and planned resources, by budgetary unit of appropriation (UA), is shown in the 'Applicable MMR Goals' column. Each relationship is not necessarily exhaustive or exclusive. Any one goal may be connected to multiple UAs, and any UA may be connected to multiple goals.

Unit of Appropriation	Expenditures FY19 <sup>1</sup> (\$000,000)	Modified Budget FY20 <sup>2</sup> (\$000,000)	Applicable MMR Goals <sup>3</sup>
001 - Personal Services	\$5.9	\$6.4	All
002 - Other Than Personal Services	\$2.8	\$2.6	All
Agency Total	\$8.8	\$9.0	

<sup>1</sup>Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2019. Includes all funds. <sup>2</sup>City of New York Adopted Budget for Fiscal 2020, as of June 2020. Includes all funds. <sup>3</sup>Refer to agency goals listed at front of chapter. "NA" Not Available \* None

## NOTEWORTHY CHANGES, ADDITIONS OR DELETIONS

None.

## ADDITIONAL RESOURCES

For more information on the agency, please visit: [www.nyc.gov/bic](http://www.nyc.gov/bic).