



The City of New York
BUSINESS INTEGRITY COMMISSION
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Elizabeth Crotty
Commissioner and Chair

October 29, 2024

***IMPORTANT NOTICE:
Changes to BIC Violation Process Beginning OCTOBER 30, 2024***

To all Trade Waste Licensees and Registrants:

Please carefully review this important notice about changes to the BIC Violation Adjudication Process.

Beginning on **October 30, 2024**, BIC administrative violations issued on or after October 30, 2024 will be returnable to the **Hearings Division** of the NYC Office of Administrative Trials and Hearings (**OATH**). Administrative violations had previously been returnable in OATH's **Trials Division**.

WHY IS THERE A CHANGE?

- To create an easier, more efficient, and streamlined process.

WILL THE SUBSTANCE OF THE VIOLATIONS BE DIFFERENT?

- No, the change in tribunal **will not impact the substance of BIC's rules and regulations**.
- However, the notice documents generated for BIC administrative violations will look different after transitioning to the Hearings Division and will be called "summonses". Please see a **sample BIC OATH Hearings Division Summons attached to this notice**.
- The summons will include the TWC number, details of the violation, penalty amounts, the date and time of the hearing, information on how to respond to the summons, and contact information for OATH's Hearings Division.

DOES THIS CHANGE HOW I AM NOTIFIED ABOUT VIOLATIONS?

- No. You will still be notified via the email address(es) on file with BIC when a summons is issued. The summons will also be sent by first-class mail to the address on file with BIC.
- You will still be able to log into the [BIC Online Portal](#) to see pending summonses and additional information, including any early settlement offers from the Commission or scheduled hearings.

HOW DOES THIS CHANGE IMPACT THE PROCEDURAL PROCESS?

- **All Hearings summonses will be issued with a hearing date.** The date and time of the hearing will appear on the summons you receive.
- Most hearings may be conducted by telephone. Requests for an in-person hearing must be made to OATH Hearings and must be made at least 5 business days before the scheduled hearing date.
- You have the right to be represented by an attorney or other authorized representative.
- An OATH Hearing Officer will adjudicate the summons.
- Before the Hearing takes place, you can admit the violation and pay the penalty, or you can deny the charges and proceed to a hearing.
- You have the right to make discovery requests and to present relevant and reliable evidence at the hearing.
- The Commission reserves the right to commence an action in the OATH Trials Division.

DOES THIS CHANGE IMPACT PENALTY AMOUNTS OR THE WAY PENALTIES ARE PAID?

- No, BIC's current penalty schedule, which is available [at this link](#), will remain the same, and early settlement offers will still be made where applicable.
- The current methods for paying penalties will stay the same, including through the [Vio Pay website](#).

WHAT ABOUT EXISTING VIOLATIONS?

- This change WILL NOT IMPACT any notices of violation that were issued prior to October 30, 2024. Existing proposed settlements and scheduled OATH Trials Division proceedings will go forward in accordance with the current adjudication process.

QUESTIONS?

- For questions about current or new violations, please reach out to BIC Violations Unit at Violations@bic.nyc.gov
- For technical questions or assistance with the BIC Online Portal, please email PortalSupport@bic.nyc.gov

Thank you for your attention to this matter.