

## NEW YORK CITY DEPARTMENT OF CONSUMER AND WORKER PROTECTION

### **Notice of Public Hearing and Opportunity to Comment on Proposed Rules**

**What are we proposing?** The Department of Consumer and Worker Protection (“DCWP” or “Department”) is proposing to amend its rules to prohibit any person whose complete application is denied, or whose license is revoked, from applying for the same license again for a period of one year. The prohibition would apply to those applicants or licensees whose defective applications cannot be corrected within a year, and who were provided notice of the 12-month reapplication bar when their application was denied or their license was revoked.

**When and where is the hearing?** DCWP will hold a public hearing on the proposed rule. The public hearing will take place at 11:00 AM on August 15, 2025. The public hearing will be accessible by phone and videoconference.

- To participate in the public hearing via phone, please dial +1 646-893-7101
  - Phone conference ID: 795 663 770#
- To participate in the public hearing via videoconference, please follow the online link: <https://tinyurl.com/ycxj3zv2>
  - Meeting ID: 260 769 519 070 9
  - Passcode: cS2hv287

**How do I comment on the proposed rules?** Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to DCWP through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to [Rulecomments@dcwp.nyc.gov](mailto:Rulecomments@dcwp.nyc.gov).
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by emailing [Rulecomments@dcwp.nyc.gov](mailto:Rulecomments@dcwp.nyc.gov). You can also sign up on the phone or videoconference before the hearing begins at 11:00 AM on August 15, 2025. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a “Question and Answer” format.

**Is there a deadline to submit comments?** Yes. You must submit any comments to the proposed rule on or before August 15, 2025.

**What if I need assistance to participate in the hearing?** You must tell DCWP's External Affairs division if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You may tell us by email at [Rulecomments@dcwp.nyc.gov](mailto:Rulecomments@dcwp.nyc.gov). Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by August 8, 2025

**Can I review the comments made on the proposed rules?** You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, all comments received by DCWP on the proposed rule will be made available to the public online at <http://www1.nyc.gov/site/dca/about/public-hearings-comments.page>.

**What authorizes DCWP to make this rule?** Sections 1043, and 2203(c) of the New York City Charter and sections 20-104(a)-(b), and 20-107(a) of the New York City Administrative Code authorize the Department of Consumer and Worker Protection to make these proposed rules. This proposed rule is included in the Department of Consumer and Worker Protection's regulatory agenda for this Fiscal Year.

**Where can I find DCWP's rules?** The Department's rules are in title 6 of the Rules of the City of New York.

**What laws govern the rulemaking process?** DCWP must meet the requirements of section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of section 1043 of the City Charter.

### **Statement of Basis and Purpose of Proposed Rule**

The Department of Consumer and Worker Protection ("DCWP" or "Department") licenses over 40 different categories of businesses and individuals pursuant to Section 2203(c) of the New York City Charter and Title 20 of the New York City Administrative Code. In fiscal year 2022, DCWP received over 26,000 applications across its more than 40 license categories. For each application, DCWP is required to perform individual review and processing.

Rules governing the administration of such license applications are set forth in title 6 of the Rules of the City of New York. This rule proposes to amend Section 1-01.1 of such title 6, which establishes certain requirements around truthfulness in license applications.

These proposed amendments would prohibit any person whose complete application is denied, or whose license is revoked, from applying for the same license again for a period of one year. This will apply to denials where an applicant's failure to meet certain application requirements cannot be remedied within a year. This rule will not apply to denials for having an incomplete application or denials for a problem that could be fixed immediately. Further, the prohibition will only apply to those applicants or licensees who

were provided notice of the one-year prohibition against reapplication when their application was denied, or their license was revoked.

These proposed amendments will provide clarity to licensees about a frequently posed question to the Department. These proposed amendments will also conserve DCWP's limited resources. A repeat application within one year is wasteful in cases where the cause of a license denial or revocation are unlikely to have changed in less than a year.

Sections 1043, and 2203(c) of the New York City Charter and sections 20-104(a)-(b) and 20-107(a) of the New York City Administrative Code authorize the Department of Consumer and Worker Protection to make these proposed rules.

New material is underlined.

[Deleted material is in brackets.]

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this Department, unless otherwise specified or unless the context clearly indicates otherwise.

### **Proposed Rule Amendments**

Section 1. Subdivision (c) of section 1-01.1 of title 6 of the Rules of the City of New York is amended as follows:

(c) Unless otherwise provided by law or rule, [no] the Department may deny or refuse to accept any license application from an applicant [for a license or renewal thereof, or licensee], including the general partners, officers, directors, members, and [principal stockholders of] stockholders owning ten percent or more of the outstanding stock of such applicant[ or licensee, whose application or renewal thereof is denied or whose license is revoked by the Department may submit a new application for the same license for a period of 12 months from the date the initial application or renewal was denied or the license was revoked. This subsection shall only apply if the initial application or renewal was denied, or the license was revoked, because the applicant or licensee concealed information, made a false statement, or falsified or allowed to be falsified any certificate, form, signed statement, application or report required to be filed with an application for a license that is to be issued by the Department or for a renewal thereof.], where:

1. within the 12 months prior to such application, the Department revoked a license, or denied or refused to renew a license application from such applicant;

2. such revocation, denial, or refusal to renew was based on a failure to meet a required qualification of the license held or applied for, which cannot be remedied to the

satisfaction of the Department within the 12 months following such revocation, denial, or refusal to renew; and

3. the Department provided notice, at the time of the revocation, denial, or refusal to renew referenced in paragraph (1) of this subdivision, that the applicant or licensee could not reapply for the same license for a period of 12 months.

**NEW YORK CITY LAW DEPARTMENT  
DIVISION OF LEGAL COUNSEL  
100 CHURCH STREET  
NEW YORK, NY 10007  
212-356-4028**

**CERTIFICATION PURSUANT TO  
CHARTER §1043(d)**

**RULE TITLE:** Amendment of Rules Relating to Application for and Renewal of Licenses

**REFERENCE NUMBER:** 2023 RG 089

**RULEMAKING AGENCY:** Department of Consumer and Worker Protection

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN  
Senior Counsel

Date: July 1, 2025

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS  
253 BROADWAY, 10<sup>th</sup> FLOOR  
NEW YORK, NY 10007  
212-788-1400**

**CERTIFICATION / ANALYSIS  
PURSUANT TO CHARTER SECTION 1043(d)**

**RULE TITLE: Amendment of Rules Relating to Application for and Renewal of Licenses**

**REFERENCE NUMBER: DCWP-41**

**RULEMAKING AGENCY: Department of Consumer and Worker Protection**

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro  
Mayor's Office of Operations

July 2, 2025  
Date