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Dear Local Community Business Development Partner:

As you may be aware, the New York City Business Integrity Commission ("BIC") regulates the carting businesses that collect and transport trade waste from commercial establishments in New York City. This letter provides important information for your membership base and communities on local business rights with regards to commercial trash services.

As part of BIC's regulatory oversight, the agency sets the maximum rates that private carters may charge their customers for the removal of their waste. Maximum rates are in place to provide customer protection and enable competition in the City's waste hauling industry. A customer may not be charged above the maximum rate. However, the customer and carter may negotiate a rate below the maximum rate.

Recently, the Commission increased the maximum rates that carters may charge for the removal of putrescible and recyclable waste. As of November 28, 2013, the maximum rates are:

**\$18.27 per cubic yard of loose refuse (volume); or
\$11.98 per 100 pounds of refuse (weight)**

Although your carter has the right under certain circumstances to charge up to the maximum rate, you have certain rights:

- Your carter may not change the *rate* at which you are being charged if you already have a written contract;
- If you already have a written contract and your carter seeks to change the *amount* you are being charged, you have the right to a waste stream survey;
- If you do not have a written contract (but instead a verbal agreement) and your carter seeks to change the amount you are being charged and/or the rate at which you are being charged, **the carter must provide you with 14 days written notice**. If you receive such notice, you may cancel your carter's service and find another carter, or you may negotiate with your carter to obtain a lower price and/or rate.



In addition to the above rights, local businesses also have the right to:

- Service from a carter of your choice, free from intimidation or reprisal. A list of BIC-licensed carters is available on our website at: www.nyc.gov/html/bic/downloads/pdf/pr/licapproved.pdf;
- A written survey of your business' waste stream from any carter that proposes to charge you a "flat fee" or "average fee" (available at: www.nyc.gov/html/bic/downloads/pdf/pr/waste_stream_survey.pdf);
- A waste removal contract that does not commit you to a particular carter or to a particular price for more than two years;
- A written contract that clearly describes the agreement that you have negotiated with your carter;
- Service on the days and at the times agreed to by you and your carter in the contract;
- Consistent, uninterrupted service, with 14 days' written notice if service is to be terminated by your carter for any reason;
- Written bills that conform to the rate in your contract and comply with the maximum rate set by BIC;
- A clean sidewalk, curb, and street adjoining your property, free of any debris that may result from waste removal.

If you have any questions about the Business Integrity Commission, local business rights, or are interested in facilitating a briefing by our agency with your members, please contact me at 212-676-1881 or at jkairam@bic.nyc.gov

Sincerely,

Jayant Kairam
Chief Operating Officer