

FORM 3 (AGENCY REPORT)
(Due on or before July 31, 2022)

Agency:	Office of Administrative Tax Appeals		
Agency Privacy Officer:	Leonard Picker		
Email:	lpicker@oata.nyc.gov	Telephone:	212-602-6028
Date of Report:	7-29-22		

1. Specify the type of identifying information collected or disclosed (check all that apply):	
<input checked="" type="checkbox"/> Name <input checked="" type="checkbox"/> Social security number (full or last 4 digits)* <input type="checkbox"/> Taxpayer ID number (full or last 4 digits)*	<u>Work-Related Information</u> <input type="checkbox"/> Employer information <input type="checkbox"/> Employment address
<u>Biometric Information</u> <input type="checkbox"/> Fingerprints <input type="checkbox"/> Photographs <input type="checkbox"/> Palm and handprints* <input type="checkbox"/> Retina and iris patterns* <input type="checkbox"/> Facial geometry* <input type="checkbox"/> Gait or movement patterns* <input type="checkbox"/> Voiceprints* <input type="checkbox"/> DNA sequences*	<u>Government Program Information</u> <input type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input type="checkbox"/> Any scheduled court appearances <input type="checkbox"/> Eligibility for or receipt of public assistance or City services <input checked="" type="checkbox"/> Income tax information <input type="checkbox"/> Motor vehicle information
<u>Contact Information</u> <input checked="" type="checkbox"/> Current and/or previous home addresses <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number	
<u>Demographic Information</u> <input type="checkbox"/> Country of origin <input checked="" type="checkbox"/> Date of birth* <input type="checkbox"/> Gender identity <input type="checkbox"/> Languages spoken <input type="checkbox"/> Marital or partnership status <input type="checkbox"/> Nationality <input type="checkbox"/> Race <input type="checkbox"/> Religion <input type="checkbox"/> Sexual orientation	<u>Law Enforcement Information</u> <input type="checkbox"/> Arrest record or criminal conviction <input type="checkbox"/> Date and/or time of release from custody of ACS, DOC, or NYPD <input type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD
<u>Status Information</u> <input type="checkbox"/> Citizenship or immigration status <input type="checkbox"/> Employment status <input type="checkbox"/> Status as victim of domestic violence or sexual assault <input type="checkbox"/> Status as crime victim or witness	<u>Technology-Related Information</u> <input type="checkbox"/> Device identifier including media access control MAC address or Internet mobile equipment identity (IMEI)* <input type="checkbox"/> GPS-based location obtained or derived from a device that can be used to track or locate an individual* <input type="checkbox"/> Internet protocol (IP) address* <input type="checkbox"/> Social media account information
<u>Other Types of Identifying Information</u> (list below): None	
*Type of identifying information designated by the CPO (see CPO Policies & Protocols § 3.1.1).	

3. Describe the following types of collections and disclosures: (1) pre-approved as routine, (2) pre-approved as routine by the APOs of two or more agencies, or (3) approved by the APO on a case-by-case basis. Appendix B of the Agency Guidance on the 2022 Biennial Compliance Process includes examples of routine and non-routine collections and disclosures.

Add additional rows as needed.

Describe the Collection or Disclosure	Classification Type
Disclosures pursuant to a subpoena	<input type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input checked="" type="checkbox"/> Approved by APO on a case-by-case basis
Collections of identifying information listed on the previous page for the agency's general processing of appeals.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis

N.Y.C. Admin. Code §23-1205(a)(1)(b)

2. Explain why the collection and retention of identifying information described in Question 1 furthers the purpose or mission of your agency.

OATA is the City's administrative tax appeals forum; decisions are only made when an application is filed by someone with standing to file an appeal, thus the name of the applicant and their contact information are needed to schedule hearings, to request further information, and to communicate a determination. Personal exemption eligibility can depend on age and income, so dates of birth and income tax information are required for certain exemption appeals. Should a personal exemption appeal be granted, that information is transmitted to the Department of Finance, the separate agency responsible for applying the exemption to the property's account; Finance uses the last four digits of a property owner's social security number as an identifier.

N.Y.C. Admin. Code §23-1205(a)(1)(f)

4. If applicable, describe the types of collections and disclosures of identifying information involving your agency that have been approved by the Chief Privacy Officer as being in the best interests of the City.

Add additional rows as needed.

Describe Type of Collection or Disclosure

N/A

N.Y.C. Admin. Code §23-1202(b)(2)(b); 23-1205(a)(1)(b)

5. Describe the agency's current policies regarding requests for disclosures from other City agencies, local public authorities or local public benefit corporations, and third parties. Be as specific as possible.

NOTE: For questions 5 – 11, refer as necessary to the Model Citywide Protocol for Handling Third Party Requests for Information Held by City Agencies (on file with the Office of Information Privacy) and the Identifying Information Rider.

OATA follows the Model Citywide Protocol for Handling Third Party Requests for Information Held by City Agencies.

6. Do the above policies address access to or use of identifying information by employees, contractors, and subcontractors?

Yes No

7. If YES, do those policies specify that access to identifying information must be necessary to perform their duties?

Yes No

8. Describe whether the policies are implemented in a manner that minimizes access to the greatest extent possible while furthering the purpose or mission of the agency.

Yes

N.Y.C. Admin. Code §§23-1205(a)(1)(c)(1), and (4)

9. Describe the agency's current policies for handling proposals for disclosures of identifying information to other City agencies, local public authorities or local public benefit corporations, and third parties. Be as specific as possible.

No such proposals have been received or are anticipated; should such a proposal be received in future, policies will be developed in coordination with the Mayor's Office of Information Privacy.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(2)

10. Describe the agency's current policies regarding the classification of disclosures as necessitated by the existence of exigent circumstances or as routine. Be as specific as possible.

Decisions about routine disclosures or disclosures necessitated by the existence of exigent circumstances are made by the agency head, in consultation with the APO.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(3)

11. Describe the agency's current policies regarding which divisions and categories of employees have been approved by the agency privacy officer to disclose identifying information. Be as specific as possible.

Only the agency head and APO are allowed to disclose identifying information.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(4)

12. Describe whether the agency has considered or implemented, where applicable, any alternative policies since 2020 that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the agency's purpose or mission.

OATA has always minimized the collection, retention, and disclosure of identifying information to the greatest extent possible, and has not considered or implemented alternative policies since 2020.

N.Y.C. Admin. Code §23-1205(a)(4)

13. Describe the agency's use of agreements for any use or disclosure of identifying information.

None

N.Y.C. Admin. Code §23-1205(a)(1)(d)

14. Using the table below, describe the types of entities requesting the disclosure of identifying information or proposals for disclosures of identifying information. For each entity, describe (1) why the agency discloses identifying information to the entity, and (2) why any disclosures further the purpose or mission of the agency.

Add additional rows as needed.

Type of Entity	Description of Reason for Disclosure	Description of how disclosure furthers the agency's purpose or mission
Department of Finance	To enable the application of personal exemptions granted on appeal by the Tax Commission to the property owner's account	Such disclosure is mandatory to enable grants of personal exemptions to be implemented.

N.Y.C. Admin. Code §23-1205(a)(1)(c)

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15. Describe the impact of the Identifying Information Law and other local, state, or federal laws upon your agency's practices in relation to collecting, retaining, and disclosing identifying information (i.e., if such practices would differ in the absence of these laws).

None

N.Y.C. Admin. Code §23-1205(a)(2)

16. Describe the impact of the privacy policies and protocols issued by the Chief Privacy Officer, or by the Citywide Privacy Protection Committee, as applicable, upon your agency's practices in relation to collecting, retaining, and disclosing identifying information (i.e., if they have affected such practices).

None

N.Y.C. Admin. Code §23-1205(a)(3)


APPROVAL SIGNATURE FOR AGENCY REPORT

Preparer of Agency Report:

Name:	Leonard Picker		
Title:	Agency Privacy Officer		
Email:	lpicker@oata.nyc.gov	Phone:	212-602-6028

ELECTRONIC SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW

Agency Head (or designee):

Name:	Frances J. Henn		
Title:	Director		
Email:	fhenn@oata.nyc.gov	Phone:	212-669-2070
Electronic Signature:		Date:	July 29, 2022

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