

Monday, March 14, 2005

DCA PULLS LICENSES FROM TWO TOW TRUCK COMPANIES FOR REPEAT VIOLATIONS AND OVERCHARGING DRIVERS

NY's Finest Towing and Yankee Mike's Towing Ordered to Pay Fines and Consumer Restitution

The New York City Department of Consumer Affairs (DCA) today announced it has revoked the licenses of two towing companies - NY's Finest based in the Bronx (NYF), and Yankee Mike's Towing (YM) based in Queens - in response to a pattern of consumer complaints and violations ranging from illegal tows to overcharging customers to issuing improper receipts and more. DCA administrative law judges conducted hearings in both cases and found the companies guilty of the charges.

"We hope this sends a clear message to unscrupulous towers that putting private cars and drivers at risk will affect your business and your wallet," said DCA Commissioner Gretchen Dykstra. "A license is a privilege, not a right - it's what helps drivers know that a company and its drivers have been vetted with a criminal background check, will bring your car to a safe place, and charge you rates allowed by law. Neither NY's Finest or Yankee Mike's proved fit to hold licenses and the appropriate action was taken."

On March 1, 2005, the DCA found NY's Finest guilty of:

- Operating without proper towing or booting licenses.
- Illegally towing cars while consumers were shopping.
- Overcharging customers.
- Failing to have proper contracts with property owners from whose premises they towed vehicles.
- Using improper receipts, advertising auto repairs without a license from NYS DMV.
- Using a license number from a different company on receipts.
- Refusing payment by credit card, and more.

This case was initiated when the DCA cited NY's Finest and its owner Scott Jennison in March 2004 for operating without the proper booting license, and overcharging customers parked in a variety of Bronx locations. Mr. Jennison signed an agreement and paid restitution to 160 consumers totaling \$4,000. Mr. Jennison later obtained the appropriate licenses. However, after receipt of additional consumer complaints, the DCA opened a new investigation, which led to the revocation. In addition to revoking NYF's towing, booting, and tow truck driver licenses of Scott Jennison and Jose Becceril, DCA ordered principals of NYF to pay restitution to eight consumers, and more than \$35,000 in fines.

On March 2, 2005, Yankee Mike's Towing was found guilty of:

- Illegally towing cars that were legally parked.
- Overcharging customers.
- Refusing to accept credit cards.
- Issuing improper receipts.
- Failure to reply to complaints.

- Failure to obtain authorization from property owners to tow from lots, and more.

The DCA received at least ten complaints about Yankee Mike's. As part of the investigation, YM failed to produce all requested documents required by a DCA subpoena. The DCA revoked YM's towing licenses, as well as the tow truck driver license for principal Michael Cortes, and ordered YM to pay approximately \$11,000 in fines.

Consumer complaints against tow companies are a top complaint category at the DCA, with nearly 300 received last year. A full list of consumer towing tips and legal rates is available online in DCA's Consumer Towing Guide. To file a complaint, or for a copy of the DCA Consumer Towing Guide, call 311 or visit the DCA web site at www.nyc.gov/consumers.