



# **THE DEPARTMENT OF LICENSING AND CONSUMER PROTECTION**

**FY 2023 PERFORMANCE ACCOUNTABILITY REPORT**

**JANUARY 16, 2024**

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## **1 THE DEPARTMENT OF LICENSING AND CONSUMER PROTECTION**

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**Mission:** The mission of the Department of Licensing and Consumer Protection (DLCP) is to protect the economic interests of residents, businesses, and visitors in the District of Columbia by licensing, regulating businesses, investigating and enforcing the Consumer Protection Procedures Act.

**Services:** DLCP is responsible for regulating business activity in the District of Columbia. The agency protects consumers, issues business and professional licenses, registers corporations, inspects weighing and measuring devices used for monetary profit, and issues special events permits.

## **2 2023 ACCOMPLISHMENTS**

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Accomplishment	Impact on Agency	Impact on Residents
In FY2023, DLCP began robust proactive enforcement of the Flavored Tobacco Prohibition Amendment Act	It has strengthened DLCP's relationship with District residents and other agencies. Educational session and the enforcement efforts has increased the confidence DC residents have with DLCP. Enforcing the fines can also increase District's revenue.	Flavored tobacco is dangerous but mostly for young people, makes it likelier they will become regular users and makes it harder to quit. This applies to most of our vulnerable young population in the District. DLCP's enforcement will provide protection of young people.
In FY2023, DLCP partnered with the Department of Behavioral Health to enforce the District's prohibition on selling tobacco products to those under the age of 21. DLCP executed a Youth Tobacco Prevention Roundtable Series (5 events)	DLCP has strengthened its relationships with other agencies to ensure compliance and educational needs of District's residences regarding what DLCP does are being met. DLCP has spent significant time educating the public in FY2023. This will improve DLCP's relationship with District's residents.	DLCP has strengthened its relationships with other agencies to ensure compliance and educational needs of District's residences regarding what DLCP does are being met. DLCP has spent significant time educating the public in FY2023. This will empower District residences to know what is required to be compliant. Flavored tobacco mostly affects young people, makes it likelier they will become regular users and makes it harder to quit. This ban will protect young people of District.
DLCP successfully launched new business portal for Vending during FY 23 and conducted a series of Street and Sidewalk Vending roundtables with various MOCA agencies and community partners (8 events)	DLCP has strengthened its relationships with other agencies to ensure compliance and educational needs of District's residences regarding what DLCP does are being met. DLCP has spent significant time educating the public in FY2023. Using the new portal will ultimately will assist DLCP to have better data collecting mechanism which will result in more revenue.	District's small business owners can make a genuine impact by fulfilling the unique needs of the local community. Improved business portal will increase the quality of the service they receive. It will give a faster communication and user-friendly outcome to our business owners, and will increase in awareness factor.

### **3 2023 OBJECTIVES**

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#### **Strategic Objective**

Provide timely and efficient processes to promote and improve the progression and business development in the District of Columbia.

Protect consumers through the investigation of unfair or deceptive business practices, and the timely enforcement of the Consumer Protection Procedures Act.

Create and maintain a highly efficient, transparent, and responsive District government.

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## 4 2023 OPERATIONS

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Operation Title	Operation Description
<b>Provide timely and efficient processes to promote and improve the progression and business development in the District of Columbia.</b>	
Business Licensing and Registration and Renewal, Business Service Center, Corporation Division, Occupational and Professional Licensing, Weights and Measures: Daily Service	Responsible for the review, issuance, and renewal of business, occupational and professional licenses within the District. Additional programmatic areas include the Corporations, Business Service Center, Weights and Measures registrations, and Special Events and Vending. This includes Program Codes (7000, 2065, 2070, 2075, 2080, 2090, 2095, 7085).
<b>Protect consumers through the investigation of unfair or deceptive business practices, and the timely enforcement of the Consumer Protection Procedures Act.</b>	
Enforcement Unit, Consumer Protection, Special Events and Vending Enforcement: Daily Service	Responsible for processing all civil Infractions with the Office of Administrative Hearings, collecting fines, and taking other appropriate actions. Pursues business that try to exploit District residents financially and conducts investigations of unlicensed business activity. Ensures regulatory compliance for special events and vending from public space such as goods and services sold from street vendors. This includes Program Codes (3001, 3002, 3003).
<b>Create and maintain a highly efficient, transparent, and responsive District government.</b>	
Personnel, Training and Employee Development, Property Management, Information Technology, Risk Management, Legal, Fleet Services, Communications, Customer Service, Performance Management, Internal Audit: Daily Service	Responsible for providing administrative support and the required tools to achieve operational and programmatic results. This includes Program Codes (1010, 1015, 1030, 1040, 1055, 1060, 1070, 1080, 1085, 1090, 1095).
Budget Operations, Accounting Operations, ACFO Operations: Daily Service	Responsible for providing comprehensive and efficient financial management services to, and on behalf of, District agencies so that the financial integrity of the District of Columbia is maintained. This division is standard for all agencies using performance-based budgeting. This includes Program Codes (110F, 120F, 130F).

## 5 2023 STRATEGIC INITIATIVES

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In FY 2023, The Department of Licensing and Consumer Protection had 9 Strategic Initiatives and completed 55.56%.

Title	Description	Update
Corporations Registration System Replacement	In FY 23, DLCP will develop the statement of work and begin the procurement for the replacement for the Corporations Registration System. This will incorporate all corporate registration processes with sophisticated online filings into one user friendly platform. This will result in making it easier for business community to register business organizations in the District of Columbia.	Completed to date: Complete DLCP has completed the SOW for Corporate registration system replacement and is working closely with OCP to determine next steps for procurement of a system.
Strengthened Agency Enforcement	In FY 23, DLCP will standardize the generation and issuance of Notices of Infraction (NOI). Specifically, the agency will incorporate Consumer Protection, Short-Term Rental, and all other DLCP NOIs into one format. This will make review, approval, and mailing platforms more user friendly which will lead to faster NOI processing and issuance. This will also enable the agency to have more sophisticated-complex NOI data sets to analyze for strategic enforcement and performance monitoring.	Completed to date: Complete During Q4 of FY23, the Office of Weights and Measures conducted proactive inspections of 2,214 device compliance inspections to businesses in the district of Columbia. In addition, our team added 18 new business registrations during Q4 and 507 applications, generating \$232,520 in revenues for FY24. The agency processed 16 NOIs (Notice of Infractions) during Q4 of F23, with approximately \$7,074 in outstanding fines that we anticipate will be collected by the end of Q1 of FY24.

Strengthen Weights and Measures Education and Enforcement to Protect Consumers	<p>During FY 23, DLCP will increase enforcement of Office of Weights and Measures (W&amp;M) to protect consumers with multiple enforcement efforts such as new device inspections, routine inspections, complaint-based inspections, targeted proactive inspection as well as drive-up events that will also serve as educational and outreach opportunities. DLCP will issue Notice of Infraction (NOI) and take other appropriate necessary enforcement actions to businesses that have inaccurate commercial W&amp;M devices, and those that failed to register their devices with DLCP or obstruct inspections to ensure compliance. The agency will host drive-up inspection events twice a year for farmer's market merchants to have their devices inspected or re-inspected. The agency will use these drive-ups as outreach and educational opportunities to provide merchants information about W&amp;M regulations and requirements.</p>	<p>Completed to date: 75-99%</p> <p>During Q4 of FY23, the Office of Weights and Measures conducted proactive inspections a total of 2,214 device compliance inspections to XXX of businesses in the district of Columbia. In addition, our team added 18 new business registrations during Q4 and 507 applications, generating \$232,520 in revenues for FY24. The agency processed 16 NOIs (Notice of Infractions) during Q4 of FY23, with approximately \$7,074 in outstanding fines that we anticipate will be collected by the end of Q1 of FY24.</p>
Consumer Protection Unit Enhanced Enforcement	<p>In FY 23, DLCP's Consumer Protection Unit will enhance its enforcement capabilities by proactively targeting businesses engaged in commonly known deceptive practices. This includes unlicensed businesses continuing to operate in the District and focusing on companies illegally towing. DLCP will collaborate with sister agencies including DDOT, DPW, MPD to educate District employees about regulations around towing.</p>	<p>Completed to date: Complete</p> <p>DLCP has completed the standardization of its NOIs for all DLCP programs to ensure uniformity and consistency. This standardization will allow the enforcement team to generate an NOI number to facilitate tracking of response time, alternative resolution options, and track payments. DLCP has also developed a resource guide to assist investigators and staff with using correct violation codes, nature of infraction language, and fine amount.</p>

Training Academy	<p>In FY 23, DLCP will plan, develop, and execute a Training Academy platform that will be the central training repository for all agency specific trainings for DLCP staff. This includes the ability to see all courses and quizzes required for staff certifications. This will also allow DLCP staff to create trainings, evaluations and other tools to ensure staff have the most up to date techniques for interacting with internal and external customers.</p>	<p><b>Completed to date: 75-99%</b></p> <p>DLCP has completed the procurement of the cloud-based software (Trainual) for the Training Academy and has developed 18 program / business unit curriculums. These training include customer service, licensing application, enforcement, and other business units, to allow DLCP staff to cross-train on other functions and allow new employees joining the agency to successfully onboard. During FY24, DLCP will coordinate an internal launch of the Training Academy and strengthen the platform with more training content, articles focused on best practices, and thought exchange.</p>
Coordinated Outreach	<p>In FY 23, DLCP will launch a coordinated outreach campaign that will actively engage communities across the District about DLCP process and procedures. These includes workshops in the communities, educational sessions, online videos, and online and in-person training sessions. The agency will also continue to focus on residents in Wards 7 and 8 and will have a strategic focus on the most vulnerable populations at all Wards -including immigrants and individuals where English is not their first language, to help them better understand their consumer protection rights.</p>	<p><b>Completed to date: 75-99%</b></p> <p>During Q4 of FY23, DLCP conducted and took part in 55 outreach engagement activities in all 8 wards in the District, including but not limited to ANC meetings, engagements with Councilmember offices, H Street Festival, Art of Nights, Fiesta DC, and street vending outreach activities. During these events, DLCP staff provided educational information on our business licensing process, compliant process, Small Business Resource Center and other DLCP programs, such as Short Term Rental, flavored tobacco enforcement and compliance, and weights and measures.</p>

Mobile Food Vending Pilot Program	<p>In FY 23, DLCP will partner with DC Health and the District Department of Transportation (DDOT) to develop and implement a Mobile Food Vending Pilot Program. A corner stone of this initiative is equity: residents who reside on the east side of the Anacostia River should have access to healthy food and groceries just as easily as their neighbors who reside in any other District neighborhood. It will allow the agency to bridge the existing gaps by making it easier for healthy food and grocery providers to operate in Southeast neighborhoods through mobile vendors, on a Pilot basis which can be built upon for permanent programming. This is to promote entrepreneurship through new business models to provide for the food needs of all District residents citywide. The intention is to provide novel solutions for mobile food and grocery vending outside of existing vending licensure classes while also not infringing on basic food safety or traffic or parking requirements.</p>	<p>Completed to date: Complete DLCP has implemented the Mobile Food Vending Pilot program. Administrative issuance was published on June 2, 2023. This initiative has been met by DLCP.</p>
Enforcement of the Flavored Tobacco Product Prohibition Amendment Act	<p>In FY 23, DLCP will begin strategic enforcement of the Flavored Tobacco Product Prohibition Amendment Act. The agency will conduct targeted and complaint-based investigations and ensure enforcement of the prohibition on the purchase, sale, manufacture, and distribution of flavored tobacco products and flavored synthetic products containing nicotine; and the sale of any electronic smoking device within · mile of a middle school or high school.</p>	<p>Completed to date: Complete In FY 23, DLCP began strategic enforcement of the Flavored Tobacco Product Prohibition Amendment Act. The agency conducted targeted and complaint-based investigations and ensure enforcement of the prohibition on the purchase, sale, manufacture, and distribution of flavored tobacco products and flavored synthetic products containing nicotine and the sale of any electronic smoking device within · mile of a middle school or high school. The Consumer Protection Unit (CPU) successfully completed 1197 inspections and issued a total of 219 NOIs. CPU also partnered with the Department of Behavioral Health (DBH) for the Synar under 21 tobacco sales enforcement and as a result completed a total of 453 visits and issued 89 NOIs. For FY24, CPU will continue to complete enforcement of the Flavored Tobacco Product Prohibition Amendment Act in a proactive posture.</p>

Consumer Protection and Procedure Act Review and Assessment	In FY 23, DLCP will review and assess the Consumer Protection and Procedures Act (CPPA) and identify a list of items that the agency wants to pursue and consider for legislative change with the goal of improving enforcement efficacy. During this review and assessment period, the agency will explore the idea of creating an inter-agency and stakeholder CPPA working group.
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## 6 2023 KEY PERFORMANCE INDICATORS AND WORKLOAD MEASURES

Measure	Directionality	Key Performance Indicators										Explanation of Unmet KPI
		FY 2021	FY 2022	FY 2023 Q1	FY 2023 Q2	FY 2023 Q3	FY 2023 Q4	FY 2023	FY 2023 Target	Was 2023 KPI Met?		
<b>Provide timely and efficient processes to promote and improve the progression and business development in the District of Columbia.</b>												
Percent of businesses applying online that receive their license within one (1) business day from the date of submission	Up is Better	91.4%	93.3%	94.2%	88.9%	91.8%	88.1%	90.6%	80%	Met		
Percent of corporate registrations processed online, meeting the customer's request for expedited service of one (1) or three (3) business days	Up is Better	91.9%	92.1%	95.1%	93%	92.5%	91.1%	92.9%	85%	Met		
Percent of compliant businesses that have renewals processed within one (1) business day from the date of application receipt	Up is Better	93.3%	95.4%	97.1%	97%	98.7%	98.2%	97.8%	80%	Met		
Percent of Basic Business License, Corporation, and Occupational and Professional Licensing transactions that are conducted online	Up is Better	87.4%	91.8%	91%	94%	94.8%	96.2%	94%	80%	Met		
Percent of Business Licensees for which prescreening is required, that receive a regulatory investigation within 15 business days	Up is Better	98.5%	95.5%	96.7%	97%	98.6%	52.7%	87.9%	85%	Met		
Percent of occupational and professional license applications reviewed within (3) business days from the date of submission of a complete application	Up is Better	New in 2023	New in 2023	63%	70%	53.2%	28.1%	53.9%	60%	Unmet		
<b>Protect consumers through the investigation of unfair or deceptive business practices, and the timely enforcement of the Consumer Protection Procedures Act.</b>												
Percent of Consumer Protection cases closed within 30-days from date of complaint submission	Up is Better	New in 2023	90.9%	99.8%	97.6%	100%	93.5%	97.9%	85%	Met		
<b>Create and maintain a highly efficient, transparent, and responsive District government.</b>												

### Key Performance Indicators (*continued*)

Measure	Directionality		FY 2021	FY 2022	FY 2023 Q1	FY 2023 Q2	FY 2023 Q3	FY 2023 Q4	FY 2023	FY 2023 Target	Was 2023 KPI Met?	Explanation of Unmet KPI
	Up is Better	New in 2023	New in 2023								-	
Percent of Customer Relationship Management (CRM) cases that are resolved within 3 business days from date of receipt by the agency					98.5%	98.7%	95.7%	99.8%	97.7%	New in 2023	-	

### Workload Measures

Measure	FY 2021	FY 2022	FY 2023 Q1	FY 2023 Q2	FY 2023 Q3	FY 2023 Q4	FY 2023
<b>Business Licensing and Registration and Renewal, Business Service Center, Corporation Division, Occupational and Professional Licensing, Weights and Measures</b>							
Number of business compliance surveys conducted	1,326	1,534	298	383	376	309	1366
Number of professional licenses renewed	38,253	33,235	5,397	3,526	4,134	3,936	16,993
Number of professional licenses issued	7,549	6,851	1,651	2,025	1,294	1,410	6,380
Number of other corporate filings registered	72,601	77,882	8,099	43,425	12,943	11,868	76,335
Number of corporate entities registered	22,179	21,171	4,994	5,818	5,374	3,900	20,086
Number of applications submitted for new business licenses	10,093	10,755	2,755	2,958	2,086	3,099	10,898
Number of business licenses issued	26,173	27,944	6,178	6,947	5,603	7,528	26,256
Number of business licenses renewed	13,781	17,803	3,555	3,962	3,517	4,676	15,710
Number of customers serviced by the Small Business Resource Center (SBRC)	New in 2023	3,956	767	842	1,114	959	3,682
Number of elevator certificates issued	New in 2023	2,468	608	700	940	653	2,901
Number of special events issued	New in 2023	74	21	6	7	26	60
Number of weighing and measuring devices approved	New in 2023	7,678	1,232	1,238	1,575	1,395	5,440
Number of Short-Term Rental licenses applications	Not Available	New in 2023	225	215	198	170	808
<b>Enforcement Unit, Consumer Protection, Special Events and Vending Enforcement</b>							
Number of Consumer Protection Investigations conducted	New in 2023	Not Available	563	444	304	509	1820