

November 25, 2003

CONSUMER AFFAIRS OFFERS HOLIDAY SHOPPING TIPS

With Thanksgiving just around the corner, the holiday shopping season is also getting underway. To help consumers make informed choices, the New York City Department of Consumer Affairs (DCA) is offering the following tips and reminding New Yorkers to know their rights when looking for the perfect gift.

To file a complaint or to check on a vendor's history, call 311 or visit DCA online at www.nyc.gov. DCA urges consumers to take the following precautions:

_ Get a Receipt.

Under New York City Consumer Protection Law, you are automatically entitled to a receipt for purchases over \$20. Upon request, you can also get a receipt for purchases between \$5 and \$20. Receipts must include the total amount paid, date, business name and address, the make and model of the item you bought, and license number if applicable.

_ Check the store's Refund or Exchange Policy.

Merchants can establish their own policies, so long as it is prominently displayed. Otherwise, the consumer has 20 days to get a refund in the manner in which the purchase was paid. Some merchants extend their refund periods to facilitate holiday returns.

_ Save All Receipts.

It is the only way to guarantee an exchange or return can be made for the full price.

_ Ask for a Gift Receipt.

Some stores will issue gift receipts for purchases, allowing the person who receives the gift to make an exchange. The price is not listed on gift receipts, but the original sale is maintained in the store's computer.

_ Find out terms of Gift Certificate or Gift Card.

Some gift certificates and/or store gift cards expire or deduct amounts if not used by a certain date. Make sure to find out the individual store's policy.

_ Never give out your social security or personal bank account number when shopping online.

_ Test What You Buy.

Especially with electronic goods, consumers should first examine the contents to make sure they work. Under City law, "used" or "floor model" items must be clearly marked as such.

_ Beware Of Holiday "Going Out Of Business," "Liquidation," Or "Renovation" Sales.

These "special" sales are often a misleading hook to lure you into a store and may not offer the bargains you are looking for. Check with the DCA to see if the store is licensed to hold a special sale.

_ By law, merchandise purchase by phone or mail order must be shipped to you within 30-days of placing your order, unless a different time is clearly specified in the catalog.

If the merchant has to change the shipping date, they must inform you of the new date and offer you the opportunity to cancel your order and issue you a full refund.

_ Know Difference Between Warranties.

Warranties cover both what you can expect from a product and how a seller or manufacturer will deal with a defective product. If something is unclear, ask questions.

_ Learn a company's online privacy policy.

Many companies post their privacy policy on their site. It should disclose the information being collected on the site and how that information is being used. If you can't find a policy, send an email or written message to the site to ask about its policy and request that it be posted on the site.

_ The Law Is On Your Side.

By law, a company must ship your Internet purchase within the time stated or within 30 days if no time is specified. Your purchase is also protected by the Fair Credit Billing Act, which allows you to withhold payment of disputed charges until it is resolved. If you feel uncomfortable giving out your credit card information over the Internet, shop online to choose what you want, and then order it over the phone.

DCA enforces the City's Consumer Protection Law and other related laws at thousands of businesses throughout New York City. Fostering a marketplace where consumers are protected and businesses can thrive, DCA licenses more than 60,000 businesses in 55 different categories citywide. Through free community seminars, licensing forums, and other informational materials, DCA educates consumers and businesses alike about their rights and responsibilities. For more information or to file a complaint, call 311 or go online at www.nyc.gov/consumers.