

# Inspection Checklist: Secondhand Dealers

*Does your business buy used gold, silver, or other precious metals?*

*Does your business buy or sell other used items?*

**Use this checklist to learn what our inspectors look for and help avoid violations. All businesses also must comply with the General Retail Inspection Checklist, which is included at the end for easy reference.**

	Requirement	Do you meet this requirement?
	<b>License</b>	
1	Your business must have a valid DCA <u>Secondhand Dealer General</u> license to buy or sell used goods (such as jewelry, antiques, appliances, auto parts, refurbished items, etc.).	<input type="checkbox"/> Yes
2	DCA's new combined license and complaint sign must be posted where all customers can see it. Until you receive the new sign, which DCA is sending during the license renewal period, you must continue to post both your license and the complaint sign.  <b>Note:</b> DCA combined the license and the complaint sign, previously separate documents, into one consolidated sign. New licensees and licensees that renew after October 15, 2013 will receive the new sign. Renewing licensees must remove the old license document and complaint sign that DCA previously provided and post the new combined sign. For more information about this new regulation, go to <a href="http://nyc.gov/consumers">nyc.gov/consumers</a> .	<input type="checkbox"/> Yes
3	All printed matter that is given to customers (business cards, flyers, receipts, etc.) must have the license number and the license number must be identified as a DCA license number (for example, "Department of Consumer Affairs License #1234567").	<input type="checkbox"/> Yes
	<b>Businesses That Buy Used Jewelry</b>	
4	Your business must have a scale.	<input type="checkbox"/> Yes
5	Scales must be a type approved by New York State Department of Agriculture and Markets ( <u>Weighing and Measuring Devices Approved for Commercial Use</u> ; Updated March 2012). The scale must display divisions equal to or smaller than .01 troy ounce (oz t) and be marked Class II or III.	<input type="checkbox"/> Yes
6	The scale must be inspected annually by DCA and have a valid DCA scale inspection seal.  <b>Tip:</b> Request a scale inspection <u>online</u> or by calling 311.	<input type="checkbox"/> Yes
7	Your business must provide customers with the troy weight of the gold, silver, or other precious metal at the time of the purchase.	<input type="checkbox"/> Yes
	<b>Books and Records</b>	
8	A record must be kept of every purchase and sale of secondhand articles.  <b>Tip:</b> The records can be kept electronically or in a book.  <b>Tip:</b> The records must be kept for 3 years.	<input type="checkbox"/> Yes

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	Requirement	Do you meet this requirement?
9	The records of purchases and sales must be available for inspection by a DCA inspector or a police officer.	<input type="checkbox"/> Yes
10	Records must be written in English and contain the following information for each purchase and sale: <ul style="list-style-type: none"> <li>■ A detailed description of the item, including a description of the metal (gold, silver, platinum, or other) and gemstone (type, size, color, etc.)</li> <li>■ Identifying marks such as monograms or inscriptions, if any</li> <li>■ The name of the person who bought or sold the item</li> <li>■ The address of the person who bought or sold the item</li> <li>■ A general description of the person who bought or sold the item</li> <li>■ The date of the purchase or sale</li> <li>■ The time of the purchase or sale</li> </ul>	<input type="checkbox"/> Yes
11	An ID must be shown by each customer who sells a used item to your business. For each item, records must be kept about the ID, including the type, description, and number. <p><b>Tip:</b> Acceptable forms of identification include:</p> <ul style="list-style-type: none"> <li>■ An official document issued by the U.S. government or a state, county, or municipality; a public agency; a public or private employer. These documents must contain a signature.</li> <li>■ A police, fire department, or postal department badge containing numbers.</li> </ul>	<input type="checkbox"/> Yes
12	Keep a copy of the signature of every person from whom the business purchases an item. <p><b>Tip:</b> The seller must sign his/her name in front of the dealer. A copy of the ID presented does not satisfy this requirement.</p>	<input type="checkbox"/> Yes
13	Secondhand items cannot be purchased from a minor (under 18 years old).	<input type="checkbox"/> Yes
14	Secondhand jewelry cannot be sold within 15 days of its purchase.	<input type="checkbox"/> Yes
	<b>Signs</b>	
15	If your business sells new and used items, a sign stating that the store sells new and secondhand items must be posted where all customers can see it. <p><b>Tip:</b> The sign must be at least 216 square inches with letters at least 2 inches high.</p>	<input type="checkbox"/> Yes
16	If your business sells new and used items, all used items must be labeled as used.	<input type="checkbox"/> Yes

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	Requirement	Do you meet this requirement?
17	A refund policy must be posted at each register, point of sale, or at each entrance.  <b>Tip:</b> Even if the policy is not to give refunds, a sign must be posted stating "No Refunds."	<input type="checkbox"/> Yes
18	If there are limitations on using credit cards, such as minimum purchase amounts, the policy must be clearly posted near the register and the entrance.	<input type="checkbox"/> Yes
	<b>Receipts</b>	
19	A receipt must be provided for all items sold.	<input type="checkbox"/> Yes
20	The receipt must include: <ul style="list-style-type: none"> <li>■ Date of purchase</li> <li>■ Amount paid for each item</li> <li>■ Total amount paid</li> <li>■ Separate statement of tax</li> <li>■ Name and address of the business</li> <li>■ DCA license number</li> <li>■ Make and model number of electronic items over \$100</li> </ul>	<input type="checkbox"/> Yes
	<b>Pricing</b>	
21	Prices must be posted on the items or on a sign at the point of display.	<input type="checkbox"/> Yes

Updated 10/09/2013



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Visit [nyc.gov](http://nyc.gov) and  
search "Business  
Toolbox"

Contact 311  
(212) NEW-YORK  
(Outside NYC)

*New York City businesses must comply with all relevant federal, State, and City laws and rules, which are available in DCA's Business Toolbox. Businesses are responsible for knowing and complying with current regulations that affect their business.*



# Inspection Checklist: General Retail

*Does your business sell goods or services?*

**Use this checklist to learn what our inspectors look for and help avoid violations:**

	Requirement	Do you meet this requirement?
	<b>Price Lists for Services</b>	
1	A price list with the types of services and the prices of those services must be displayed.	<input type="checkbox"/> Yes
2	The price list must be clearly posted or clearly displayed near the cash register and/or at the place(s) where orders are placed.	<input type="checkbox"/> Yes
3	If the price list states a minimum charge (e.g., “from \$ . . .”) or states a price “and up,” it must state the reason for the different prices and include the range of prices.	<input type="checkbox"/> Yes
4	If there is a sale or promotion, the pre-sale prices must also be posted for comparison.	<input type="checkbox"/> Yes
5	<p>Prices for services cannot be based on gender.</p> <p><b>Tip:</b> Words like “men’s,” “women’s,” and “ladies” cannot be used to describe the price; the difference must be described in a gender neutral way. (Example: Above the shoulder hair = \$15; Below the shoulder hair = \$30)</p> <p><b>Tip:</b> Instead of listing prices for shirts and blouses, the price must be described based on physical differences between the shirts. (Example: sequins, ruffles, fancy buttons)</p>	<input type="checkbox"/> Yes
	<b>Pricing for Goods</b>	
6	All items offered for sale must have a clearly visible price.	<input type="checkbox"/> Yes
7	For most items, the price must be attached to the item or on a sign where the item is displayed.	<input type="checkbox"/> Yes
8	If your store’s annual revenue is more than \$2 million or you are a chain store, you must individually price most food products, as well as paper products, detergents, soaps, nonprescription drugs, and health and beauty aids.	<input type="checkbox"/> Yes
9	Milk; eggs; fresh produce; snack foods that are less than 5 ounces; frozen foods; jars of baby food; and items that are less than 3 cubic inches, under 3 ounces and under \$1 do not have to be individually priced, but must have shelf prices.	<input type="checkbox"/> Yes

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	Requirement	Do you meet this requirement?
	<b>Signs</b>	
10	<p>Sale signs that advertise a percent discount—example: 20-50% off—must state the minimum percent discount.</p> <p><b>Tip:</b> Both the minimum and maximum numbers must be of equal size.</p> <div style="display: flex; justify-content: space-around; align-items: center;">   </div>	<input type="checkbox"/> Yes
11	<p>Sale signs cannot contain any of the following phrases:</p> <ul style="list-style-type: none"> <li>■ “Our list price”</li> <li>■ Below “manufacturer’s wholesale cost”</li> <li>■ “Manufacturer’s cost”</li> </ul>	<input type="checkbox"/> Yes
12	<p>Businesses that sell goods and services must post a refund policy.</p> <p><b>Tip:</b> A refund policy must be posted at each register, point of sale, or at each entrance.</p> <p><b>Tip:</b> Even if the policy is not to give refunds, a sign must be posted stating “No Refunds.”</p>	<input type="checkbox"/> Yes
13	<p>The refund policy must state any and all conditions or limitations to getting a refund. For example:</p> <ul style="list-style-type: none"> <li>■ Businesses must disclose any fees charged for refunds, such as “restocking fees.”</li> <li>■ If a business will not provide refunds for “as is” items, it must disclose that.</li> <li>■ Businesses must also disclose whether the refund will be in cash, credit, or store credit only.</li> <li>■ If proof of purchase is required for a refund, the sign must say so.</li> <li>■ A business that chooses not to offer refunds must post a sign that states, “No Refund,” or words to that effect.</li> <li>■ The sign must state that a written copy of the store’s refund policy is available on request.</li> </ul>	<input type="checkbox"/> Yes

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	Requirement	Do you meet this requirement?
14	If there are limitations on using credit cards, such as minimum purchase amounts, the policy must be clearly posted near the register and the entrance.	<input type="checkbox"/> Yes
	<b>Receipts</b>	
15	Receipts must be given to customers for purchases over \$20 and upon request for purchases between \$5 and \$20. <b>Tip:</b> This does not apply to food and drink that is meant to be consumed on the premises.	<input type="checkbox"/> Yes
16	The receipt must include each of the following: <ul style="list-style-type: none"> <li>■ Date of purchase</li> <li>■ Amount paid for each item</li> <li>■ Total amount paid</li> <li>■ Separate statement of tax</li> <li>■ Name and address of store</li> </ul>	<input type="checkbox"/> Yes
17	Receipts for electronics that cost more than \$100 must also include the make and model number of the item.	<input type="checkbox"/> Yes
	<b>Price Accuracy</b>	
18	When items are scanned, the price must match the lowest item price, shelf price, sale price, or advertised price.	<input type="checkbox"/> Yes
19	If no scanners are used, the price at checkout must still match the lowest item price, shelf price, sale price, or advertised price.	<input type="checkbox"/> Yes
20	Tax cannot be charged on tax-exempt items. <b>Tip:</b> Check with the <a href="#">New York State Department of Taxation and Finance</a> for a complete list of which items are exempt.	<input type="checkbox"/> Yes

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	Requirement	Do you meet this requirement?
	<b>Layaway Plans</b>	
21	<p>If layaway is offered, each of the following written disclosures must be provided to consumers prior to accepting any payments over \$50 in 4 installments or more:</p> <ul style="list-style-type: none"> <li>■ Description of the item, including name, brand, color, and model number</li> <li>■ Total cost of the item including tax</li> <li>■ Charge to use layaway and any cancellation fee</li> <li>■ Duration of the layaway plan</li> <li>■ Payment schedule and any consequences of missed payments</li> <li>■ Refund policy</li> <li>■ Notice of whether or not the item won't be removed from inventory until a certain number of payments have been made</li> </ul> <p><i>Example 1:</i> NOTICE: NO MERCHANDISE WILL BE REMOVED FROM INVENTORY UNTIL X% OF THE PURCHASE PRICE HAS BEEN PAID.</p> <p><i>Example 2:</i> ATTENTION: YOUR SELECTION OF MERCHANDISE WILL NOT BE ORDERED UNTIL YOU HAVE MADE YOUR NEXT TO FINAL PAYMENT.</p>	<input type="checkbox"/> Yes
	<b>Expired Over-the-counter Medication</b>	
22	It is illegal to sell over-the-counter medication after the expiration date on the label.	<input type="checkbox"/> Yes