

Wednesday, August 14, 2013

Abigail Lootens / Mia Brill
(212) 436-0042

DEPARTMENT OF CONSUMER AFFAIRS LAUNCHES *10 THINGS EVERY BUSINESS SHOULD KNOW* VIDEO AS PART OF THE AGENCY'S ONGOING EFFORTS TO HELP BUSINESSES AVOID VIOLATIONS BY FOLLOWING THE LAW

As Part of DCA's "Good for Customers, Great for Business Campaign," Video Features Real New Yorkers Who Share Important Tips to Help Businesses Follow the Law

Department of Consumer Affairs (DCA) Commissioner Jonathan Mintz today announced the launch of the [*10 Things Every Business Should Know*](#) video featured on the agency's official [YouTube](#) channel. The video is based on DCA's [*10 Things Every Business Should Know*](#) guide, which is available online in [English](#), [Spanish](#), [Chinese](#), [Korean](#), [Russian](#), [Haitian Creole](#) and [Bengali](#). The video shares ten important tips that every business selling goods and services should know to avoid violations by doing right by their customers.

"Our *10 Things Every Business Should Know* guide has helped countless New York City business owners and now our *10 Things* video can reach even more through our YouTube page," said DCA Commissioner Jonathan Mintz. "Like Alap who owns a grocery store or Robert who owns a newsstand, our video features real New Yorkers who have followed the law and want to share these crucial tips with other New York City businesses."

The *10 Things Every Business Should Know* video is part of DCA's *Good for Customers, Great for Business* campaign, which expands DCA's ongoing efforts to educate businesses and encourage compliance with the City's rules and regulations. The video encourages businesses to visit DCA's improved online [Business Toolbox](#), which features the City's first online Live Chat option that enables New York businesses to easily ask questions online five days a week during business hours. DCA has helped more than 4,300 New York City businesses through Live Chat since it launched. DCA has also made public online for the first time the inspection checklists that DCA inspectors use to inspect almost 30 different types of businesses. The video is currently available on YouTube with English captions, and captions in Spanish, Chinese, Korean, Russian and Haitian Creole will be available soon.

DCA's [Business Toolbox](#) also gives businesses easy access to:

- learn what to do if they get a violation, how to handle a complaint and what happens at an administrative hearing
- download DCA model contracts and model receipts, required signs and other documents
- request a scale inspection
- pay fines (by debit card, credit card, or electronic check)
- learn about laws and legal interpretations
- learn about licenses that may be needed

New York business owners in all 55 of the industries DCA licenses can also access licensing services online through the Business Toolbox, including:

- apply for or renew a license
- update name or business name, address and information about corporate officers
- request replacement of a lost, stolen or damaged DCA license

New Yorkers can visit the [Business Toolbox](#) at nyc.gov/BusinessToolbox and stay informed about programs, services, events and tips on how to be an educated consumer and business owner by following DCA on Twitter [@NYCDCA](#), visiting DCA's [Facebook](#) page or by watching DCA's videos on [YouTube](#). Businesses are encouraged to share suggestions about other business services they would find useful by tweeting [@NYCDCA](#) with the hashtag [#BusinessToolbox](#) or by posting on DCA's [Facebook](#) page.

DCA enforces the Consumer Protection Law and other related business laws throughout New York City. Empowering consumers and businesses to ensure a fair and vibrant marketplace, DCA licenses about 79,000 businesses in 55 different industries. Through targeted outreach, partnerships with community and trade organizations, and informational materials, DCA educates consumers and businesses alike about their rights and responsibilities. The DCA Office of Financial Empowerment (OFE) was launched by Mayor Michael R. Bloomberg at the end of 2006 as the first local government initiative in the country with the specific mission to educate, empower, and protect individuals and families with low incomes. OFE creates innovative programs, products, and services for New Yorkers so they can build assets and make the most of their financial resources. Our goal is to increase access to high-quality, low-cost financial education and counseling; connect individuals to safe and affordable mainstream banking and products and services; improve access to income-boosting tax credits, savings, and other asset building opportunities; and enforce and improve consumer financial protections to safeguard financial stability. For more information, call 311 or visit DCA online at nyc.gov/consumers.

TEN THINGS EVERY BUSINESS SHOULD KNOW

Important tips that every business selling goods and services should know to avoid violations.

#1 Check if You Need a Business License

To find out if you need one of DCA's 55 licenses, visit nyc.gov/BusinessToolbox or contact 311. You can also visit nyc.gov/BusinessExpress to find out what you need to start and operate businesses in New York City. DCA encourages business owners to view the Business Owner's Bill of Rights, available at nyc.gov/bizrights.

#2 Post Prices and Payment Methods

- If you sell goods, the price of each item must be either on a tag on the item or on a sign where the item is displayed.
- If you do more than \$2 million worth of business in a year, you must put individual price tags on most items.
- If your business sells a service—for example, hair or nail salons, dry cleaners, laundries, tailors, repairers, locksmiths, tax preparers—you must post a price list near where orders are placed and at the register.
- It is illegal to post different prices for men and women for the same service.
- If you limit credit card use, you must clearly post the policy near the register and the entrance.

#3 Post Your Refund Policy

You can set your own refund policy, but the law requires that it be posted near the register where customers can easily read it. Your sign must explain all conditions or limitations on getting a refund or exchange, such as whether you charge restocking fees, require a receipt, have time limits on returns, or give refunds in cash, credit, or store credit only. If you fail to post a refund policy, customers can return any item for 30 days.

#4 Make Sure Receipts are Complete and Correct

If a customer requests a receipt for a purchase between \$5 and \$20, you must provide it, and if the purchase is \$20 or more, you are required by law to provide a receipt. By law, your receipts must show:

- Your business name and address and, if you are a licensee, you must add "Department of Consumer Affairs" followed by your DCA license number
- The amount of money paid for each item
- The total amount the customer paid, including a separate line for tax
- The date of the purchase
- The make and the model of any electronic purchase more than \$100

Receipts cannot show a credit card's expiration date or more than its last five digits.

#5 Make Sure Your Sales Ads Aren't False or Misleading

- It is illegal to advertise low prices on items that you don't actually have available for customers ("bait and switch").
- Any item you list as "on sale" must also display the pre-sale price clearly, and you must have reasonable quantities available before advertising the sale. If you advertise that you are having a sale due to fire, smoke, or water damage or because you are going out of business, liquidating, lost your lease, or are renovating, you must have a DCA Special Sale license and conduct the sale at the location that is being closed.
- You must include your business name, address, and DCA license number (if applicable) on all newspaper ads, business cards, and business vehicles.

#6 Know the Items You Cannot Sell

- It is illegal to sell fake or imitation guns unless the entire exterior of the gun is white, bright red, bright orange, bright yellow, bright green, bright blue, bright pink, bright purple, or translucent or transparent (see-through). Any fake or toy gun that is not one of these colors (for example, black, green) is illegal even if it has an orange tip.
- You cannot sell laser pointers to anyone under 19. You cannot sell the following items to anyone under 21: box cutters, etching acid, spray paint.
- You cannot sell the following products to anyone: expired over-the-counter medication, motorized scooters, and products made of endangered or threatened species.

#7 Know the Rules for Tobacco Sales and Signage

- It is illegal to sell cigarettes to anyone under 18. You must request proper identification for anyone who appears to be under 25.
- You must have a DCA license to sell cigarettes in New York City and post required City and State warning signs, all of which are available in DCA's [Business Toolbox](#).
- It is illegal to sell "flavored" tobacco unless you operate a tobacco bar or if the tobacco has the taste or smell of menthol, mint, or wintergreen.
- You cannot sell individual cigarettes ("loosies").

#8 Make Sure Scales are Accurate

DCA inspects all scales used by stores and airports for accuracy. Scales must be positioned so customers can view the weight and the price per pound. If you sell packaged items, you must subtract the weight of the packaging ("tare" weight) from the cost of the weighed item. Businesses can request a scale inspection online in DCA's [Business Toolbox](#) or by contacting 311.

#9 Resolve Customer Complaints

If DCA receives a complaint, we will contact you by phone or mail to get your side of the story before we

mediate. All licensees must respond within 20 days. A DCA mediator will work with you and the customer and if we cannot resolve the complaint, it may be heard by a judge at a hearing at DCA's Adjudication Tribunal or State court. DCA maintains permanent public records of complaint histories and how they are resolved.

#10 Handle Violations and Pay Fines

If a DCA inspector issues a violation during an inspection, you will be given a Notice of Hearing with the date and time that you need to meet with a Settlement Officer or contest the violation with an Administrative Law Judge at DCA's Adjudication Tribunal. You may bring an attorney with you, and free translation services are available. Those with disabilities can request special accommodations before their hearings. Depending upon the violation or your violation history, you may be able to settle the violation online or by mail. Not responding to a Notice of Hearing will result in additional violations and fines.