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DEPARTMENT OF CONSUMER AFFAIRS ISSUES SAVVY SHOPPING TIPS FOR THE HOLIDAY SEASON

With Black Friday, Small Business Saturday, and Cyber Monday fast approaching, Department of Consumer Affairs (DCA) Commissioner Jonathan Mintz is issuing savvy shopping tips to New Yorkers and tourists beginning the holiday season. The National Retail Federation estimates 138 million shoppers will hit the stores across the country during Black Friday weekend and that consumers plan to spend an average of \$688.87 on holiday-related purchases during the holiday season.

"New Yorkers and tourists hitting the stores in their neighborhood and beyond this holiday season can be savvy shoppers," said DCA Commissioner Jonathan Mintz. "Buy only what you can afford, shop around for the best price, and take a moment to understand both gift card and refund policy terms."

The Department of Consumer Affairs offers the following shopping tips for the holiday season. Additional shopping guides, including [Holiday Shopping Tips](#), [Shopping by Phone or Mail](#) and [Electronics Selling and Buying](#), are available online at nyc.gov/consumers or by calling 311.

- **Budget.** No one wants to pay for holiday gifts well into the New Year, so take control of your holiday spending budget. Plan ahead, make a list and stick to it, and start shopping early. Watch your bank balance if you use a debit card and your credit limit if you're using a credit card. You'll be less likely to overspend if you pay in cash. With online sites and Smartphone applications, it's easier than ever to find the best price available.
- **Shop Small Business Saturday.** You can support the local economy and preserve neighborhood character by shopping at local businesses, especially on the first-ever Small Business Saturday on November 27th. Visit smallbusinessaturday.com for more information.
- **Don't buy counterfeit or "pirated" goods.** One in five jobs in NYC is at risk because of illegally downloaded movies, music and books and counterfeit designer goods. They also cost the City millions of dollars in lost tax revenue. Take a stand to protect the jobs of your fellow New Yorkers and buy real products.
- **Know the *new* rules about gift cards and how to protect yourself when buying them.** Several new rules about gift cards went into effect in August 2010. For example, gift card funds must now remain valid for at least five years from when the card was purchased or money was last loaded onto it, whichever occurred later, and no inactivity or service fees can be charged if the card has been used within the past 12 months. If a card remains unused for 12 months, then the card holder can be charged one fee a month. If you're buying an "experience" card (like a spa treatment, flight or hotel stay), buy one with a specific dollar value so you can benefit from these consumer protections. "Experience" cards without a specified dollar amount may not be covered by the same protections. Even though there are more fee limitations today, you should still watch out for hidden fees and know that there is no cap

on the monthly fee after 12 months of inactivity. Like all purchases, keep your receipts for all gift cards and be sure to protect the cards like cash.

- **Check the refund policy.** Stores can establish their own refund or exchange policy but it must be displayed clearly where you check out. If they do not post a policy, you have a right to a full refund within 30 days in the same manner in which you paid. If you're shopping online, check if you have to pay for the shipping and if the gift can be returned to a "brick-and-mortar" store nearby. Many retailers, especially electronics stores, charge fees for restocking items returned, particularly in opened boxes. These fees, which vary, must be disclosed. To file an exchange, refund or return complaint or to check to see if an electronics store is licensed, call 311 or visit nyc.gov/consumers.
- **Keep your receipts.** In NYC, you are entitled to a receipt for purchases over \$20. You may also request a receipt for purchases of \$5 or more. Receipts must show the total amount paid including a separate statement of tax, date, business name/address, the make/model of the items you bought, and, if applicable, the business' DCA license number. Receipts are your proof of purchase and if you file a complaint about the purchase with DCA, we will need the receipt to mediate your complaint. To file a complaint with DCA, call 311 or visit nyc.gov/consumers. Also ask for gift receipts so the person who receives your gift can take advantage of return and exchange options.
- **Protect your personal information from ID theft.** Identity theft can be a financially devastating experience, so don't let the hustle and bustle of the holidays distract you from keeping your personal information safe. Never give out your Social Security number, mother's maiden name, or former address in person, over the phone or online. Avoid doing business with retailers that insist you provide any potentially compromising personal information. By law, if a retailer requires a copy of a consumer's personal identification in order to use a credit card, the retailer must disclose that requirement in the store's credit card policy and display it clearly. You can download DCA's [Identity Theft Prevention Tips](#) from nyc.gov/consumers.
- **Watch out for scams and false advertising.** The holidays mean lots of sales but don't get tricked by bogus ads and sales offers. "Bait and switch" ads that promise too-good-to-be-true savings but aren't actually available when you get there are illegal. Any item listed as "on sale" must also display the pre-sale price clearly. To file a complaint about false advertising, call 311 or visit nyc.gov/consumers. You can also check the complaint history of a business by calling 311 and can download DCA's [False Advertising Guide](#) at nyc.gov/consumers.
- **Get a delivery date.** Secure a delivery date in writing before you leave a store. If retailers don't specify a "ship by" date for your online purchase, they must ship within 30 days. To file a complaint about a New York City-based business that fails to deliver goods or services, call 311 or visit nyc.gov/consumers.
- **Check for recalls.** To check if a gift or toy has been recalled, visit the Consumer Product Safety Commission at www.cpsc.gov and click on the recall section.

DCA enforces the Consumer Protection Law and other related business laws throughout New York City. Ensuring a fair and vibrant marketplace for consumers and

businesses, DCA licenses more than 71,000 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. DCA's Office of Financial Empowerment (OFE) is the first local government initiative in the nation with a mission to educate, empower, and protect New Yorkers with low incomes so they can build assets and make the most of their financial resources. Toward that end, OFE seeks to increase access to high-quality, low-cost financial education and counseling; improve access to income-boosting tax credits; connect households to safe and affordable banking and asset-building products and services; and enforce and improve consumer protections to enhance financial stability. For more information, call 311 or visit DCA online at nyc.gov/consumers.