

***Statement of Commissioner Jonathan Mintz***

"Municipal deposit reform will allow the City to deposit its tax dollars in credit unions and savings banks, which will significantly increase loan options and other safe financial services for individuals and small businesses across the New York. Credit unions and savings banks play a vital role in stimulating economic activity and deserve not to be arbitrarily excluded from where municipalities choose to deposit their public funds."

Tuesday, March 23, 2010

Elizabeth Miller/Abigail Lootens (DCA), (212) 487-4283

**NEW YORK CITY CONSUMER AFFAIRS COMMISSIONER JONATHAN MINTZ AND  
ATTORNEY GENERAL CUOMO ANNOUNCE LEGAL ACTION TO RECOUP RESTITUTION  
FOR NEW YORKERS SCAMMED BY BUS TOUR COMPANY**

***Brooklyn-Based Crosby Tours Inc. Failed to Provide Tours or Refunds to More Than  
130 Consumers Who Prepaid for Bus Tours***

New York City Consumer Affairs Commissioner Jonathan Mintz and New York State Attorney General Andrew M. Cuomo today announced that both offices notified Brooklyn-based Crosby Tours, Inc. and its principals of pending legal action for charging more than 130 consumers for tour bus services that were never provided and then failing to provide refunds after the company closed.

The Department of Consumer Affairs and the Attorney General's Office notified Crosby and its principals, Reed Elson, Frank P. Scarpinito and Monika Bialokur, of its intention to sue, seeking full restitution to victimized consumers as well as penalties and costs to the state and New York City.

Elson, Scarpinito and Bialokur previously worked for Biss Tours, a company that was the subject of legal action by the Attorney General's Office and Department of Consumer Affairs in 2008 for refusing to refund consumers for trips that never took place.

"New Yorkers who saved their hard-earned money for well-deserved vacations deserve their money back and we are working to do just that," said Consumer Affairs Commissioner Jonathan Mintz. "We urge New Yorkers who find themselves in a similar position to call 311."

"This tour bus company booked trips, took money, and then shut down without delivering on its promises," said Andrew Cuomo. "When customers reached out for help to the company, they were left without answers, and so today we are taking legal action."

The joint investigation revealed that Crosby accepted advance payments from consumers for future tour bus services which they failed to provide. The company closed down in November 2009 without providing refunds to consumers whose trips never took place. In one instance, Crosby changed the tour pick-up time without giving consumers adequate notice, causing some of the consumers to miss the tour.

After an investigation by the Department of Consumer Affairs and the Attorney General's Office concluded in March, Crosby's principals sent refund checks to only some of the victimized consumers. Many consumers have still not been paid refunds.

Consumers who did business with Crosby Tours and believe they were defrauded are urged to contact the Attorney General's Office at 800-771-7755 / [www.ag.ny.gov](http://www.ag.ny.gov).

The case is being handled by Jacqueline Cheney Staff Counsel Research and Investigation, First Deputy Director for Research and Investigations Dawn Yuster and General Counsel Marla Tepper. At the Attorney General's Office, the case is being handled by Assistant Attorney General-In-Charge of the Brooklyn Regional Office Lois Booker Williams and Assistant Attorney General Melvin Goldberg under the supervision of Consumer Frauds & Protection Bureau Chief Joy Feigenbaum, Deputy Bureau Chief Jeffrey Powell and Executive Deputy Attorney General for Economic Justice Maria Vullo.

Commissioner Mintz and Attorney General Cuomo urge consumers who are considering hiring a travel service or agent to follow these tips:

- **Book trips with a reputable vendor.** Contact the local consumer protection agencies, such as the New York State Attorney General or the New York City Department of Consumer Affairs, to check if the travel business has a history of complaints. New York City residents should call 311 to check the complaint status of any business.
- **Double check all the details especially when vacations are booked through a third party travel agency.** Get all the contact information for the trip, such as charter buses, rental car companies, hotels and airlines and then verify the arrangements.
- **Get all the details of the trip in writing, including cancellation fees and the businesses' refund policy.** Consider travel insurance for added protection.
- **Pay with a credit card.** Many credit card companies can provide customers with refunds when there is a dispute about the services delivered. However, consumers should only provide trusted businesses with credit card information.

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 57 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 is the first municipal office of its kind in the nation with a mission to educate, empower and protect New Yorkers with low incomes. DCA's OFE administers a citywide network of Financial Empowerment Centers and other products and services that help these New Yorkers make the best use of their financial resources to move forward economically. For more information, call 311 or visit DCA online at [nyc.gov/consumers](http://nyc.gov/consumers).

Wednesday, March 17, 2010

Kay Sarlin/Elizabeth Miller, (212) 487-4283

**DEPARTMENT OF CONSUMER AFFAIRS COMMISSIONER MINTZ WARNS BANKS  
AGAINST USING TEXT MESSAGING TO ENROLL CUSTOMERS INTO OVERDRAFT  
PROTECTION SERVICES**

*The Department Issues Consumer Alert Urging New Yorkers to Watch Out for  
Deceptive Text Message Solicitations*

*Commissioner Mintz Calls on Federal Reserve Chair Bernanke to Prohibit Financial  
Institutions From Using Deceptive Text Messages to Obtain Consumer Overdraft  
Consent*

Department of Consumer Affairs (DCA) Commissioner Jonathan Mintz today warned firms not to undermine new federal regulations with aggressive solicitations to enroll New Yorkers into overdraft protection services. This message comes after the Department learned the marketing firm SoundBite Communications has promoted its "text message solution" to financial institutions that will need to obtain consent from their customers beginning July 1 before enrolling them into overdraft services. In a letter to the firm, Commissioner Mintz cautioned against aggressive marketing strategies that defy new federal regulations of overdraft protection and threaten the financial security of consumers. In a letter to Federal Reserve Chairman Ben Bernanke, Commissioner Mintz also asked that the Federal Reserve to prohibit financial institutions from using text messages to obtain consent from their customers