

Inspection Checklist: Immigrant Service Providers (ISP)

Do you or your business offer immigration-related services?

The following businesses are exempt:

- A tax-exempt not-for-profit organization that charges no fees or nominal fees
- Licensed attorney or person working directly under the supervision of a licensed attorney
- An organization recognized by the federal Board of Immigration Appeals
- An agency authorized under the New York State Social Services Law § 371(10)

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?
	Contracts	
1	A written contract must be given to every customer before services are provided.	<input type="checkbox"/> Yes
2	<p>The contract must include all of the following:</p> <ul style="list-style-type: none"> ■ ISP's name, address, and phone number ■ List of all services that will be provided and the cost for each service ■ Statement that the ISP cannot keep original documents that must be submitted with an application to the U.S. Citizenship & Immigration Services or for other certifications, benefits, or services that are provided by the government, for any reason, including payment of fees or costs ■ Statement that the ISP must give a copy of each document that is filed with a government entity to the customer ■ Statement that customers are not required to get supporting documents through the services of the ISP, but may get the documents themselves ■ Statement that includes this exact language: <ul style="list-style-type: none"> “You have three (3) business days to cancel this contract. Notice of cancellation must be in writing, signed by you and mailed by registered or certified United States mail to [ISP address]. If you cancel this contract within three days, you will get back your documents and any fees that you paid.” ■ Statement that the ISP has a surety (usually a \$50,000 bond) in effect for the customer's benefit in case the ISP owes the customer a refund or damages a customer by its actions, as well as the surety company's name, address, and telephone number. 	<input type="checkbox"/> Yes

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	Requirement	Do you meet this requirement?
	<ul style="list-style-type: none"> ■ Statement that includes this exact language: <p>“The individual providing assistance to you under this contract is not an attorney licensed to practice law or accredited by the Board of Immigration Appeals to provide representation to you before the Bureau of Citizenship and Immigration Services, the Department of Labor, the Department of State or any immigration authorities and may not give legal advice or accept fees for legal advice.”</p> ■ Statement that includes this exact language: <p>“The individual providing assistance to you under this contract is prohibited from disclosing any information or filing any forms or documents with immigration or other authorities without your knowledge and consent.”</p> ■ Statement that includes this exact language: <p>“A copy of all forms completed and documents accompanying the forms shall be kept by the service provider for three years. A copy of the customer’s file shall be provided to the client on demand without fee.”</p> 	
3	<p>The contract must be written in a language that the customer can understand. If that language is not English, the ISP must give the customer a copy in English, as well.</p>	<input type="checkbox"/> Yes
4	<p>When customers sign a contract, they must receive a separate sheet of paper that states that, by law, the ISP must maintain in full force a surety in the principal amount of \$50,000 with the name, address, and phone number where a claim can be filed against the surety company.</p> <p>Tip: The language must be in 12-point boldfaced font in a color that contrasts sharply with the color of the paper.</p>	<input type="checkbox"/> Yes

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	Requirement	Do you meet this requirement?
	<p>Signs</p> <p>Tip: See sample signs at nyc.gov/businessstoolbox.</p>	
5	<p>A sign that is 11 inches by 17 inches must be clearly posted at every location where the ISP meets with customers and visible from the location where the ISP transacts business with a customer. The sign must contain the following exact language:</p> <p>“THE INDIVIDUAL PROVIDING ASSISTANCE TO YOU UNDER THIS CONTRACT IS NOT AN ATTORNEY LICENSED TO PRACTICE LAW OR ACCREDITED BY THE BOARD OF IMMIGRATION APPEALS TO PROVIDE REPRESENTATION TO YOU BEFORE THE BUREAU OF CITIZENSHIP AND IMMIGRATION SERVICES, THE DEPARTMENT OF LABOR, THE DEPARTMENT OF STATE OR ANY IMMIGRATION AUTHORITIES AND MAY NOT GIVE LEGAL ADVICE OR ACCEPT FEES FOR LEGAL ADVICE.”</p> <p>Tip: This sign must be posted in English and in every language in which the business provides immigration services.</p>	<input type="checkbox"/> Yes
6	<p>A sign that is 11 inches by 17 inches must be clearly posted in an area visible to consumers and visible from the location where the ISP transacts business with a customer. The sign must state the fees for services offered and include the following exact language:</p> <p>“YOU MAY CANCEL ANY CONTRACT WITHIN 3 BUSINESS DAYS AND GET BACK YOUR DOCUMENTS AND ANY MONEY YOU PAID.”</p> <p>Tip: This sign must be posted in English and in every language in which the business provides immigration services.</p>	<input type="checkbox"/> Yes
7	<p>A sign that is 11 inches by 17 inches must be clearly posted at every location where the ISP transacts business with the customer that exactly states in 1-inch letters:</p> <p>“If you have a complaint about this business, contact: The New York City Department of Consumer Affairs 42 Broadway, New York, NY 10004 Dial 311 or 212-NEW-YORK (outside NYC) or visit nyc.gov/consumers Business name: (Business Name) Business address: (Business address) Business phone: (Business phone number)”</p> <p>Tip: This sign must be posted in English and in every language in which the business provides immigration services.</p>	<input type="checkbox"/> Yes

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	Requirement	Do you meet this requirement?
8	A sign that is 11 inches by 17 inches must be clearly posted in an area visible to customers entering and leaving the premises that states that, by law, the provider must maintain in full force a surety in the principal amount of \$50,000 with the name, address, and phone number where a claim can be filed against the surety company.	<input type="checkbox"/> Yes
	Advertising	
9	<p>The following exact language must be included in all advertisements in a font size that is easy to see:</p> <p>“The individual providing assistance to you is not an attorney licensed to practice law or accredited by the Board of Immigration Appeals to provide representation to you before the Bureau of Citizenship and Immigration Services, the Department of Labor, the Department of State or any immigration authorities and may not give legal advice or accept fees for legal advice.”</p> <p>Tip: This notice must be included in English and in the language in which the business advertises immigration services.</p>	<input type="checkbox"/> Yes
10	Advertisements cannot guarantee any government action such as granting residency or citizenship.	<input type="checkbox"/> Yes
	Receipts	
11	<p>A receipt must be provided for all services that cost \$20 or more, and the receipt must include all of the following:</p> <ul style="list-style-type: none"> ■ Date of purchase ■ Amount paid for each item or service ■ Total amount paid ■ Separate statement of tax ■ ISP’s name and address 	<input type="checkbox"/> Yes



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?
	Price Lists for Services	
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>Tip: 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>Tip: 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
	Pricing for Goods	
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

Inspection Checklist: General Retail

	Requirement	Do you meet this requirement?
	Signs	
10	<p>Sale signs that advertise a percent discount—example: 20-50% off—must state the minimum percent discount.</p> <p>Tip: 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"> ■ “Our list price” ■ Below “manufacturer’s wholesale cost” ■ “Manufacturer’s cost” 	<input type="checkbox"/> Yes
12	<p>Businesses that sell goods and services must post a refund policy.</p> <p>Tip: A refund policy must be posted at each register, point of sale, or at each entrance.</p> <p>Tip: 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"> ■ Businesses must disclose any fees charged for refunds, such as “restocking fees.” ■ If a business will not provide refunds for “as is” items, it must disclose that. ■ Businesses must also disclose whether the refund will be in cash, credit, or store credit only. ■ If proof of purchase is required for a refund, the sign must say so. ■ A business that chooses not to offer refunds must post a sign that states, “No Refund,” or words to that effect. ■ The sign must state that a written copy of the store’s refund policy is available on request. 	<input type="checkbox"/> Yes

Inspection Checklist: General Retail

	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
	Receipts	
15	Receipts must be given to customers for purchases over \$20 and upon request for purchases between \$5 and \$20. Tip: 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"> ■ Date of purchase ■ Amount paid for each item ■ Total amount paid ■ Separate statement of tax ■ Name and address of store 	<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
	Price Accuracy	
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. Tip: Check with the New York State Department of Taxation and Finance for a complete list of which items are exempt.	<input type="checkbox"/> Yes

Inspection Checklist: General Retail

	Requirement	Do you meet this requirement?
	Layaway Plans	
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"> ■ Description of the item, including name, brand, color, and model number ■ Total cost of the item including tax ■ Charge to use layaway and any cancellation fee ■ Duration of the layaway plan ■ Payment schedule and any consequences of missed payments ■ Refund policy ■ Notice of whether or not the item won't be removed from inventory until a certain number of payments have been made <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
	Expired Over-the-counter Medication	
22	It is illegal to sell over-the-counter medication after the expiration date on the label.	<input type="checkbox"/> Yes