

# IMPORTANT CONTACTS

## NYS Attorney General

[ag.ny.gov](http://ag.ny.gov)

**General Helpline:** 1-800-771-7755

**Deaf or hard of hearing TTY:** 1-800-788-9898

**File a consumer issues complaint online:**

[ag.ny.gov/file-complaint/consumer](http://ag.ny.gov/file-complaint/consumer)

## NYS Department of State Division of Consumer Protection

[dos.ny.gov/consumer-protection](http://dos.ny.gov/consumer-protection)

**For general information or to file a complaint, call the Consumer Helpline:**

1-800-697-1220

## Federal Trade Commission

[consumer.ftc.gov](http://consumer.ftc.gov)

**Report fraud, scams and bad business practices online:** [reportfraud.ftc.gov](http://reportfraud.ftc.gov)

**If you are unable to file a report online, contact the Consumer Response Center:**

1-877-FTC-HELP (382-4357)

**Deaf or hard of hearing TTY:** 1-866-653-4261

Dear Friend,

Consumers must be careful when making decisions in the marketplace. If an offer sounds too good to be true, it usually is!



Whether buying an appliance or contracting for a professional service, the goal is to receive the product or service you want at a fair and reasonable price. Unscrupulous sellers and unfair business practices can cost you your hard-earned money.

The state Assembly has enacted several laws that protect consumers. I have prepared this brochure to provide some common examples of deceptive business practices and help explain your rights as a consumer. As always, if you have any questions or comments about this or other issues, please contact my office.

Sincerely,



Carl E. Heastie  
Speaker of the Assembly

### **District Office:**

250 Broadway, Suite 2301  
New York, NY 10007  
212-312-1400

### **Albany Office:**

Room 932, LOB  
Albany, NY 12248  
518-455-3791

[speaker@nyassembly.gov](mailto:speaker@nyassembly.gov)  
[www.nyassembly.gov](http://www.nyassembly.gov)

# BUYER BEWARE

## Consumer rights in New York State



Important information  
from  
Speaker of the  
Assembly  
**Carl E. Heastie**



# LET THE BUYER BEWARE...

## Bait and switch

The bait and switch is a classic scam: a retailer advertises a product at a price below cost to “bait” the customer into their store, with no intention of actually selling it. When the customer goes to the store to buy the item, the retailer claims it’s either out of stock or an inferior product and attempts to persuade the customer to purchase a more expensive item.

## Rebates

Rebates allow customers who have paid full price for a product to get money back after completing and submitting paperwork. While some rebates offer significant savings, businesses often count on consumers not claiming them or may use potentially deceptive or unfair business practices by complicating the rebate process or sending the rebate months after receiving the request for redemption.

New York State law requires businesses offering rebates to provide the rebate form at the time of purchase and to allow at least 14 days for the consumer to submit their request for redemption. It also requires businesses to disclose if the rebate will be in a form other than cash or check, whether the consumer will incur additional fees, and mail rebates to consumers upon request for redemption within 60 days.

## Checks in the mail

Banks and finance companies may mail simulated checks that appear to be worth thousands of dollars to consumers with good credit. These checks are actually pre-approved or “live check” loan offers.

Don’t be influenced by the accompanying letter suggesting you treat yourself, that you’ve earned the money or that there are low monthly payments. A closer look at the details often reveals higher annual interest rates than conventional loans and a long-term payment schedule. Read the fine print carefully and compare it with other personal loan offers before accepting a live check.

## Free-trial offers

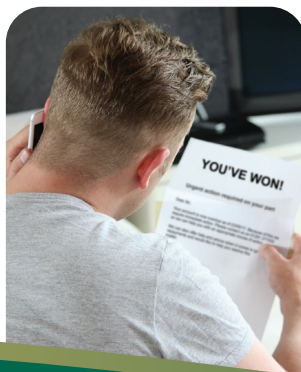
Free-trial offers can be a good deal for consumers. Watch out for any that fail to clearly disclose your obligation to cancel during a “risk-free” period, or you may be charged for goods or services you do not intend to purchase.

New York State law requires entities offering free trials to clearly and conspicuously disclose the terms of the offer and provide adequate notice of the deadline to cancel a free trial.

## Winning a contest you never entered

Be skeptical of unsolicited mail that appears to award you an expensive gift. Why would you win a prize for a contest you didn’t enter? These so-called awards might be grossly overstated or might not even exist. They are often tied to promotions for other things like real estate or vacation timeshares.

The fine print might state you need to attend a sales meeting or send in a shipping and handling fee to claim your gift. Avoid any prize that costs you time or money, and never give out



your credit card number, Social Security number or bank account number to show eligibility or to confirm an award.

## Online shopping

Online shopping can be easy, but it’s not without risk. Vet online retailers you haven’t used before by searching for reviews or complaints online. You can also check the “Contact Us”

page on the website for a physical address and phone number and call the business to verify. Only shop on websites that use encryption to lessen the chance of compromising your private information. Don’t pay with a debit card, which directly accesses your bank account, and don’t allow the seller to keep your credit card on file for future purchases. Keep a record of your order confirmation number and any tracking number provided in case of any problems.

The federal Mail, Internet, or Telephone Order Merchandise Rule covers online purchases. Orders must ship within the advertised time frame or, if no time frame is specified, within 30 days. The retailer must notify you if there is a delay. If the company can’t reach you or you do not consent to the delay, they must promptly refund all the money you paid for the unshipped merchandise.



This brochure offers a general overview of information to help you better understand the topic. There may be new or changed legislation since this brochure's publication date. It is not a substitute for the text of the law or legal advice. Sources: NYS Attorney General, NYS Department of State Division of Consumer Protection, US Consumer Financial Protection Bureau