

Inspection Checklist: Immigration Service Providers (ISP)

Do you or your business offer immigration-related services?

The following are exempt:

- A tax-exempt not-for-profit organization that charges no fees or nominal fees, including organizations recognized by the U.S. Department of Justice (DOJ) that provide services via representatives accredited by DOJ to appear before the U.S. Citizenship and Immigration Services or the Executive Office for Immigration Review
- Licensed attorney or person working directly under the supervision of a licensed attorney
- 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.

For your convenience, each Requirement includes the relevant section of law and/or rule, so you can refer to it for more information. The KEY below describes the legal citations and symbols used in this checklist.

KEY
NYC Code: NYC Administrative Code
RCNY: Rules of the City of New York
§: Section

Requirement	Do you meet this requirement?
Contracts	
1 A written contract must be given to every customer before services are provided. Tip: See model contract at nyc.gov/BusinessToolbox NYC Code §20-777	<input type="checkbox"/> Yes
2 The contract must include all of the following: <ul style="list-style-type: none"> • ISP’s name, address, and phone number • List of all services the provider will perform and the cost for each service • Statement that the ISP may not, for any reason, keep original documents that the customer submits with an application for an immigration-related benefit made to any governmental entity even if the customer owes the ISP money or the ISP claims the customer owes money • Statement that the ISP will give customers a signed form stating that they received each original document, as well as a complete copy of the original document, immediately when the ISP takes possession of the original document • Statement that the ISP must give customers a copy of each document it prepares for them • Statement that customers are not required to get supporting documents through the ISP and may get the documents themselves, along with the exact statement: “The U.S. government provides information on required forms and documentation for free online at uscis.gov and by phone at 1-800-870-3676.” 	<input type="checkbox"/> Yes

Inspection Checklist: Immigration Service Providers (ISP)

Requirement	Do you meet this requirement?
<ul style="list-style-type: none"> • The exact statement: “You may cancel this contract at any time. You have three (3) business days to cancel this contract without penalty and get back any fees that you have already paid. Notice of cancellation may be made by completing the cancellation form included in this contract or by otherwise notifying the provider in writing and delivering such form or notification to the provider in person or by United States mail to (specify address). If you cancel this contract, you will get back any documents you submitted to the provider.” • Statement that the ISP has posted a bond for the benefit of any customer in case the ISP owes the customer a refund and does not provide it or harms the customer by its actions, as well as the surety (bond) company’s name, address, and telephone number. • The exact statement: “The individual providing assistance to you under this contract is not an attorney licensed to practice law or accredited by the United States Department of Justice to provide representation to you before the federal government or any immigration authority and may not give legal advice or accept fees for legal advice. For a free legal referral, call the Office for New Americans hotline at 1-800-566-7636, the New York State Attorney General at 1-800-771-7755, or your local district attorney or prosecutor.” • The exact statement: “The individual providing assistance to you under this contract is prohibited from disclosing any of your personal information to, or submitting any forms or documents on your behalf with, immigration or other authorities without your knowledge and consent except as required by law.” • The exact statement: “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 customer on demand and without fee.” • On the same page as the signature line, the exact statement: “The individual providing assistance to you under the terms of this contract must explain the contents of this contract to you and answer any questions you may have regarding the terms of this contract.” • A separate page containing DCWP’s publicly available “Consumer Bill of Rights.” • A separate final page titled “Cancellation Form” that includes, in 12-point font or larger, the exact statement: “I hereby cancel the contract of (date of contract) between (name of provider, address of provider, and phone number of provider) and (name of customer).” The Cancellation Form must also contain a customer signature and date line. 	
NYC Code §20-777	

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Requirement	Do you meet this requirement?
<p>Signs</p> <p>Tip: See sample signs at nyc.gov/BusinessToolbox</p>	
<p>3 A sign that contains the following exact statement must be clearly posted at every location where the ISP meets with customers and where it is visible to all customers. The sign must be at least 11 inches by 17 inches, and the font must be at least 60 point.</p> <p>“THE INDIVIDUAL PROVIDING ASSISTANCE TO YOU UNDER THIS CONTRACT IS NOT AN ATTORNEY LICENSED TO PRACTICE LAW OR ACCREDITED BY THE UNITED STATES DEPARTMENT OF JUSTICE TO PROVIDE REPRESENTATION TO YOU BEFORE THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, THE EXECUTIVE OFFICE FOR IMMIGRATION REVIEW, THE DEPARTMENT OF HOMELAND SECURITY, THE DEPARTMENT OF JUSTICE, THE DEPARTMENT OF LABOR, THE DEPARTMENT OF STATE OR ANY IMMIGRATION AUTHORITIES AND MAY NOT GIVE LEGAL ADVICE OR ACCEPT FEES FOR LEGAL ADVICE. FOR A FREE LEGAL REFERRAL, CALL THE OFFICE FOR NEW AMERICANS HOTLINE AT 1-800-566-7636. TO FILE A COMPLAINT ABOUT AN IMMGRATION ASSISTANCE SERVICE PROVIDER, CALL NEW YORK STATE OFFICE FOR NEW AMERICANS AT 1-800-566-7636, THE NEW YORK STATE OFFICE OF THE ATTORNEY GENERAL AT 1-800-771-7755, OR YOUR LOCAL DISTRICT ATTORNEY OR PROSECUTOR’S OFFICE AT (PHONE NUMBER OF THE DISTRICT ATTORNEY IN THE COUNTY WHERE THE PROVIDER PROVIDES SERVICES).”</p> <p>Tip: This sign must be posted in English and in every language in which the business offers services.</p> <p>NYC Code §20-777.1</p>	<p><input type="checkbox"/> Yes</p>
<p>4 A sign containing the schedule of fees for services must be clearly posted in a location visible to all customers. The sign must be at least 11 inches by 17 inches, in at least 60 point font, and also contain the following exact statement:</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 offers services.</p> <p>NYC Code §20-777.1</p>	<p><input type="checkbox"/> Yes</p>

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Requirement	Do you meet this requirement?
<p>5 A sign stating that the ISP is required by law to maintain a surety bond, contract of indemnity, or irrevocable letter of credit must be clearly posted in the area where it will be clearly visible to customers entering and leaving the premises. The sign must be at least 11 inches by 17 inches and include all of the following in a statement or statements:</p> <ul style="list-style-type: none"> • The surety bond is in full force and effect for the entire period during which the ISP provides services and for 1 year after the ISP ceases to do business. • The surety bond, contract of indemnity, or irrevocable letter of credit is payable to the City of New York. • The principal amount of the surety bond, contract of indemnity, or irrevocable letter of credit is \$50,000. • Name, address, and telephone number where claims against the surety bond, contract of indemnity, or irrevocable letter of credit must be filed. 	<input type="checkbox"/> Yes
<p>6 RCNY §5-264(a)</p>	
<p>Advertising</p>	
<p>6 The following exact statement must be included in all advertisements in a font size that is easy to see:</p> <p>“The individual offering to provide immigration assistance services is not an attorney licensed to practice law or accredited by the United States Department of Justice to provide representation before the United States Citizenship and Immigration Services, the Executive Office for Immigration Review, the Department of Homeland Security, the Department of Justice, 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 advertisement appears.</p>	<input type="checkbox"/> Yes
<p>NYC Code §20-777.2(a)</p>	
<p>7 Advertisements cannot expressly or implicitly guarantee any particular governmental action, including but not limited to the granting of a visa, citizenship, employment authorization, or lawful permanent resident status.</p>	<input type="checkbox"/> Yes
<p>NYC Code §20-774(b)</p>	

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Requirement		Do you meet this requirement?
8	The ISP cannot assume, use, or advertise any of the following and similar titles: <ul style="list-style-type: none"> • Lawyer • Attorney or Attorney At Law • Accredited Representative of the Board of Immigration Appeals • Immigration Specialist • Immigration Consultant • Notary or Notary Public (unless ISP has a notary public license) • Notario or Notario Público (unless ISP has a notary public license) 	<input type="checkbox"/> Yes
	NYC Code §20-776(e)	

For more information: **Visit** nyc.gov/BusinessToolbox | **Contact 311** (212) NEW-YORK (Outside NYC)

This document is provided for informational purposes only, is not exhaustive, and does not constitute legal advice. New York City businesses must comply with all relevant federal, State, and City laws and rules. Businesses are responsible for knowing and complying with current regulations that affect their business.

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. For your convenience, each Requirement includes the relevant section of law and/or rule, so you can refer to it for more information. The KEY below describes the legal citations and symbols used in this checklist.



KEY
<p>NYC Code: NYC Administrative Code RCNY: Rules of the City of New York NY GBL: NY General Business Law §: Section</p>

Requirement	Do you meet this requirement?
Price Lists for Services	
<p>1 A price list must be displayed and include the following:</p> <ul style="list-style-type: none"> List of the type of services Minimum price for each service Conditions or variations of service that change the minimum price Range of additional charges caused by conditions or variations (e.g., \$10 pants, \$15 pants with pleats) (if the price is based on an hourly labor rate) Rate as dollars per hour <p>Tip: If the price list states a price “and up” or “from” — e.g., “\$5 and up” or “from \$5” — it must also state the reason(s) for the different prices and include the range of prices.</p> <p>6 RCNY §5-70(a)</p>	<input type="checkbox"/> Yes
<p>2 The price list must be clearly posted or clearly displayed at the place(s) where payment is made (e.g., near the cash register) and/or where orders are placed.</p> <p>6 RCNY §5-70(a)</p>	<input type="checkbox"/> Yes
<p>3 If there is a sale or promotion, the pre-sale prices must also be posted.</p> <p>NYC Code §20-750(b)</p>	<input type="checkbox"/> Yes
<p>4 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.</p> <p>NYC Code §20-750(c)</p>	<input type="checkbox"/> Yes
Pricing for Goods	
<p>5 All items offered for sale must show a price, exclusive of tax, as follows:</p> <ul style="list-style-type: none"> The price must be attached to the item by a stamp, tag, or label. OR The price must be stated on a sign that is plainly visible where the item is displayed. <p>NYC Code §20-708, NYC Code §20-708.1</p>	<input type="checkbox"/> Yes

Inspection Checklist: General Retail

Requirement	Do you meet this requirement?
<p>6 If your store’s annual revenue is more than \$2 million or you are a chain store, you must individually price each item, including food products, paper products, detergents, soaps, nonprescription drugs, and health and beauty aids.</p> <p><i>Exceptions:</i></p> <ul style="list-style-type: none"> • You do NOT need to individually price each item if you provide price scanners for customer use that meet the following requirements: <ul style="list-style-type: none"> – Price scanners are within 30 feet of an item OR there is a sign in view of the item that says “A Price Scanner for Customer Use to Check Prices is Located _____ (indicate location).” AND – The number of price scanners available to customers is based on the number of checkout stations: <ul style="list-style-type: none"> 1–3 checkout stations = 1 or more price scanners 4–5 checkout stations = 2 or more price scanners 6–7 checkout stations = 3 or more price scanners 8–9 checkout stations = 4 or more price scanners 10 or more checkout stations = 5 or more price scanners • The following items must be individually priced unless shelf prices and a price look-up function are provided: <ul style="list-style-type: none"> – Milk – Items that are under 3 cubic inches in size, weigh less than 3 ounces, and cost under 1 dollar – Eggs – Fresh produce not packaged for retail sale – Products sold through a vending machine – Food sold for consumption on the premises – Snack foods offered for sale in single packages that weigh 5 ounces or less, e.g., cakes, gum, candies, chips, and nuts – Cigarettes, cigars, tobacco, and tobacco products – Food offered for sale in bulk – Frozen juice – Ice cream – Frozen foods packaged for final retail sale in plastic bags – Items on sale for 1 week or less, but only if they are located in a segregated display at the end of the aisle and the sale period, name of the product, and the advertised price are clearly posted on a sign at the point of display – Jars of baby food 	<input type="checkbox"/> Yes
<p>NYC Code §20-708.1(b), NYC Code §20-708.1(c)</p>	

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Requirement	Do you meet this requirement?
Signs	
<p>7 Sale signs that advertise a price range or percent discount—example: “Savings of 20 to 50%” or “20% to 50% off”—must state the minimum and maximum percentages in equal size.</p> <div style="display: flex; justify-content: center; gap: 20px;">   </div> <p>6 RCNY §5-94(a)(1)</p>	<input type="checkbox"/> Yes
<p>8 Advertising, including 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” <p>6 RCNY §5-101</p>	<input type="checkbox"/> Yes
<p>9 Businesses that sell goods and services must post a refund policy sign.</p> <p>Tip: A refund policy sign must be posted at each register, point of sale, or entrance, or attached to each item.</p> <p>Tip: Even if the policy is not to give refunds, a sign must be posted stating “No Refunds.”</p> <p>Tip: The sign must state that a written copy of the store’s refund policy is available on request.</p> <p>6 RCNY §5-37; NY GBL §218-a</p>	<input type="checkbox"/> Yes
<p>10 The refund policy sign must state any and all conditions or limitations to getting a refund. For example, it must state:</p> <ul style="list-style-type: none"> • Any fees charged for refunds, such as “restocking fees” • If a refund will not be provided for “as is” or “sale” items • Whether the refund will be in cash, credit, or store credit only • If proof of purchase is required for a refund • If a refund will be provided at any time or within a specific period of time <p>6 RCNY §5-37; NY GBL §218-a</p>	<input type="checkbox"/> Yes
<p>11 If there are limitations on using credit cards, such as minimum purchase amounts, the policy must be clearly posted at or near each entrance and in all advertising that indicates credit cards are accepted.</p> <p>6 RCNY §5-24(b)</p>	<input type="checkbox"/> Yes

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Requirement	Do you meet this requirement?
Receipts	
<p>12 Receipts must be given to customers for purchases over \$20 and upon request for purchases between \$5 and \$20.</p> <p>Tip: This does not apply to food and drink that is meant to be consumed on the premises.</p> <p>6 RCNY §5-32</p>	<input type="checkbox"/> Yes
<p>13 The receipt must include each of the following:</p> <ul style="list-style-type: none"> • Date of purchase • Amount paid for each item • Total amount paid • Separate statement of tax • Business name and address <p>6 RCNY §5-32(c)</p>	<input type="checkbox"/> Yes
<p>14 Receipts for audio, photographic, and video equipment that cost more than \$100 must also include the make and model number of the item.</p> <p>6 RCNY §5-32(c)(5)</p>	<input type="checkbox"/> Yes
Price Accuracy	
<p>15 The price charged for an item at checkout, including scanned items, must not exceed the item's tagged, stamped, or marked price, shelf price, sale price, or advertised price.</p> <p>NYC Code §20-708.1(d), NYC Code §20-708.1(e)</p>	<input type="checkbox"/> Yes
<p>16 Tax cannot be charged on tax-exempt items.</p> <p>Tip: Examples of tax-exempt items include but are not limited to: feminine hygiene products, canned vegetables, baby food, clothing under \$110, diapers, nonprescription or over-the-counter drugs, contraceptives.</p> <p>Tip: Check with the New York State Department of Taxation and Finance for a complete list of which items are exempt.</p> <p>6 RCNY §5-41</p>	<input type="checkbox"/> Yes

Inspection Checklist: General Retail

Requirement	Do you meet this requirement?
Layaway Plans	
<p>17 A “layaway plan” means a purchase over \$50 where consumers agree to pay for the purchase in 4 or more installments before getting the merchandise. If a layaway plan is offered, each of the following written disclosures must be provided to consumers prior to accepting any payments:</p> <ul style="list-style-type: none"> • Description of the item, including name of manufacturer, brand name, color, size, style, or model number • Total cost of the item, including tax, installation, delivery, or freight charges • Any charge to use layaway, including any service charge, carrying charge, or cancellation fee • Duration of the layaway plan • Payment schedule and any consequences of missed payments • Refund policy regarding the payments • Notice of where the item is being stored, if other than the place of purchase, or if the item will not be removed from inventory until additional payments are made: <p><i>Example 1: NOTICE: NO MERCHANDISE WILL BE REMOVED FROM INVENTORY UNTIL X% OF THE PURCHASE PRICE HAS BEEN PAID.</i></p> <p><i>Example 2: ATTENTION: YOUR SELECTION OF MERCHANDISE WILL NOT BE ORDERED UNTIL YOU HAVE MADE YOUR NEXT TO FINAL PAYMENT.</i></p> <p>6 RCNY §5-23; NY GBL §396-t</p>	<input type="checkbox"/> Yes
Expired Over-the-counter Medication	
<p>18 It is illegal to sell over-the-counter medication after the expiration date on the label.</p> <p>NYC Code §20-822(a)</p>	<input type="checkbox"/> Yes

Inspection Checklist: General Retail

Requirement	Do you meet this requirement?
Cash Payments	
<p>19 Your store cannot refuse to accept cash payments from consumers.</p> <p><i>Exceptions:</i></p> <ul style="list-style-type: none"> • Your store may refuse bills above \$20. • Your store may refuse cash payments for telephone, mail, or internet-based transactions, unless the transaction takes place in the store. • Your store may accept prepaid cards from an on-site device that converts cash into prepaid cards, but only if: <ul style="list-style-type: none"> – The device does not charge a fee for the prepaid card or require a minimum deposit above \$1. – Upon request, the device provides the consumer with a receipt stating the amount of cash the consumer deposited onto the prepaid card. – Cash deposits onto the prepaid card do not expire. – There is no limit on the number of transactions a consumer can complete with the prepaid card. <p>You must clearly post a sign on or immediately next to the device when it is not working that states your store is required to accept cash payments and consumers may report violations by calling 311.</p> <p>NYC Code §20-840</p>	<input type="checkbox"/> Yes
<p>20 Your store cannot charge a consumer who pays in cash a higher price for the same “consumer commodity” than a consumer who pays by credit card or other cashless transaction.</p> <p>Tip: “Consumer commodity” means any article, good, merchandise, product, or commodity of any kind that is produced, distributed, or offered for retail sale.</p> <p>NYC Code §20-840(c)</p>	<input type="checkbox"/> Yes

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