



Comments Received by the Department of
Consumer and Worker Protection on

Proposed Rules related to
Hotel Junk Fees

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From: [Laura Chadwick](#)
To: [rulecomments \(DCWP\)](#)
Subject: [EXTERNAL] Travel Tech Opposition to DCWP's Proposed Hotel Junk Fees Rule
Date: Saturday, September 20, 2025 11:24:33 AM
Attachments: [TravelTech logo FINAL ALL color 300x82.png](#)

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Dear Commissioner Mayuga and members of the Department of Consumer and Worker Protection:

On behalf of the Travel Technology Association (Travel Tech) and our members, thank you for the opportunity to submit [these comments](#) on the Department of Consumer and Worker Protection's (DCWP) proposed rule concerning hotel price disclosures. Travel Tech and our members strongly support efforts to promote price transparency and consumer protection. For the reasons cited below, however, we respectfully oppose the proposal because it does not align with the Federal Trade Commission's (FTC) final rule on junk fees, which establishes a clear, consistent, nationwide standard for the lodging industry. DCWP's proposal adds additional complicated, burdensome and difficult or impossible to comply with regulations that will also create confusion for consumers and likely reduce choice and raise prices for NYC Travelers.

Travel Tech represents the leading innovators in travel technology, including online travel agencies (OTAs), metasearch companies, travel management companies (TMCs), and short-term rental platforms. Our members' vital role in the travel and tourism industry empowers consumers, creates a fair and competitive marketplace, fosters accountability, and promotes positive customer experiences. Transparency is central to Travel Tech's mission. Our members believe travelers should be able to make informed decisions without hidden or misleading costs. When all fees are disclosed clearly and consistently, consumers benefit from better comparisons, more options, and lower prices through competitive markets.

I. The proposed DCWP rule is unnecessary, since federal regulations already require clear and conspicuous "total price" display for lodging.

In January, the Federal Trade Commission published its final "Junk Fees" rule to address price transparency in the accommodations and live events industries issued a final rule. It went into effect on May 12, 2025. The rule defines "total price" as [\[1\]](#) It requires that businesses disclose the Total Price up front when advertising any price and display it more prominently than other price information. Before receiving customer payments, businesses must also disclose the purpose of all charges and the final amount of payment. Importantly, the FTC rule empowers state attorneys general to enforce its provisions, ensuring effective enforcement across the country and in New York City.

II. The credit card hold provisions in the proposed DCWP rule are unnecessary and infeasible.

By contrast, DCWP's proposal goes well beyond the FTC rule in requiring disclosure of incidental or damage-related credit card holds. These holds [2] are not "fees" charged to consumers; they are temporary reductions in funds availability. Thus, they are outside the scope of the "total price." OTAs and TMCs do not establish or control these kinds of deposit requirements but instead rely on their hotel partners to disclose them. More importantly, the factors affecting these holds—such as number of guests, presence of pets, or the timing of a hotel's communication with the payment card network—make it practically impossible to present accurate, consistent information at booking. Accordingly, if the Department moves forward with this rulemaking, the proposed rule should provide that OTAs and other third parties are not liable when a hotel partner fails to provide accurate hold information.

III. The geographic scope of the proposed DCWP rule would lead to consumer confusion, inconsistency across the global market, restriction of competition, and unreasonable compliance burdens.

Because DCWP asserts that the rule applies not only to New York City hotels but to any property booked by a New York City consumer, compliance would require our member companies to attempt to collect and constantly update credit card hold-related information from millions of hotels worldwide. This process would be enormously burdensome, time-consuming, and in many cases, impossible. If hotels outside New York refuse to share this information, OTAs and TMCs will face a stark choice: either delist the property for New York City consumers—reducing competition and consumer choice—or leave the listing live without the required disclosure and risk penalties.

This dynamic would have the practical effect of limiting New York City consumers to fewer choices at higher prices on our members' platforms, while consumers in neighboring states would continue to benefit from a wider array of competitive options. In our view, this undermines, rather than enhances, consumer protection.

For these reasons, we respectfully urge DCWP to not regulate this settled area. At a minimum, compliance with the FTC's federal rule should be deemed compliance with the City's requirements. Finally, should DCWP proceed with any new disclosure obligations, it is essential that the final rule include a long implementation timeline—at least a year—to allow businesses the time necessary to attempt to collect, verify, and integrate the required new data from millions of global partners. Without such time, compliance would be unattainable and consumer choice would be unnecessarily restricted.

In light of these concerns, Travel Tech must oppose the proposed rule unless amended. With price display already addressed at the federal level, broader and conflicting local requirements risk harming consumers and undermining clarity in the marketplace. We respectfully request that DCWP defer to the established federal standard to ensure consistency, enforceability, and consumer benefit nationwide, and allow sufficient time for implementation of any final rule.

Thank you for your consideration of this matter.

Sincerely,

Laura

Laura Chadwick | President & CEO

Travel Technology Association

1800 Diagonal Rd, Suite 600, Alexandria, VA 22314



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[1] **Federal Trade Commission. (2024).** *Trade Regulation Rule on Unfair or Deceptive Fees*. 16 CFR Part 464. Federal Register, 89(21216). [Retrieved from Federal Register](#)

[2] Holds are a common practice across many industries (e.g., gas stations) designed to ensure that funds are available for the supplier, and our members disclose in their terms and conditions that a supplier might apply a hold.

From: [Sarah Bratko](#)
To: [rulecomments \(DCWP\)](#)
Subject: [EXTERNAL] Comments on Junk Fee Regulations
Date: Monday, September 22, 2025 6:47:41 AM
Attachments: [image001.png](#)
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Good Afternoon:

Please see the attached comments on the proposed junk fee rule.

On behalf of AHLA, I would like to sign up to testify as well.

Thank you.

Sarah R. Bratko, Esq.

Vice President & Policy Counsel, State & Local Government Affairs



American Hotel & Lodging Association

1250 Eye Street, NW, Suite 1100, Washington, DC 20005 | [REDACTED]



September 22, 2025

Commissioner Vilda Vera Mayuga
NYC Department of Consumer and Worker Protection (DCWP)
42 Broadway, 9th Floor
New York, NY 10004

Re: Comments on Proposed Rule Regarding Mandatory Fee Disclosures

Dear Commissioner Mayuga,

On behalf of the undersigned organizations, we appreciate the opportunity to comment on the NYC Department of Consumer and Worker Protection's (DCWP) proposed rule on mandatory fee disclosures. We commend the Department's efforts to promote transparency in consumer pricing, and we fully support the rule's core intent: ensuring that all mandatory fees are clearly disclosed up front during the booking process.

Our industry has long recognized the importance of honest, clear pricing, and we have no objections to the requirements in the proposed rule that relate specifically to the disclosure of mandatory fees. We share the Department's commitment to protecting consumers from misleading or incomplete pricing.

However, we have strong concerns regarding one specific provision in the proposed rule: the requirement that hotels must disclose—at the time of booking—detailed information about credit or debit card holds, including when the hold will be released and how long it will take for the funds to be returned to the guest (proposed § 5-15 (d)(3)).

While we understand the intent of this requirement, it presents several practical challenges:

- 1. Lack of Control Over Bank Timelines:** Hotels do not control how long it takes for a guest's financial institution to release funds. Banks and credit card companies each operate on their own timelines, which vary widely. Requiring hotels to estimate these timelines risks providing inaccurate information, which may confuse rather than clarify the situation for consumers.
- 2. Consumer Confusion:** Displaying these details during the booking process - especially on third-party platforms or mobile interfaces- may overwhelm consumers with information they are unlikely to retain. Many hotels already include such information in confirmation emails, which are typically reviewed closer to the time of arrival and are more likely to be referenced if a guest has questions about a hold.
- 3. Major Operational Challenges for Franchised Hotels:** This requirement poses significant implementation challenges. Each hotel sets its own credit/debit card hold policy, but oftentimes the reservation systems are controlled by a third party, such as a franchisor or an outside vendor. Updating booking systems to display property-specific credit/debit hold policies is not a simple "flip of a switch." In all cases, such a change would require extensive system modifications. In many cases, systems might be forced to painstakingly

streamline hold protocols, despite luxury and economy hotels in such systems necessitating disparate standards. And weighing upon every system would be the constant entrance and exit of hotels from their networks, making one question if the changes sought are even technically feasible. This complexity could result in operational disruptions, inconsistent application, and increased costs for hotel operators (and therefore, consumer harm).

- 4. Overreach of Jurisdiction:** We also object to the proposed requirement that these rules apply to any business advertising to a New York City consumer, regardless of where the business is located. This extraterritorial reach raises legal and practical questions and would create compliance challenges for businesses outside the city that do not otherwise operate within its jurisdiction.

We urge the Department to consider revising the rule to reflect the operational realities of the hotel industry and the limitations of what we can reasonably and accurately disclose at the time of booking. Specifically, we recommend:

- Limiting the credit/debit hold disclosure requirement of proposed § 5-15 (d)(3) to a general statement that such a hold may be placed, without requiring precise refund timelines (being outside of the hotel's knowledge and control) or "any reasons" for which the hotel may keep such funds (a self-limiting exercise leaving hotels exposed to damaging consumer behaviors).
- Allowing the aforementioned disclosure to be alternatively included in booking confirmation emails or pre-arrival communications, which guests are more likely to reference.
- Narrowing the scope of the rule to apply only to businesses physically operating in or transacting within New York City.

Should DCWP proceed with any new disclosure obligations, it is essential that the final rule include a long implementation timeline - most likely upwards of two years - to allow businesses the time necessary to attempt to collect, verify, and integrate new data requirements from millions of global partners. Without such time, compliance would be unattainable and consumer choice would be unnecessarily restricted.

We appreciate your consideration of these comments and look forward to continuing to work together to ensure fair, transparent, and workable consumer protection rules.

Sincerely,

American Hotel & Lodging Association

Asian American Hotel Owner's Association

Minority Hotel Owner's Association

National Association of Black Hotel Owner's, Operators & Developers

New York State Hotel & Tourism Association

The Travel Technology Association

From: [David Nahmias](#)
To: [rulecomments \(DCWP\)](#)
Subject: [EXTERNAL] Comments re: Proposed Rules on Hotel Junk Fees
Date: Monday, September 22, 2025 12:08:28 AM
Attachments: [DCWP Hotel Junk Fees Comment_FINAL.pdf](#)

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Good evening,

Please find attached the public comments of the Center for Consumer Law and Economic Justice at the University of California, Berkeley, School of Law; the nationwide Consumer Law Advocates, Scholars & Students Network (CLASS), and its affiliated chapters at Fordham University School of Law, New York University School of Law, St. John's University School of Law, and Berkeley Law in support of the Department's proposed rules on hotel junk fees.

Please confirm receipt and if you have any questions regarding these comments.

Respectfully,

David Nahmias
Legal Director
[Center for Consumer Law & Economic Justice](#)
UC Berkeley School of Law
Berkeley, CA 94720
Pronouns: he/him



Submitted via email

September 21, 2025

Commissioner Vilda Vera Mayuga
Department of Consumer and Worker Protection
42 Broadway #5
New York, NY 10004

**Re: Public Comment of the UC Berkeley Center for Consumer Law and Economic Justice,
et al., in Support of the Proposed Rules on Hotel Junk Fees**

Dear Commissioner Mayuga,

The Center for Consumer Law and Economic Justice at the University of California, Berkeley, School of Law; the nationwide Consumer Law Advocates, Scholars & Students Network (CLASS), and its affiliated chapters at Fordham University School of Law, New York University School of Law, St. John's University School of Law, and Berkeley Law write to express enthusiastic support for the Department's proposed rules on hotel junk fees ("rules"). If adopted, the rules will provide significant benefit and protection to New York City consumers as well as the honest businesses that drive New York's world-class tourism sector. As we explain, the proposed rules will complement the Federal Trade Commission's (FTC) recent regulation combatting junk fees in hotels and ticketing by bolstering New York City's enforcement capabilities and filling in the gap left by a pullback in federal enforcement. We hope that this rulemaking will set the stage for further efforts to tackle junk fees and help make life more affordable for all New Yorkers.

I. The Proposed Rule is Necessary to Protect New York City Consumers and Honest Businesses From Junk Fees.

Junk fees are a ubiquitous problem, quietly inflating the costs of essential consumer products and services throughout our economy. The playbook is consistent across industries: companies advertise an artificially low price and disclose fees only after consumers are so far

along in the purchasing process that they are unlikely to terminate the transaction. As the FTC has found, this practice raises costs and distorts competition.¹

Junk fees in the tourism industry squeeze tight budgets and make the affordability crisis facing American travelers even worse. Hotels in particular are notorious for tacking hidden “resort” fees onto final bills. Resort fees (or “service fees” or “facilities fees”) can cover amenities like pool, fitness centers, or Wi-Fi, even if hotel guests do not make use of them. They also may cover nothing additional to the room at all—just a “destination fee” or “urban fee” tacked on without even an attempt at justification. Like other junk fees, these additional charges generally do not appear in the advertised room price during an initial online search for accommodations. Instead, the consumer most often discovers the fees only upon checkout. Even the most dedicated researcher must click through to a payment page, speak to an employee over the phone, or physically visit the establishment to discover the inflated nightly rate. In a 2023 Consumer Reports survey, 37 percent of American adults reported experiencing a hidden fee associated with a hotel stay.² For more than half of these consumers, the hidden fees pushed the cost of the stay over their budget.³ When hotels obscure junk fees from the upfront price in order to make their products appear less expensive, separating resort fees from room rates makes it harder for consumers to compare prices in an apples-to-apples fashion and complicates their searches.⁴

Federal efforts to tackle junk fees, while desperately needed, are not enough to address the proliferation of junk fees among New York City hotels. As DCWP well knows, earlier this year the FTC adopted its Rule on Unfair or Deceptive Fees (“Rule”).⁵ The FTC’s junk fees Rule requires businesses offering short-term lodgings (or live-event tickets) to clearly and conspicuously disclose the true total price inclusive of all mandatory fees whenever they offer, display, or advertise a price. Unfortunately, we have reason to doubt that the FTC will robustly enforce this commendable Rule. First, the FTC’s new Chairman, Andrew Ferguson, opposed the

¹ *Trade Regulation Rule on Unfair or Deceptive Fees*, 16 C.F.R. § 464; see 90 Fed. Reg. 2066 (Jan. 10, 2025) (eff. May 12, 2025).

² CR Survey Rsch. Dep’t, *American Experiences Survey: A Nationally Representative Multi-Mode Survey, April 2023 Omnibus Results* (Apr. 2023), https://article.images.consumerreports.org/image/upload/v1682544745/prod/content/dam/surveys/April_2023_AES_Toplines.pdf.

³ *Id.*

⁴ Mary W. Sullivan, *Economic Analysis of Hotel Resort Fees*, FTC (Jan. 2017), https://www.ftc.gov/system/files/documents/reports/economic-analysis-hotel-resort-fees/p115503_hotel_resort_fees_economic_issues_paper.pdf.

⁵ 16 C.F.R. pt. 464.

Rule when it was finalized under the Biden Administration, splitting with both his Republican and Democratic colleagues. While Chairman Ferguson’s public dissent did not address the merits of the Rule,⁶ he later launched a public inquiry into whether the FTC should repeal key regulations.⁷ Moreover, in May 2025, Chairman Ferguson called for budget cuts to the Commission, including a reduction of over \$18 million to the Bureau of Consumer Protection.⁸ Such significant slashing of the Commission’s staff, which is already slim compared to other federal agencies with enforcement powers, would mean significant under-enforcement of regulations including the junk fees Rule. Further, the Chairman appears to be prioritizing politicized investigations—including probes into Media Matters and gender-affirming care—rather than issues affecting consumers and economic affordability. To date the FTC has not brought any enforcement actions under the rule.⁹

In the absence of robust federal enforcement, clear rules from DCWP will protect New York City residents, tourists, and honest businesses. Despite the FTC prohibition against hidden junk fees in the hotel industry, we continue to see deceptive pricing by hotels right here in New York City. For example, when a law student called one hotel from a large international chain, the staff informed the caller that customers are charged a \$50 “incidental fee “upon check-in”—a fee that was not listed in the price advertised online. Likewise, the website for a hotel in Manhattan omitted the “Facility Fees” or “Linen Use Fees” from the total price at the beginning; it was only after the student called that he was quoted for the accurate price that included these fees.

New York City consumers and visitors to this world-class city deserve transparency about what they are being asked to pay, not surprise fees that they have not budgeted for and cannot avoid.

⁶ See *Dissenting Statement of Commissioner Andrew N. Ferguson Regarding the Unfair or Deceptive Fees Rulemaking*, FTC Matter Number R207011 (Dec. 17, 2024), https://www.ftc.gov/system/files/ftc_gov/pdf/ferguson-junk-fees-dissent.pdf.

⁷ FTC, *FTC Launches Public Inquiry into Anti-Competitive Regulations* (Apr. 14, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/04/ftc-launches-public-inquiry-anti-competitive-regulations>. Raising further concerns, last week the FTC issued recommendations based on this inquiry, but it has yet to make the full report public. See FTC, *FTC Recommends Anticompetitive Regulations for Deletion or Revision*, Press Release (Sept. 17, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/09/ftc-recommends-anticompetitive-regulations-deletion-or-revision>.

⁸ See FTC, *FTC Chairman Testifies Before House Appropriations Committee on Agency’s Budget* (May 15, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/05/ftc-chairman-testifies-house-appropriations-committee-agencys-budget> (discussing the FTC’s budget requests and expected fiscal year 2026 priorities).

⁹ The FTC’s enforcement action against LiveNation and Ticketmaster does not invoke the junk fees Rule.

II. The Proposed Rules Will Strengthen Protections for New York City Consumers, Advance the Tourism Industry, and Reward Honest Businesses.

The Department is well positioned to enact strong local rules to adequately protect New Yorkers from junk fees at hotels. Like the FTC’s junk fees Rule—and legislation enacted in several other states—the proposed rules define the failure to clearly and conspicuously advertise the total price of hotel stays as a deceptive trade practice. In doing so, the rules clarify that DCWP has enforcement authority to investigate and prosecute hotels in New York City and those advertising to New Yorkers that seek to trick travelers out of their hard-earned dollars. If adopted, not only will the proposed rules protect the City’s estimated 8.48 million consumers¹⁰ and 33 million overnight visitors¹¹ from hidden fees, but they will also make it easier for injured consumers to legally vindicate their rights. By establishing that the failure to advertise the full price of a hotel stay is unlawful in New York City, the rules clearly reinforce that non-transparent fees are deceptive.

The rules also help create a more transparent and competitive market for hotels across the five boroughs. The presence of junk fees prevents consumers from being able to meaningfully compare different vendors’ offerings. For example, any consumer trying to choose between two different hotels of similar reputations will likely choose to stay at the one that offers the cheaper price. But if Hotel A’s advertised price includes all required fees while Hotel B’s price does not, prospective consumers are deprived of the apples-to-apples pricing information that they need to make an informed choice, and Hotel A is deprived of the chance to compete fairly on price. By hiding the true cost of its services with fabricated fees that are disclosed only when the final bill is due, Hotel B unjustly tilts the competitive landscape in its favor—while the consumer pays the price. In fact, Hotel B may be able to attract more customers than Hotel A while also charging more for the same services, because most consumers will assume that both hotels charge similar fees. The proposed rules thus will help correct an otherwise distorted market and reward hotels that offer consumers the best value, rather than those that are most adept at obscuring their total price.

¹⁰ N.Y.C. Dep’t of City Planning, Population, N.Y.C. Planning, <https://www.nyc.gov/content/planning/pages/planning/population>.

¹¹ Thomas P. DiNapoli, *NYC Tourism Approaches Full Recovery, Still Top Major U.S. Tourist Destination*, N.Y.S. Comptroller (May 23, 2024), <https://www.osc.ny.gov/press/releases/2024/05/dinapoli-nyc-tourism-approaches-full-recovery-still-top-major-us-tourist-destination>

Finally, the proposed rules will bolster New York’s tourism industry by ensuring that visitors are not surprised by hidden hotel fees. The City is a top global destination, with a tourism industry that is a vital component of its economy.¹² However, a recent study found that 66 percent of consumers are unlikely to return to establishments where hidden fees take them by surprise—suggesting that hotels often must bow to competitive pressure to hide fees in spite of the reputational risk it will cause them.¹³ Eliminating junk fees thus improves the experience of visitors while leveling the playing field and supporting the economic success of New York’s robust hotel industry.

III. The Proposed Rules Offer a Model for Promoting Affordability Economy-Wide.

Finally, we urge the Department to consider similar rulemakings in the near future prohibiting junk fees in others sectors within DCWP’s jurisdiction. When the FTC issued its ban on hidden hotel and live event fees last year, the agency’s then-Chair Lina Khan argued forcefully that the Rule should be seen as a first step toward rooting out junk fees throughout the economy. We strongly concur. Since the FTC launched its junk fee rulemaking in 2022, lawmakers in at least six states have advanced bills to prohibit these deceptive charges across a wide range of sectors, not just hotels. The reforms are pro-consumer, pro-competition, and pro-common sense. They ensure price transparency comprehensively and across all markets—including in other sectors notorious for bait-and-switch pricing. For instance, any patron of takeout food (which is 20 percent of the American population) is aware that third-party food delivery services and apps often obscure the total delivery price until the end of the transaction.¹⁴ We encourage DCWP to adopt similar rules as those under consideration here for that sector, and to investigate other industries within its jurisdiction where junk fees run rampant.

New Yorkers still encounter hidden and misleading fees in countless corners of daily life: when buying tickets to concerts or sporting events, hailing a cab or rideshare, renting a car, or even ordering takeout. Extending the same principle of upfront, honest pricing to these markets would make life more affordable and fairer across the board for all New Yorkers and all visitors to the City. Success begets success, and this initiative on hotels can—and should—be a

¹² N.Y. State Comptroller, *Tracking the Return: The Tourism Industry in New York City*, Report No. 04-2025, (May 2024), <https://www.osc.ny.gov/files/reports/pdf/report-04-2025.pdf>.

¹³ Justin Wells, *Understanding Junk Fees in the Hospitality Industry*, DCRS Solutions (Dec. 30, 2024), <https://dcrs.com/2024/12/30/understanding-junk-fees-in-the-hospitality-industry/>.

¹⁴ See Justine Fisher, *Food Delivery Fees Are Rising, And Everyone’s Feeling the Pinch*, CNBC (July 27, 2024), <https://www.cnbc.com/2024/07/27/food-delivery-fees-are-rising.html>.

springboard to a broader agenda of transparent pricing that benefits both consumers and competition.

V. Conclusion.

We applaud the Department for its efforts to protect consumers from hidden and misleading fees in the hotel industry. We believe that the proposed rules will be a powerful tool for New Yorkers to combat junk fees and establish a fairer marketplace.

Respectfully,

Ted Mermin
Executive Director

David Nahmias
Legal Director

Mia Machado '26
Legal Fellow

Samuel A. A. Levine
Senior Fellow
Director, Bureau of Consumer Protection
Federal Trade Commission (2021-2025)

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U.C. BERKELEY SCHOOL OF LAW

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CHAPTERS AT FORDHAM UNIVERSITY SCHOOL OF LAW, NEW YORK UNIVERSITY SCHOOL OF LAW,
ST. JOHN'S UNIVERSITY SCHOOL OF LAW, AND BERKELEY LAW

From: [Adam Roberts](#)
To: [rulecomments \(DCWP\)](#)
Cc: [Sophie Fernandez](#); [Naiomi Lutchen](#)
Subject: [EXTERNAL] Testimony from HANYC for 9/22 Hearing
Date: Monday, September 8, 2025 1:28:46 PM
Attachments: [DCWP Testimony.pdf](#)

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Attached is the Hotel Association of New York's Testimony for the 9/22 hearing. Vijay Dandapani will be testifying virtually. Thank you.

Adam Roberts
Vice President, Legislation
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September 8, 2025.

To Whom It May Concern,

Thank you for holding this hearing today. I am Vijay Dandapani, President and CEO of the Hotel Association of New York City, also known as HANYC. We are here to testify on the Department of Consumer and Worker Protection's proposed rules relating to "hidden fees" for hotel stays, particularly concerning the card hold disclosure piece.

HANYC, its members, and the hotel industry's financial success is predicated on a seamless and satisfactory customer experience. This is underscored by our industry's continual efforts at ensuring transparency in pricing whereby guests have clarity before booking their stays by presenting the full cost of a stay up front. This policy that aligns with the Federal Trade Commission's rule on "junk fees". We share the Department's goal of ensuring consumers know what they are paying for, and we believe the federal standard provides a strong framework for achieving that.

However, we are deeply concerned with the proposed requirement that hotels disclose not only the amount of a credit card hold or deposit, but also the time by which that hold will be released. While hotels can and do clearly explain the amount of a hold and the reasons for it, the timing of when that hold is released is outside of their control. Once a hotel notifies a bank or credit card issuer that a hold should be lifted, it is the financial institution — not the hotel — that determines when a guest gains access to those funds. This varies by bank, card type, country of origin and even by individual customer account.

If this provision were adopted, hotels would be exposed to penalties of up to \$3,500 per violation for circumstances they cannot fix. For a single hotel, that could add up to hundreds of thousands of dollars in fines per year for something wholly outside the operator's control. At the same time, front desk employees would be put in the impossible position of giving guests information about when their funds would be released, when in reality they cannot provide an accurate answer. The result would be greater frustration for guests, who may reasonably expect hotels to honor a timeline they are powerless to enforce. They will unfairly blame hotel workers who are simply trying to do their jobs.

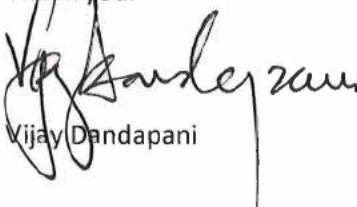
We respectfully urge DCWP to remove this one-size-fits all rule which would only lead to further confusion and customer dissatisfaction with hotels being unable to predict the time frame of holds across customers and institutions.

Our members are committed to operating with integrity and to ensuring that guests understand the true cost of their stay before they consent to pay.

HANYC and our member hotels stand ready to work with DCWP to craft a reasonable credit hold disclosure provision which comports with the spirit of the proposed rule given the disparate requirements of the individual issuers.

Thank you for your time and for the opportunity to testify today.

Thank you.



Vijay Dandapani

From: [Jody Quintana](#)
To: [rulecomments \(DCWP\)](#)
Subject: [EXTERNAL] Junk Fee
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As long as the guest is made aware of the fee on website this is a way to assist in funding for worthy causes

Similar to what NEW YORK CITY does with additional hotel taxes to fund expenses not related to charitable foundations but for wasteful unmanaged spending and hitting the pockets of tourist This tax was never removed and caused and still cause negative experiences for our tourism industry which supports millions of jobs and supports NYC tourism industry

Jody Quintana

Human Resources Director

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To: [rulecomments \(DCWP\)](#)
Subject: [EXTERNAL] BHI Comments on NYC DCWP Proposed Rule Regarding Mandatory Fee Disclosures
Date: Monday, September 22, 2025 12:33:49 PM
Attachments: [BHI Comments on NYC DCWP Proposed Rule Regarding Mandatory Fee Disclosures.pdf](#)

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please see our attached comments on DCWP's Proposed Rule Regarding Mandatory Fee Disclosures

Thanks,

Zach

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Zach Russem
Head of U.S. State and Local Policy

[REDACTED]



September 22, 2025

Commissioner Vilda Vera Mayuga
New York City Department of Consumer and Worker Protection
42 Broadway, 9th Floor
New York, NY 10004

Re: Comments on Proposed Rule Regarding Mandatory Fee Disclosures

Dear Commissioner Mayuga,

I write on behalf of non-operating holding company Booking Holdings, Inc., and its subsidiary operating brands. Booking Holdings is the world's leading provider of online travel and related services, serving consumers and local partners in more than 220 countries and territories through consumer-facing brands including Booking.com, Priceline, KAYAK, Agoda and OpenTable. Our more than 400 New York City-based employees are proud to work with our thousands of accommodations, travel and restaurant partners across New York City—the majority of which are small businesses—empowering them to reach a global customer base.

Booking Holdings appreciates the opportunity to provide feedback on the proposed rule “§ 5-15 Hotel Fee Disclosures.” Booking Holdings appreciates the spirit of the proposed rule and has supported state and federal efforts to create a clear, consistent, transparent national standard of fee-inclusive price display for the accommodations industry which is now a solved issue nationally. Since May of 2025, the Federal Trade Commission's (FTC) nationwide rule governing fee-inclusive price display for accommodations and live events has been in effect. This rule, proposed and finalized under the Biden Administration, is subject to enforcement by every state's Attorney General and there is no risk the rule will be repealed. While we have no concerns with the aspects of the proposed rule that mirror the FTC's existing nationwide rules which provide clarity for both industry and consumers, we don't feel there is a reason for the Department to rush a rule that will add no incremental protection to consumers beyond the existing FTC rule.

However, we are deeply concerned with the section regarding credit and debit card holds (proposed § 5-15 (d)(3)). Credit card holds are not fees and should not be treated similarly. They are not charged and refunded but are rather temporary reductions in the card's available credit limit. This section goes far beyond what was ever contemplated by the FTC. To our knowledge zero public comments urged the FTC to address such holds in their final rule. Further, of the dozens of states that have enacted or considered their own laws regarding fee-inclusive price display, none have even considered including a similar provision. Adding divergent local rules that treat such holds similarly to fees creates regulatory conflict, enforcement uncertainty, and duplicative compliance burdens.

Online travel agencies and metasearch sites like our brands are not comprehensively provided with this information by our partner hotel properties. To collect this information comprehensively, if even possible, would require many months or years of work for both the software development work to capture and display this information and people hours to chase millions of hotels to provide it. Hold amounts may be subject to information not always or ever known to our brands at the time of booking, including but not limited to: actual number of guests, pets, extra beds/cribs, or fridges, room upgrades, and more. Further hold amounts can change between the time of booking the time of check-in. Imagine a traveler booking a vacation nine months in advance, would the rule require a hotel request the same hold amount for this consumer but not one how booked more recently after their hold amount had been adjusted?

Even more unknown to our brands are the release timelines for these holds which are wholly dependent on factors outside our knowledge and control, including but not limited to: the card used at check-in which may differ from the card used to book, when the hotel informs the card issuer to release the hold, and other factors related to the card issuer, payment network, time of day, day of week, (including any holidays) that may impact both the notice of hold release and the release processing itself.

Further, because the proposed rule asserts these regulations apply not only to the roughly 700 hotels in NYC, but for NYC consumers booking anywhere in the world, it amplifies the already significant potential burden and potential unintended negative consequences. Booking Holdings has over 30 million listings at over 4 million properties worldwide. Collecting this information will be extremely burdensome and time consuming if even possible. When inevitably many properties outside the city, and not subject to its laws, do not give our brands the detailed information required then our brands will be faced with the potential prospect of delisting these properties for only consumers in New York City, reducing consumer choice, decreasing competition, and potentially removing the lowest cost option for traveling New Yorkers.

We respectfully ask that the department reconsider this rule, which is both duplicative of existing federal rules, themselves subject to NYS AG enforcement, that already protect New Yorkers, while also adding additional requirements that range from extremely burdensome to impossible to comply with. Ultimately, this rule could lead to less competition and consumer choice, and the net effect of making travel more expensive for New Yorkers wanting to experience the world. If the department must move forward with this rule, we urge you to omit §5-15 (d)(3)).

Sincerely,

Zach Russem
Head of U.S. State and Local Policy
Booking Holdings

From: [Alex Spyropoulos](#)
To: [rulecomments \(DCWP\)](#)
Subject: [EXTERNAL] Tech:NYC's Comments on DCWP's Proposed on Hotel Junk Fees
Date: Monday, September 22, 2025 3:30:45 PM
Attachments: [Tech NYC Written Comments on DCWP Proposed Rules on Hotel Junk Fees.pdf](#)

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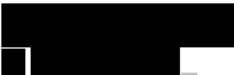
Good Afternoon,

Please see attached for Tech:NYC written comments on DCWP's proposed rules on hidden "junk fees" for hotel stays. If you have any questions, please do not hesitate to reach out.

Best,
Alex

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Alex Spyropoulos
Director of Government Relations



www.technyc.org

Proposed Rules on Hotel “Junk Fees”

Comments on Proposed Rules :: Last Updated 9.18.25

Tech:NYC is a nonprofit trade group representing more than 550 members of the city’s technology community. Our members include a range of travel platforms, online marketplaces, and consumer-focused tech companies who help consumers find, compare, and book accommodations across New York City, the U.S., and the world. We appreciate the Department of Consumer and Worker Protection’s (DCWP) intent to promote transparent pricing and prevent deceptive advertising. However, the proposed rule introduces a number of problematic provisions, particularly related to credit card holds, that are redundant with federal efforts, technically unworkable, and likely to reduce consumer choice and increase prices for NYC residents.

DCWP’s rule arrives after the Federal Trade Commission (FTC) finalized a comprehensive regulation to eliminate “junk fees” in accommodations nationwide. That federal rule, enforceable by state Attorneys General, already ensures mandatory fees must be disclosed as part of total price advertising.

The DCWP rule mirrors much of the FTC’s scope, yet diverges meaningfully in key areas, particularly where it introduces requirements not contemplated or publicly requested during the FTC’s extensive comment process. There is no indication that federal standards are inadequate, are at risk of repeal, or will go unenforced by this Administration as each state AG has enforcement authority as well. In this context, a separate municipal regime creates legal and compliance fragmentation without clear added benefit to consumers.

The proposed rule is intended to apply not only to hotels located in NYC, but to any hotel advertised to a NYC-based consumer, including properties globally. This has immediate implications for large travel platforms, including online travel agencies, metasearch engines, and others like financial intuitions and airlines who also offer hotel bookings through their sites.

Complying with the proposed disclosures, especially for credit card holds, would require global data collection at a granular level, much of which is unavailable, dynamic, and sometimes unknowable at the time of booking. If out-of-market hotels do not provide compliant information, Travel platforms may be forced to de-list them for NYC consumers, sharply limiting available options for New Yorkers.

This will harm price transparency and competition, especially when nearby residents (e.g., in NJ or Westchester) continue to access a broader set of listings and deals than NYC consumers using the same platforms.

One of the most problematic and novel elements of the DCWP proposal is the requirement to disclose:

“any hold placed on, or deposit taken from, a credit or debit card in connection with the stay... including the amount, reasons, and time by which the hold or deposit will be refunded”

This requirement introduces major implementation issues:

- **Credit holds are not fees.** They are temporary authorizations that reduce available credit but are not charged unless the consumer incurs damages.
- **Travel platforms do not collect this data from hotels.** Nor do hotels apply holds until check-in—often using a different credit card than the one used to book.
- **Hold amounts can vary** based on unpredictable factors like number of guests, pets, day of check-in, or hotel policy.
- **Release timing is not controlled by travel platforms, or even hotels,** but by card networks and banks, and varies by card type, day of week, and billing cycle.

Even with years of system development, travel platforms would struggle to provide accurate, real-time, and legally compliant disclosures of this nature. Consumers would be misled by incomplete or outdated information, defeating the rule's purpose.

By requiring all this information during booking, and applying the rule to NYC residents booking anywhere in the world, the proposal inadvertently creates an incentive to de-list noncompliant hotels from travel platforms in NYC.

This may lead to:

- Fewer options for NYC consumers.
- Higher prices, as fewer properties compete for business, and small, independent properties in foreign countries will be the least likely to provide this information to global travel platforms
- Inequity compared to consumers in neighboring counties or states.

Online travel platforms are a major driver of consumer empowerment, offering side-by-side comparisons and market pricing that help lower costs. This rule would work against those outcomes.

We urge DCWP to align its rules with the federal framework and remove the provision regarding credit/debit card holds or deposits. No other jurisdiction in the country requires this level of detail. The burdens of attempting to comply far exceed any demonstrable benefit, and will result in narrower travel options and degraded user experience.

Should the City proceed with a local rule, it should focus solely on clear total price advertising and avoid attempting to regulate elements outside the control of booking platforms or NYC-based actors.

Tech:NYC supports transparency and consumer protection in accommodation pricing. However, this rule, especially in its extraterritorial scope and treatment of credit card holds, introduces unnecessary complexity, imposes unfeasible requirements, and risks real consumer harm in the form of fewer choices and higher costs.



We respectfully urge DCWP to either withdraw the proposed rule or revise it to align with the FTC's existing national standard, removing the credit hold provision entirely.

Online comments: 1

- **Mario Vazquez**

Comments on the Department's proposed rules from The Business Council of NYS are on the attached file. We appreciate your attention and consideration on this matter.

[Comment attachment](#)

Hotel-Fee-Transparency-Rules-Comments.pdf

Comment added September 22, 2025 3:21pm



September 22, 2025

Commissioner Vilda Vera Mayuga
NYC Department of Consumer and Worker Protection (DCWP)
42 Broadway, 9th Floor
New York, NY 10004

Re: Comments on Proposed Rule Regarding Mandatory Fee Disclosures

Dear Commissioner Mayuga:

The Business Council of NYS, representing over 3,000 member businesses and trade associations, write to comment on the NYC Department of Consumer and Worker Protection's proposed rule for mandatory fee disclosures for hotel stays.

We support the Department's efforts to ensure transparent and honest pricing for consumers. Fee transparency is essential to maintain trust between consumers and the hospitality industry to further promote tourism to NYC.

However, we are concerned with the section in the Department's proposed rule that requires hotels, at the time of booking, to disclose detailed information relating to holds on credit or debit cards. This disclosure would require the inclusion of when these holds would be released and timeline of when the funds would be returned to guests (proposed § 5-15 (d)(3)).

Requiring a disclosure of credit or debit card holds would only serve to potentially confuse consumers, especially when booking on mobile devices or third-party sites. This would also pose a significant difficulty to comply with for franchised hotels or hotels with reservation systems controlled by third parties. Many hotels would have to perform a major overhaul of their systems and policies in order to comply with displaying credit/debit card holds at the time of booking. We recommend limiting the credit/debit hold disclosure requirement of proposed § 5-15 (d)(3) to a general statement that such a hold may be placed, without requiring precise refund timelines (being outside of the hotel's knowledge and control) or "any reasons" for which the hotel may keep such funds (a self-limiting exercise leaving hotels exposed to damaging consumer behaviors). Additionally, we ask that this disclosure be allowed to be sent through pre-check-in communication or booking confirmation communications, as consumers tend to review these more closely.

Furthermore, we ask that the language requiring hotels provide a timeline of when holds will be refunded be taken out. This is not something those in the hospitality industry can realistically comply with as they have no control over how long it will take a guest's financial institution to release such funds. Requiring hotels to estimate these timelines risks providing guests with inaccurate information as releasing these holds varies widely from bank to bank.

Additionally, we recommend that the Department limit these rules to apply only to businesses physically operating in or transacting within New York City, rather than requiring any business advertising to a New York City consumer, regardless of where the business is located. This may raise legal challenges as well as compliance issues for businesses located outside of the city, and could ultimately limit choices for New York consumers.

We ask the Department also to provide a long implementation timeline for any new disclosure requirements to allow for businesses the necessary time to gather any necessary data and resources from global partners to properly implement changes for proper compliance. A minimum of a two-year timeline is recommended for any such new requirements.

We would also like to acknowledge many of the concerns regarding fee transparency these proposed rules have been resolved at the federal level by the FTC rules published earlier this year that require hotels and other service industry businesses to conspicuously disclose true total price of goods and services, which includes all mandatory fees. These rules also include a clause that sets forth disclosures that the specified businesses must provide before a consumer consent to pay.

Ensuring fee transparency for consumers is crucial, however, it must be done in a way that does not make compliance difficult or a major burden to business that could hinder the quality of their service. We appreciate your consideration of these comments and the shared dedication to ensuring the implementation of fair and transparent consumer protection rules for both businesses and consumers

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Vazquez', with a stylized, flowing script.

Mario Vazquez
Director of Government Affairs