



## Division of Consumer Protection

DOS  
March  
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2021

### **CONSUMER ALERT: DIVISION OF CONSUMER PROTECTION ASSISTS CONSUMERS IN RECOUPING NEARLY \$3 MILLION IN 2020 TIED TO COVID-19 RELATED COMPLAINTS**

*Division of Consumer Protection Assisted Nearly 32,000 NYers With a Variety of COVID-19 Related Complaints*

*National Consumer Protection Week (NCPW) Takes Place February 28 – March 6*

*NCPW Helps Consumers Understand Rights & Resources Available*

To kick off National Consumer Protection Week, the New York State Division of Consumer Protection (DCP) today announced it assisted 31,689 New Yorkers with a variety of consumer protection matters related to COVID-19 in 2020, resulting in a record \$2,831,400 being returned to consumers wallets.

Each year during the first full week of March, DCP celebrates National Consumer Protection Week (NCPW) to help individuals understand their consumer rights and the resources available that help protect them. As part of this year's NCPW, DCP will host two free virtual webinars featuring consumer protection related topics. The first, *Prevent and Protect from Identity Theft*, is scheduled for March 2 at 1pm. Register to participate [here](#). The second, *Savvy Shopping Tips for Smart Consumers*, is scheduled for March 4 at 6pm. Register to participate [here](#).

“COVID-19 has brought many changes to the marketplace and the Division of Consumer Protection has worked hard over the past year to help consumers navigate uncharted territory,” **said Secretary of State Rossana Rosado**. “As part of the National Consumer Protection Week, we are highlighting that in today’s amplified digital world, consumers must take precautions to protect themselves from nefarious actors preying on the vulnerable. I encourage all New Yorkers to take these smart steps outlined by the Division of Consumer Protection to protect their hard-earned money.”

The COVID-19 pandemic led to a rise in consumer protection issues that caused havoc in the lives of many as businesses and markets have been disrupted. Three out of the top five complaint categories in 2020 were direct results of the COVID-19 pandemic: travel interruptions and cancellations, entertainment cancellations and refunds, and other COVID-19-related issues, such as delivery delays, order cancellations, and gym membership fees. DCP

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played a central role in ensuring the welfare of New York consumers as more fraudsters took advantage of the challenges surrounding the pandemic.

**New Yorker's top five consumer complaints in 2020, along with tips to protect consumers, are below:**

- **Travel interruptions and cancellations due to COVID-19.** DCP received 540 complaints on related issues including: cancelled or rescheduled air travel, hotel rooms, rental cars, cruise reservations, and more. When making travel plans, consumers should:
    - **Pay careful attention to cancellation and refund policies.** Often, reservations are offered with refundable and non-refundable rates. Paying a little more for a refundable rate could save you hundreds or thousands of dollars if you find yourself needing to cancel.
    - **Consider trip insurance, but carefully review the terms and conditions, especially what the insurance does and does not cover.** Some trip insurance policies offer only partial refunds or limit coverage for extreme circumstances.
    - **Pay for tickets and reservations with a credit card.** Some credit cards offer additional protections in the event of cancellations or while traveling. You may also have the option of disputing a charge if a company refuses to issue a due refund.
  - **Entertainment cancellations and refunds due to COVID-19.** DCP received 382 complaints on related issues including: cancelled tour reservations; concert, theater and sporting event tickets; reception deposits and more. When buying tickets or making event reservations, consumers should:
  - **Review the contract carefully.** When booking a reception or event space, make sure the contract is clear about what happens to your deposit and any money paid if the event must be cancelled or rescheduled, including provisions for cancellations by the vendor or forces out of your control.
  - **Pay careful attention to refund policies.** If purchasing tickets, be sure to understand the seller's policy if the event is postponed or cancelled.
  - **Know your rights.** In NYS, ticket sellers are required to refund the cost of the ticket if the event is cancelled. This applies only to event cancellations, so find out from the seller what their policy is if the event is postponed.
  - **Miscellaneous marketplace problems due to COVID-19.** DCP received 662 complaints on related issues including: delivery delays, order cancellations, gym membership fees, PPE fees, spa packages, tuition fees, and more. Consumers should:
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- **Expect delivery within 30 days.** New Yorkers are buying more online, and shipping dates may be delayed due to the increased demand. If an item is not delivered within 30 days in New York and there is no consent to an extension, consumers are entitled to a full refund.
  - **Know your rights.** NYS law does not allow a health club to charge dues or assess fees when the services for which members are paying are no longer being provided through no fault of the members. Members have the right to cancel or freeze their memberships without paying any fees or providing advance notice.
  - **Know your credit report.** Reviewing your credit report can alert you to new accounts being opened or existing accounts being sent to collections – often before you receive a direct bill. Obtain a free copy of your credit report annually from [annualcreditreport.com](https://annualcreditreport.com). Through April 2021, a copy is available to you [weekly](#).
  - **Refunds and Store Policies.** DCP received 564 complaints on related issues including: return policies, restocking fees, refunds for damaged/undelivered goods, and more. Consumers should:
    - **Ask about refund policies.** Stores must provide their refund policies on request. Ask whether the store imposes a restocking fee for returned merchandise or if the merchandise must be in a certain condition for the return to be accepted.
    - **Know your rights.** In NYS, merchants [must post their refund policies](#). If they do not, consumers can request a full refund or store credit within 30 days.
  - **Save all receipts for purchases to allow for ease of returns.**
  - **Internet and Online Services.** DCP received 425 complaints on related issues including: erroneous charges, billing, quality of goods/services, and more. Consumers should be aware:
    - **Online is no excuse.** Online companies must follow the same laws as physical, “brick-and-mortar” stores. For instance, they must post their refund policies and remove recalled goods from sale.
    - **Check on automatic contract renewals.** It is [now illegal in New York State](#) to continue charging someone for an online service without offering an easy way to also cancel the service online.
    - **Beware of scams.** With the increase of online shopping and shipping, scammers are setting up shop on social media and online marketplaces. If a deal looks “too good to be true,” it probably is. Look for merchants with posted policies and legitimate ratings. Do a quick web search on the company name and “scam” to see if negative reviews are posted anywhere.
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This year marks the ten-year anniversary since Governor Andrew M. Cuomo established the New York State Division of Consumer Protection within the Department of State on April 1, 2011 with the mission to assist, protect, educate and represent consumers in an ever-changing economy. The Division of Consumer Protection works hard to assist individuals aggrieved in the marketplace through its complaint mediation efforts, along with educating the public on marketplace scams, and advocating consumers' interest before legislative and regulatory bodies.

The New York State Division of Consumer Protection serves to educate, assist and empower the State's consumers. Consumers can file a complaint with the Division of Consumer Protection at [www.dos.ny.gov/consumerprotection](http://www.dos.ny.gov/consumerprotection). For more consumer protection information, call the DCP Helpline at 800-697-1220, Monday through Friday, 8:30am-4:30pm or visit the DCP website at [www.dos.ny.gov/consumerprotection](http://www.dos.ny.gov/consumerprotection). The Division can also be reached via Twitter at @NYSConsumer or Facebook at [www.facebook.com/nysconsumer](http://www.facebook.com/nysconsumer).

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