

CONSUMER PROTECTION TIPS FOR

IMMIGRANTS

Immigrants face unique challenges in the workplace and marketplace. The Department of Consumer Affairs created these tips to educate immigrants about their rights and where to turn for help.

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CONSUMER PROTECTION TIPS FOR IMMIGRANTS:

IMMIGRATION ASSISTANCE SERVICES

BEFORE YOU READ ON...

Get free help.

The City offers safe, free immigration legal screenings. Visit nyc.gov/actionnyc or call 311 and say “ActionNYC.” See **FREE HELP** and **OTHER RESOURCES**.

If you work with an Immigration Assistance Service Provider, here are tips to help you.

Immigration Assistance Service Providers are people or businesses that charge fees for any kind of immigration-related services. They are not lawyers. They do not have permission from the government to give immigration advice.

These providers are allowed to:

- Translate and notarize documents.
- Help you gather documents (like a birth certificate or school records).
- Type up application forms (but *not* give advice on how to answer questions).
- Arrange for photographs or medical tests.
- Help you prepare for English language or civics tests.

These providers are *not* allowed to:

- Select which immigration forms you should submit.
- Give legal advice about documents to submit.
- Explain your immigration options.
- Discuss your case with U.S. Citizenship and Immigration Services (USCIS).



TIPS

- Know which application forms you need to file when you go to a provider.
- Only go to providers that have physical locations. Never use one you can reach only by phone or email.
- Do not believe any provider that claims to have special influence with immigration authorities.
- Providers must sign a written contract with you before providing services. Read the contract before signing. Keep a copy for your records.
- Do not give original documents (like a marriage certificate). Give copies instead.
- Get a written receipt. Make sure the receipt contains the name and address of the provider.
- Do not sign any blank or incomplete forms. Insist that the provider sign any form it prepares for you.
- Providers must maintain a bond for your protection. Write down the name and contact information of the bond company or bank. If you are harmed, you can go to court to recover money from the provider or its bond company.
- File a complaint with the Department of Consumer Affairs (DCA) online at nyc.gov/dca or contact 311 to file a complaint in your language. You do not have to give your name or your immigration status to make a complaint. *Note:* If you would like DCA to contact you, you must provide your name and address.
- Call 311 or visit nycourts.gov and search “Attorney Disciplinary/Grievance Committee” to file a complaint about an attorney.

BEWARE OF...

In New York State, a notary public, or notario público, is not an attorney. A notary public cannot give legal advice, draft legal papers, or review documents for legality.

Never pay for blank government forms. Forms are available for free on the USCIS website uscis.gov. Providers do not have to give out free forms.

FREE HELP

- ActionNYC provides safe, free immigration legal screenings in your community, in your own language. Visit nyc.gov/actionnyc or call 311 and say “ActionNYC.”

IMPORTANT

- City agencies that provide direct social services must arrange for interpretation and translation in your first language.
 - City agencies cannot ask about immigration status unless it is necessary to determine eligibility for a benefit or service.
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- Call the New York State Immigration Hotline at 1-800-566-7636 or 1-212-419-3737 for information on free immigration advice or help.

OTHER RESOURCES

- Read other Consumer Protection Tips for Immigrants:
 - EMPLOYMENT AGENCIES
 - FINANCES
 - TAX PREPARATION
- Visit nyc.gov/dca for more information, including a [sample immigration assistance service contract](#).
- Mayor’s Office of Immigrant Affairs (MOIA): Visit nyc.gov/immigrants for information about legal and City services for immigrants.
- U.S. Citizenship and Immigration Services (USCIS): Visit uscis.gov or call 1-800-870-3676 for USCIS forms.
- New York Attorney General’s Office: Visit ag.ny.gov and search “Immigration Fraud” for additional information and resources. Read [Don’t Be A Victim Of Immigration Fraud](#).
- Federal Trade Commission (FTC): Visit ftc.gov and search “immigrant scams” for additional information and resources. Read:
 - [Scams Against Immigrants](#)
 - [Spotting, Avoiding & Reporting Scams: A Fraud Handbook for Recent Refugees and Immigrants](#)
- New York City Bar Association: Call 1-212-626-7373 for an attorney referral.

CONSUMER PROTECTION TIPS FOR IMMIGRANTS:

EMPLOYMENT AGENCIES

BEFORE YOU READ ON...

What is an employment agency?

An employment agency helps employers find employees and jobseekers find work for a fee.

Get free help.

The City offers free help for jobseekers. Visit nyc.gov/workforce1 or call 311 and ask to find a Workforce1 Career Center.

If you work with an employment agency to find a job, here are tips to help you.

GENERAL TIPS

- **Use a licensed employment agency.** Employment agencies must have a Department of Consumer Affairs (DCA) license.



Visit nyc.gov/dca or call 311 to check for a license and complaint history.

IMPORTANT

- Employment agencies cannot charge you for other services like training classes or certifications.
 - Are you in security training school? It must be registered with the New York State Division of Criminal Justice Services.
 - Are you in bartending school? The New York State Bureau of Proprietary School Supervision oversees bartending schools.
- **Do not use employment agencies that “guarantee” jobs.** Employment agencies cannot guarantee they will find you a job. Agencies can only refer you to jobs that are available and that pay at least the minimum wage.



The minimum wage is set by New York State and federal law. Visit labor.state.ny.us for New York State minimum wage.

- **Know how employment agency fees work.**

Employment agencies cannot charge upfront fees for most types of work. They cannot charge an application or interview fee.

Agencies can only charge a fee for placing you in a job. Fees cannot be more than the maximum amount set by law.



Visit nyc.gov/dca for employment agency Laws and Rules, which have fee information.

Agencies can only charge advance fees for these types of workers:

- Domestic
- Household
- Manual labor
- Agricultural
- Skilled industrial
- Mechanic

The advance fee must go toward the final fee.

You have the right to a full refund of your advance fee if:

- The agency does not find you a job. OR
- You do not accept the job offer. OR
- You choose to stop working with the agency before it finds you a job.

- **Demand an accurate, written contract.** Agencies must give you the full contract before you sign. Your contract should have:
 - Name, address, and DCA license number of the agency
 - Type of work
 - Price
 - Fee payment schedule

Make sure that the written agreement matches your spoken agreement.

Before signing, get the agency to answer all of your questions in writing.

The agency must give you a copy of the contract and a receipt for each payment. Keep all copies in a safe place.

- **Do not answer illegal questions.** Unless they are valid qualifications of the job, it is illegal for an employer or an agency to ask questions about:

○ Age	○ Disability
○ Race	○ Marital status
○ Creed	○ Partnership status
○ Religion	○ Caregiver status
○ Color	○ Sexual orientation
○ National origin	○ Alienage or citizenship status
○ Gender	

- **File a complaint with DCA.** File a complaint with DCA online at nyc.gov/dca or contact 311 to file a complaint in your language. You do not have to give your name or your immigration status to make a complaint. *Note:* If you would like DCA to contact you, you must provide your name and address.

BEWARE OF...

PREDATORY SCHOOLS

There are hundreds of for-profit schools in NYC. Courses include everything from air conditioning repair and cosmetology to medical technician training. Some schools mislead students. They may:

- Get you to take out a lot of financial aid.
- “Guarantee” you a job after you graduate.
- Lie about the value of your degree, including if your credits will transfer to another school.

Remember:

- Financial aid is usually a loan that you must pay back. It is not a scholarship.
- Research a lot of schools.
- Don’t sign up the day you visit a school.
- Get the school’s tuition cancellation policy in writing.

Call 311 to file a complaint against a school of higher education.

FREE HELP

- Visit nyc.gov/workforce1 or call 311 and ask to find a free Workforce1 Career Center.
- Visit nyc.gov or call 311 and ask about free and low-cost adult education programs.

IMPORTANT

- City agencies that provide direct social services must arrange for interpretation and translation in your first language.
- City agencies cannot ask about immigration status unless it is necessary to determine eligibility for a benefit or service.

OTHER RESOURCES

- Read other Consumer Protection Tips for Immigrants:
 - FINANCES
 - IMMIGRATION ASSISTANCE SERVICES
 - TAX PREPARATION
- Visit nyc.gov/dca for more information, including:
 - [Job Hunter's Bill of Rights](#)
 - [Statement of Employee Rights and Employer Responsibilities](#) (domestic or household employees)
 - [NYC Paid Sick Leave Law](#)
 - [NYC Commuter Benefits Law](#)
- Mayor's Office of Immigrant Affairs (MOIA): Visit nyc.gov/immigrants for information on [Immigrant Workers](#) and [Jobs and Work](#).
- Small Business Services (SBS): Visit nyc.gov/sbs for [Help for Jobseekers](#).
- Human Rights Commission: Visit nyc.gov/humanrights or contact 311 to file a complaint about discrimination. Read [Immigrants & NYC Human Rights at Work and at Home](#).

CONSUMER PROTECTION TIPS FOR IMMIGRANTS: FINANCES

GENERAL TIPS

- **Open a bank or credit union account.** The City offers safe and affordable checking and savings accounts. These programs include:
 - **NYC Direct Deposit:** You can open a free checking account if you directly deposit your paycheck. The account has no monthly fees; no overdraft option for debit card purchases or ATM withdrawals; no or low minimum balance requirements; free online banking and bill pay; free in-network ATM withdrawals.
 - **NYC SafeStart Account:** You can open a starter savings account. The account has no overdraft fees; no monthly fees if you meet minimum balances; minimum balance requirements of \$25 or even less, depending on the financial institution; ATM card or debit card.

Visit nyc.gov/dca or contact 311 for more information about [NYC Direct Deposit](#) or [NYC SafeStart Account](#).



You can use IDNYC to open a checking or savings account at one of IDNYC's participating banks or credit unions. Visit nyc.gov/idnyc or contact 311 for branch locations.

See page 9 for WHAT TO LOOK FOR IN A SAFE, AFFORDABLE CHECKING ACCOUNT.

- **Money Transfer Agents are not always the cheapest option, so compare prices.** Research prices across financial institutions, money transfer companies/agents, and online money transfer services to find the best way to send money home. Look at the fee and the exchange rate, as well as how and where family will get money.
- **Avoid rent-to-own businesses.** Using rent-to-own businesses to buy household items is very expensive. On average, customers who rent items long enough to own them pay a 70 percent annual percentage rate (APR) over the listed cash price. These businesses do not lower prices very much. Shop around for the best deal.
- **Be careful with prepaid debit cards.** A prepaid debit card may help you stay within a budget, but beware of hidden fees.
- **Payday loans are illegal in New York.** A payday loan is a short-term loan usually due on your next payday. Borrowers pay very high fees and interest rates. If you receive an offer for a payday loan, please report it to the New York State Department of Financial Services by calling 1-800-342-3736 or visiting dfs.ny.gov.

IMPORTANT

If you do not have money for rent or another important need, here are some alternatives to consider:

- Learn more about Human Resources Administration (HRA) emergency assistance programs, including cash assistance. Call 311 or visit nyc.gov/hra to learn more.
- Look into a small loan from a credit union or bank. Be sure to shop around to find the lowest interest rate.
- Ask your employer about a payroll advance. Read the written policy. Make sure any fees are reasonable.
- Ask family or friends for a small loan.
- A cash advance is sometimes available from your credit card provider. It may have a higher interest rate than a credit union or bank loan. Be sure to compare all costs.

- **Avoid check cashers.** Using a check casher can cost on average \$475 in fees each year. Safe and affordable bank and credit union accounts are less expensive than using check cashers.
- **Get control of your debt.** Debt can pile up quickly and damage your credit report, your ability to rent an apartment or purchase a home, and more. The City can help you deal with creditors and debt collectors, consolidate payments, and create a payment plan. See FREE HELP.

WHAT TO LOOK FOR IN A SAFE, AFFORDABLE CHECKING ACCOUNT:

No or Low Fees

- Monthly maintenance or service fees that are \$3 or less
- Free use of in-network ATMs
- No fees to use debit card
- No overdraft option for debit card purchases or ATM withdrawals

Minimums and Transactions

- Low minimum balance and initial deposit requirements (\$25 or less)
- Many ways to check account balance for free (online, phone, text message, ATM)
- No monthly fee for reasonable transaction requirements (for example, direct deposit, ATM)

BEWARE OF...

PREDATORY LENDING

- Some financial institutions offer “citizenship” or “immigration” loans. These loans are supposed to help cover the cost of the naturalization application and legal fees. If you are considering this type of loan, be sure to compare terms and conditions across several banks and credit unions. See FREE HELP.
- Used car loans are a common type of predatory lending. Often, these loans are bad for the borrower. Like other loans, do your research and compare terms and conditions to find the best offer for you.

FINANCIAL SCAMS TARGETING IMMIGRANTS

- **Blessing Scam:** Someone tells you that something bad is going to happen to you or someone in your family unless you get a blessing on your fortune. Typically, “fortune” means cash and jewelry. You must bring your fortune in a bag to get the blessing. During the “blessing,” your fortune is stolen. In NYC, these scams have targeted the Chinese community.
- **Lending Circle Scam:** For many immigrant communities, informal lending circles are a way to get money when you cannot get money from a bank or credit union. Participants pay money each month. You get a payment when it is your turn. Do your research on any lending circle before you join.
- **Fortune Telling Scam:** “Fortune telling” is illegal in New York. No one can charge money to predict your future or to get rid of a curse.

FREE HELP

- Get free professional one-on-one financial counseling at an NYC Financial Empowerment Center. Call 311 to schedule an appointment near you or visit nyc.gov/dca for more information.
- Get a free copy of your credit report and review it carefully. Go to annualcreditreport.com or call toll-free 1-877-322-8228.
- You can get free legal help with citizenship applications through NYCitizenship. You must schedule an appointment. Call 311 and say “citizenship appointment” or call the NYCitizenship Hotline at 1-212-514-4277.
- Free business courses are available in Spanish, Chinese, Russian, Korean, Haitian Creole, French, Bengali, and Arabic through the City’s Immigrant Business Initiative. Visit nyc.gov/immigrantbusinesses or call 311 and ask for Business Services for Immigrants.

OTHER RESOURCES

- Read other Consumer Protection Tips for Immigrants:
 - EMPLOYMENT AGENCIES
 - IMMIGRATION ASSISTANCE SERVICES
 - TAX PREPARATION
- Also visit nyc.gov/dca for more information about scams.
- Mayor’s Office of Immigrant Affairs (MOIA): Visit nyc.gov/immigrants for information about legal and City services for immigrants.
- Small Business Services (SBS): Visit nyc.gov/immigrantbusinesses or contact 311 to learn about free services for business owners. NYC Business Solutions Centers and the Immigrant Business Initiative are run by SBS.
- Consumer Financial Protection Bureau (CFPB): Visit consumerfinance.gov for more information about sending money to another country.

CONSUMER PROTECTION TIPS FOR IMMIGRANTS: TAX PREPARATION

BEFORE YOU READ ON...

Get free help.

The City offers NYC Free Tax Prep to eligible New Yorkers. Visit nyc.gov/taxprep or contact 311 for more information. See FREE HELP.

GENERAL TIPS

If you use a paid tax preparer to file your taxes, here are tips to help you.

- **Make sure your tax preparer is registered.** Every tax preparer in New York State must be registered with the New York State Department of Taxation and Finance. Visit tax.ny.gov for a searchable database.
- **Avoid refund anticipation products.** A Refund Anticipation Check (RAC) or Refund Transfer are expensive ways to pay tax preparation fees later. A Refund Anticipation Loan (RAL) is a high-interest loan. These products do not speed up your refund.



Call 311 during business hours and ask to be transferred to the Department of Consumer Affairs (DCA) to see if the business has received any complaints.

- **Know your rights.** Tax preparers must:
 - Give you a free, current, and readable copy of the *Consumer Bill of Rights Regarding Tax Preparers* before beginning any discussions about tax preparation services with you.
 - Post their qualifications, fees, and whether or not they will represent you at a government audit.
 - Sign every tax return.
 - Give you a copy of your tax returns and an itemized receipt or statement of service.



Never sign a tax return that is blank, incomplete, or filled out in pencil. It could be changed later.

- **Ask for an estimate and compare your itemized receipt or statement to the posted prices.** You have the right to ask for an estimate *before* having your taxes prepared. Tax preparers may not charge you fees based on the amount of taxes you owe or your anticipated refund.

IMPORTANT

- Using a RAL or RAC will cost you money and lower the total amount of the refund that you get.
- The lender can charge you fees and interest. The tax preparer who offered the loan cannot add charges or fees for preparing your RAL application.
- It is illegal for a tax preparer to claim a RAL is an “instant refund,” a “rapid refund,” an “express refund,” “preFund,” “fast cash,” or by another similar term that hides the fact that a RAL is a loan.
- Your tax preparer cannot require you to take out a RAL.



Ask about electronic filing, direct deposit, and other options to speed up payment of refunds. If you use direct deposit, you can receive your federal tax refund in 8 to 14 business days.

- **Read the fine print about prepaid and gift cards.** Some preparers offer to put some or all of your refund on a prepaid or gift card. Be sure to check how much the preparer charges for this option. Also, know the fees for using, not using, or reloading the card; if the card has an expiration date; and what happens if you lose the card.
- **File a complaint with DCA.** File a complaint with DCA online at nyc.gov/dca or contact 311 to file a complaint in your language. You do not have to give your name or your immigration status to make a complaint. *Note:* If you would like DCA to contact you, you must provide your name and address.

BEWARE OF...

PREDATORY BUSINESSES

No matter who prepares your taxes, your refund amount should be the same. Beware of preparers who claim that they can get you a bigger refund.

INTERNAL REVENUE SERVICE (IRS) SCAM

You get a call from the IRS either threatening that you owe money or that you are owed a huge refund.

THE CATCH: You need to confirm or provide information or payment.

The IRS will never:

- *Call or email you for your personal or financial information.*
- *Require payment by gift card.*

FREE HELP

- You may qualify for NYC Free Tax Prep services, which include online filing and in-person filing with an IRS certified VITA/TCE volunteer preparer. For more information, including income eligibility and the list of documents you need to file your taxes, visit nyc.gov/taxprep or call 311 and ask for tax preparation assistance.

IMPORTANT

- You can use IDNYC as proof of identity to file your taxes.
- Some NYC Free Tax Prep sites can help you apply for an Individual Taxpayer Identification Number (ITIN). Look at site details.
 - An ITIN is a tax processing number issued by the IRS. The IRS issues ITINs to foreign nationals and others who have federal tax reporting or filing requirements and do not qualify for Social Security numbers.
- Get free professional one-on-one financial counseling at an NYC Financial Empowerment Center to make the most of a tax refund. Call 311 to schedule an appointment near you or visit nyc.gov/dca for more information.

OTHER RESOURCES

- Read other Consumer Protection Tips for Immigrants:
 - EMPLOYMENT AGENCIES
 - FINANCES
 - IMMIGRATION ASSISTANCE SERVICES
- Mayor's Office of Immigrant Affairs (MOIA): Visit nyc.gov/immigrants for information about legal and City services for immigrants.

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**To protect and
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to create thriving
communities.**

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