

Inspection Checklist: Pawnbrokers

Do you own a pawnbroker business?

Does your business loan money in exchange of or pledge of personal property?

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	
RCNY: Rules of the City of New York	
NY GBL: NY General Business Law	
§: Section	

Requirement		Do you meet this requirement?
1	Pawnbrokers cannot receive goods from, make a loan to, or advance money to a minor (anyone under 18 years old).	<input type="checkbox"/> Yes
	NY GBL §47-a	
2	It is illegal to sell an item within four months of the time it was pledged.	<input type="checkbox"/> Yes
	NY GBL §48	
3	It is illegal to accept for pawning any instrument or weapon such as a firearm, switchblade, gravity knife, metal knuckle, cane sword, chukka stick, electronic stun gun, kung fu star, rifle, or shotgun.	<input type="checkbox"/> Yes
	NY GBL §47	
License		
4	Pawnbrokers must have a valid DCA Pawnbroker license. Tip: If your business buys or sells used articles other than pledged or pawned items, it must also have a Secondhand Dealer General license.	<input type="checkbox"/> Yes
	NY GBL §40	
5	DCA's combined license and complaint sign must be posted where all customers can see it.	<input type="checkbox"/> Yes
	6 RCNY §1-03(a)	
6	All printed matter that is given to customers (e.g., letterhead, receipts, flyers, pawn tickets) must have the license number and the license number must be identified as a DCA license number (for example, "Department of Consumer Affairs License #1234567").	<input type="checkbox"/> Yes
	6 RCNY §1-05	
Signs		
7	A sign that says "Read your ticket." must be posted where all customers can read it.	<input type="checkbox"/> Yes
	6 RCNY §5-222(b)	

Inspection Checklist: Pawnbrokers

Requirement		Do you meet this requirement?
8	An enlarged copy of both the front and back of a pawn ticket must be posted where all customers can see it. Tip: The front of the ticket must be twice the normal size of the actual ticket and the back must be three times the normal size.	<input type="checkbox"/> Yes
	6 RCNY §5-222(d)	
9	A list of interest rates that are charged must be posted so that consumers can see it.	<input type="checkbox"/> Yes
	NY GBL §46	
10	The posted interest rates cannot be more than 4% per month or any fraction of a month. Tip: You should not post an annual interest rate.	<input type="checkbox"/> Yes
	NY GBL §46	
11	A sign with the exact text below must be posted and it must be durable: PURSUANT TO ARTICLE 5 OF THE NEW YORK STATE GENERAL BUSINESS LAW A COLLATERAL LOAN BROKER IS AUTHORIZED TO PROVIDE LOANS ON ITEMS PLEDGED OR PURCHASE ITEMS OFFERED FOR SALE. YOU HAVE THE RIGHT TO USE AN ITEM AS COLLATERAL FOR A LOAN OR SELL THE ITEM IN ACCORDANCE WITH STATE AND LOCAL LAW. ALL SALES MAY BE CANCELLED WITHIN FIVE BUSINESS DAYS IN ACCORDANCE WITH SAID ARTICLE 5. A SALE OF JEWELRY, WATCHES, PRECIOUS STONES, PRECIOUS METALS OR COINS CAN BE CONVERTED TO A LOAN WITHIN 14 DAYS FROM THE DATE OF THE SALE. Tip: The letters must be at least 1 inch high and the color of the letters must contrast the background. Tip: The sign cannot be a loose piece of paper; it should be laminated or in a frame. Tip: Download the sample sign (shown below) from nyc.gov/BusinessToolbox .	<input type="checkbox"/> Yes
	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"><p>PURSUANT TO ARTICLE 5 OF THE NEW YORK STATE GENERAL BUSINESS LAW, A COLLATERAL LOAN BROKER IS AUTHORIZED TO PROVIDE LOANS ON ITEMS PLEDGED OR PURCHASE ITEMS OFFERED FOR SALE.</p><p>YOU HAVE THE RIGHT TO USE AN ITEM AS COLLATERAL FOR A LOAN OR SELL THE ITEM IN ACCORDANCE WITH STATE AND LOCAL LAW.</p><p>ALL SALES MAY BE CANCELLED WITHIN FIVE BUSINESS DAYS IN ACCORDANCE WITH SAID ARTICLE 5.</p><p>A SALE OF JEWELRY, WATCHES, PRECIOUS STONES, PRECIOUS METALS OR COINS CAN BE CONVERTED TO A LOAN WITHIN 14 DAYS FROM THE DATE OF THE SALE.</p></div> NY GBL §47	
Books and Records		
12	You must keep a record of every item pledged or pawned.* Tip: The record must be kept for 6 years. *In December 2013, the New York City Council passed Local Law 149, which requires pawnbrokers and secondhand dealers to maintain electronic records of transactions. That law is currently the subject of litigation. New York City has agreed not to enforce Local Law 149 pending a judicial determination in that litigation.	<input type="checkbox"/> Yes
	NY GBL §45	

Inspection Checklist: Pawnbrokers

Requirement		Do you meet this requirement?
13	Records must be available for inspection by a DCA inspector or New York City Police Department (NYPD) police officer.	<input type="checkbox"/> Yes
	NY GBL §47	
14	<p>The records must contain each the following:</p> <ul style="list-style-type: none"> • Description of the item pledged or pawned • Amount of money loaned • Time of the pledge • Interest rate to be paid on the loan • Name and address of the customer • Note about whether the customer claims to be the owner, consignee, or agent of the owner • Signature of the customer with the description and number of their ID <p>Tip: Acceptable forms of ID include any of the following that contain a signature:</p> <ul style="list-style-type: none"> • Official document issued by the U.S. government; any state, county, municipality or subdivision; any public agency or department; any public or private employer • Police, fire, or postal department badges containing numbers • Passport (issued by any country) 	<input type="checkbox"/> Yes
	NY GBL §43	
Pawn Tickets		
15	<p>A pawn ticket must be provided to consumers that includes each of the following:</p> <ul style="list-style-type: none"> • Description of the item pledged or pawned • Amount of money loaned • Time of the pledge • Interest rate to be paid on the loan • Name and address of the customer • Note about whether the customer claims to be the owner, consignee, or agent of the owner • Signature of the customer • Statement whether goods are covered for loss by fire or theft 	<input type="checkbox"/> Yes
	NY GBL §44(1)	

Inspection Checklist: Pawnbrokers

Requirement		Do you meet this requirement?
16	<p>The pawn ticket must include the following exact notice:</p> <p>“NOTICE OF ELECTION</p> <p>(a) The holder of this ticket may redeem the article pledged at any time prior to the sale at private sale or public auction first following default. The article pledged may not be sold at private sale or auction until it has remained four months in the collateral loan broker’s possession.</p> <p>(b) If the article pledged is sold at private sale or public auction, money, if any, in excess of the amount of the loan, interest, lawful auctioneer’s commission, if applicable, lawful extra care charges and the expenses of the advertisement of sale, if applicable, shall be paid to the holder of the pawn ticket.</p> <p>(c) If the collateral loan broker shall purchase the article pledged at auction the holder shall have an additional ten days to redeem the article pledged by paying to the collateral loan broker the amount of the loan, interest, lawful auctioneer’s commission, lawful extra care charges and the expense of the advertisement of sale.</p> <p>(d) A holder may sell this ticket to a third party at any time prior to private sale or auction, or he may sell this ticket to the collateral loan broker any time ninety or more days after the article was pledged.</p> <p>(e) If this ticket is sold to a collateral loan broker, the holder may redeem the ticket within ten days after the sale by paying to the collateral loan broker the amount paid for the ticket.”</p>	<input type="checkbox"/> Yes
	NY GBL §44(2)	
17	<p>The pawn ticket must not state an interest rate of more than 4% per month or for a portion of a month.</p>	<input type="checkbox"/> Yes
	NY GBL §46	
18	<p>The fee for a lost pawn ticket must be less than 1% of the total loan or \$5, whichever is less.</p>	<input type="checkbox"/> Yes
	NY GBL §44	

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

Requirement		Do you meet this requirement?
Price Lists for Services		
1	A price list with the types of services and the prices of those services must be displayed.	<input type="checkbox"/> Yes
	6 RCNY §5-70(a)	
2	The price list must be clearly posted or clearly displayed near the cash register and/or at the place(s) where orders are placed.	<input type="checkbox"/> Yes
	6 RCNY §5-70(a)	
3	If the price list states a minimum charge (e.g., “from \$...”) or states a price “and up,” it must state the reason for the different prices and include the range of prices.	<input type="checkbox"/> Yes
	6 RCNY §5-70(a)	
4	If there is a sale or promotion, the pre-sale prices must also be posted for comparison.	<input type="checkbox"/> Yes
	NYC Code §20-750(b)	
5	Prices for services cannot be based on gender. Tip: Words like “men’s,” “women’s,” and “ladies” cannot be used to describe the price; the difference must be described in a gender neutral way. (Example: Above the shoulder hair = \$15; Below the shoulder hair = \$30) Tip: Instead of listing prices for shirts and blouses, the price must be described based on physical differences between the shirts. (Example: sequins, ruffles, fancy buttons)	<input type="checkbox"/> Yes
	NYC Code §20-750(c)	
Pricing for Goods		
6	All items offered for sale must have a clearly visible price.	<input type="checkbox"/> Yes
	NYC Code §20-708	
7	For most items, the price must be attached to the item or on a sign where the item is displayed.	<input type="checkbox"/> Yes
	NYC Code §20-708	
8	If your store’s annual revenue is more than \$2 million or you are a chain store, you must individually price most food products, as well as paper products, detergents, soaps, nonprescription drugs, and health and beauty aids.	<input type="checkbox"/> Yes
	NYC Code §20-708.1(b)	

Inspection Checklist: General Retail

Requirement		Do you meet this requirement?
9	Milk; eggs; fresh produce; snack foods that are less than 5 ounces; frozen foods; jars of baby food; and items that are less than 3 cubic inches, under 3 ounces and under \$1 do not have to be individually priced, but must have shelf prices.	<input type="checkbox"/> Yes
	NYC Code §20-708.1(b)	
Signs		
10	<p>Sale signs that advertise a percent discount—example: 20-50% off—must state the minimum percent discount.</p> <p>Tip: Both the minimum and maximum numbers must be of equal size.</p> <div style="display: flex; justify-content: space-around; align-items: center;">   </div>	<input type="checkbox"/> Yes
	6 RCNY §5-94(a)(1)	
11	<p>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” 	<input type="checkbox"/> Yes
	6 RCNY §5-101	
12	<p>Businesses that sell goods and services must post a refund policy.</p> <p>Tip: A refund policy must be posted at each register, point of sale, or at each entrance.</p> <p>Tip: Even if the policy is not to give refunds, a sign must be posted stating “No Refunds.”</p>	<input type="checkbox"/> Yes
	6 RCNY §5-37	
13	<p>The refund policy must state any and all conditions or limitations to getting a refund. For example:</p> <ul style="list-style-type: none"> • Businesses must disclose any fees charged for refunds, such as “restocking fees.” • If a business will not provide refunds for “as is” items, it must disclose that. • Businesses must also disclose whether the refund will be in cash, credit, or store credit only. • If proof of purchase is required for a refund, the sign must say so. • A business that chooses not to offer refunds must post a sign that states, “No Refund,” or words to that effect. • The sign must state that a written copy of the store’s refund policy is available on request. 	<input type="checkbox"/> Yes
	6 RCNY §5-37	

Inspection Checklist: General Retail

Requirement		Do you meet this requirement?
14	If there are limitations on using credit cards, such as minimum purchase amounts, the policy must be clearly posted at the point of sale or at each entrance.	<input type="checkbox"/> Yes
	6 RCNY §5-24(b)	
Receipts		
15	Receipts must be given to customers for purchases over \$20 and upon request for purchases between \$5 and \$20. Tip: This does not apply to food and drink that is meant to be consumed on the premises.	<input type="checkbox"/> Yes
	6 RCNY §5-32(b)(2)	
16	The receipt must include each of the following: <ul style="list-style-type: none"> • Date of purchase • Amount paid for each item • Total amount paid • Separate statement of tax • Name and address of store 	<input type="checkbox"/> Yes
	6 RCNY §5-32(c)	
17	Receipts for electronics that cost more than \$100 must also include the make and model number of the item.	<input type="checkbox"/> Yes
	6 RCNY §5-32(c)(5)	
Price Accuracy		
18	When items are scanned, the price must match the lowest item price, shelf price, sale price, or advertised price.	<input type="checkbox"/> Yes
	NYC Code §20-708.1(d)	
19	If no scanners are used, the price at checkout must still match the lowest item price, shelf price, sale price, or advertised price.	<input type="checkbox"/> Yes
	NYC Code §20-708.1(e)	
20	Tax cannot be charged on tax-exempt items. Tip: Check with the New York State Department of Taxation and Finance for a complete list of which items are exempt.	<input type="checkbox"/> Yes
	NYC Code §20-700	

Inspection Checklist: General Retail

Requirement		Do you meet this requirement?
Layaway Plans		
21	<p>If layaway is offered, each of the following written disclosures must be provided to consumers prior to accepting any payments over \$50 in 4 installments or more:</p> <ul style="list-style-type: none"> • Description of the item, including name, brand, color, and model number • Total cost of the item including tax • Charge to use layaway and any cancellation fee • Duration of the layaway plan • Payment schedule and any consequences of missed payments • Refund policy • Notice of whether or not the item won't be removed from inventory until a certain number of payments have been made <p><i>Example 1:</i> NOTICE: NO MERCHANDISE WILL BE REMOVED FROM INVENTORY UNTIL X% OF THE PURCHASE PRICE HAS BEEN PAID.</p> <p><i>Example 2:</i> ATTENTION: YOUR SELECTION OF MERCHANDISE WILL NOT BE ORDERED UNTIL YOU HAVE MADE YOUR NEXT TO FINAL PAYMENT.</p> <p>6 RCNY §5-23</p>	<input type="checkbox"/> Yes
Expired Over-the-counter Medication		
22	<p>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