

Note: New York City businesses must comply with all relevant federal, state, and City laws and rules. All laws and rules of the City of New York, including the Consumer Protection Law and Rules, are available through the Public Access Portal, which businesses can access by visiting www.nyc.gov/consumers. For convenience, sections of relevant New York State Law and/or New York City Law and Rules are included as a handout in this packet. The New York City Law and Rules are current as of January 2009.

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LAWS OF NEW YORK

GENERAL BUSINESS

ARTICLE 5 – COLLATERAL LOAN BROKERS

§ 40. Licenses. No person, corporation, partnership or firm shall hereafter carry on the business of collateral loan broker, without having first obtained from the mayor of the city or licensing authority of the local governing body where the business is to be carried on a license authorizing such person to carry on the same in the manner and upon the conditions stated in the succeeding sections of this article. In the city of New York such license may be issued by the commissioner of consumer affairs. Nothing herein shall be construed to prohibit a collateral loan broker from employing the title pawnbroker in connection with the collateral loan business. The title pawnbroker shall be used exclusively by a collateral loan broker.

§ 41. Licenses, how obtained; penalty for carrying on business without license. The mayor or such local licensing authority may from time to time grant, under his hand and the official seal of his office, to such citizens, or aliens lawfully admitted for permanent residence in the United States, as he shall deem proper and who shall produce to him satisfactory evidence of their good character, a license authorizing such person to carry on the business of a collateral loan broker, which license shall designate the house in which such person shall carry on said business, and no person, corporation, partnership or firm shall carry on the business of a collateral loan broker without being duly licensed, nor in any other house than the one designated in said license, under a penalty of one hundred dollars for each day he or they shall exercise or carry on said business without such license or at any other house than the one so designated. Any person receiving such license shall pay therefor the sum of five hundred dollars for the use of the city yearly where such business is to be conducted in a city with a population of more than one million persons, and where the business is

to be conducted elsewhere the fee for such license shall not exceed two hundred fifty dollars yearly, and every such license shall expire one year from the date thereof, and may be renewed on application to the mayor or local licensing authority each and every year on payment of the same sum and upon performance of the other conditions herein contained. Every person so licensed shall, at the time of receiving such license, file with the mayor or such local licensing authority granting the same a bond to the local authorities, to be executed by the person so licensed and by two responsible sureties, in the penal sum of ten thousand dollars, to be approved by such mayor or local licensing authority, which bond shall be conditioned for the faithful performance of the duties and obligations pertaining to the business so licensed, and the mayor or such local licensing authority shall have full power and authority to revoke such license for cause.

§ 41-a. Continuing education requirement. 1. Every person licensed as a collateral loan broker pursuant to this article shall, between June thirtieth, two thousand seven and June twenty-ninth, two thousand nine, and during every two year period thereafter, complete not less than twelve hours of continuing education instruction offered in a course or program approved by any mayor or licensing authority which licenses collateral loan brokers pursuant to this article. In cities having a population of one million or more, the commissioner of consumer affairs shall, on or before January thirty-first, two thousand seven, approve not less than one twelve hour continuing education instruction course or program for collateral loan brokers and not less than one eight hour continuing education instruction course or program for managers of collateral loan broker businesses, as required by subdivision two of this section. Every such course or program shall be made available through at least one distance learning methodology, such as written materials and questionnaires, internet courses or other electronic means and shall also be made available through seminars or workshops, commencing on or before June thirtieth, two thousand seven. Every mayor and licensing authority shall consult with one or more trade associations representing collateral loan brokers prior to approving any continuing education instruction course or program pursuant to this section.

2. Every collateral loan broker which employs more than three employees, shall designate one individual as the manager of the collateral loan broker business. Upon such designation the mayor or licensing authority, which licenses the collateral loan broker, shall be provided notice by such broker of the individual who has been designated as manager of the business. Every individual designated as the manager of a collateral loan broker business shall, between June thirtieth, two thousand seven and June twenty-ninth, two thousand nine, and during

every two year period thereafter, complete not less than eight hours of continuing education instruction for such managers offered in a course or program approved by any mayor or licensing authority which licenses collateral loan brokers pursuant to this article.

3. Each collateral loan broker shall designate a manager for each location at which such broker conducts business and employs more than three employees and every such manager shall comply with the provisions of subdivision two of this section.

4. Each approved provider of continuing education instruction pursuant to this section and each collateral loan broker shall maintain the records of the provision or receipts of such instruction for not less than four years.

5. The failure to comply with the provisions of this section shall be grounds for the suspension, revocation or refusal to issue any license issued pursuant to this article.

§ 42. Action on bond. If any person shall be aggrieved by the misconduct of any such licensed collateral loan broker, and shall recover judgment against him therefor, such person may, after the return unsatisfied, either in whole or in part, of any execution issued upon said judgment, maintain an action in his own name upon the bond of said collateral loan broker in any court having jurisdiction of the amount claimed, provided such court shall, upon application made for the purpose, grant such leave to prosecute.

§ 43. Certain entries to be made in book. Every such collateral loan broker shall keep a book in which shall be fairly written, at the time of such loan, an account and description of the goods, articles or things pawned or pledged, the amount of money loaned thereon, the time of pledging the same, the rate of interest to be paid on such loan, the name and residence of the person pawning or pledging the said goods, articles or things and a notation of whether the pledgor claims to be the owner, consignee or agent of the owner.

§ 44. Memorandum to be given. 1. Every such collateral loan broker shall at the time of each loan deliver to the person pawning or pledging any goods, article or thing, a memorandum or note signed by him containing the substance of the entry required to be made in his book by the last preceding section. Notwithstanding any general or special statutes, local laws and ordinances to the contrary, no collateral loan broker shall ask, demand or receive a service charge greater than ten dollars for loans equal to or greater than five hundred dollars, or

seven dollars for loans equal to or greater than one hundred dollars but less than five hundred dollars for any such memorandum or note, provided that for loans less than one hundred dollars a service charge not greater than four dollars may be imposed. The holder of such memorandum or note shall be presumed to be the person entitled to redeem the pledge and the collateral loan broker shall deliver such article to the person so presenting such memorandum or note on payment of principal and interest. Should such ticket be lost or mislaid the pawnor shall at once apply to the collateral loan broker, in which case it shall be the duty of the collateral loan broker to permit such person to examine his books, and on finding the entry for said ticket, note or memorandum so lost and upon his giving to the collateral loan broker an exact description of the article pawned the collateral loan broker shall issue a second or stop ticket for the same, provided such person shall furnish to the collateral loan broker a lost instrument bond in an amount equal to the fair market value of the pledge or, in the alternative, pay a lost ticket charge of one percent of the amount of the loan, or five dollars, whichever is greater. In case such pawnor neglects to so apply and examine said books and receive such memorandum or note in the manner above stated, the collateral loan broker will be bound to deliver the pledge to any person producing such ticket for the redemption thereof. This article is not to be construed as in any manner limiting or affecting such collateral loan broker's common law liability in cases where goods are stolen or other legal defects of title exist in the pledgor.

2. In addition to the information required to be furnished pursuant to subdivision one of this section a pawn ticket shall contain the following notice:

NOTICE OF ELECTION

(a) The holder of this ticket may redeem the article pledged at any time prior to 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.

(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.

(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.

(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.

(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.

3. Notwithstanding any general, special or local law or ordinance to the contrary, if a collateral loan broker in good faith and without knowledge extends credit on a loan, the collateral for which was entrusted to the pledgor on consignment or was entrusted by a merchant dealing in goods of the kind pledged to the pledgor who was a merchant dealing in goods of the kind pledged, the collateral loan broker shall be required to relinquish the collateral to the legal owner provided the amount of the loan and interest due is paid.

§ 45. Book to be open to inspection. The said book and any and all other books and records regularly kept by such collateral loan broker shall at all reasonable times be open to the inspection of the attorney general, the state comptroller, the mayor or local licensing authority, all judges of the criminal courts, the superintendent of police, police inspectors, captains of police and police justices of such cities, or any or either of them, or of any person who shall be duly authorized in writing for that purpose by any or either of them, and who shall exhibit such written authority to such collateral loan broker. The mayor or the licensing authority of any local governing body, the state comptroller, the attorney general and any person duly authorized by them shall have the power to administer oaths and to examine under oath any such collateral loan broker or any officer, or agent, of such collateral loan broker and any other person having custody or control of such books and records. Such books and records shall be retained in the possession of the collateral loan broker, in good condition and in an orderly fashion for at least a period of six years.

§ 46. Rate of interest. Notwithstanding any general or special statutes, local laws and ordinances to the contrary, no collateral loan broker shall ask, demand or receive any greater rate of interest than four per centum per month, or any fraction of a month, and a notice containing a list of such rates of interest as herein provided and in accordance with the act of congress entitled "Truth in Lending Act" and the regulations thereunder, as such act and regulations may from time to time be amended shall be conspicuously displayed within the premises of such collateral loan broker. A minimum interest charge of twenty-five cents per month may be made on any loan.

No collateral loan broker shall receive or be entitled to any interest or charges as provided by this article on any loan for any period of time exceeding fifteen months from the date of the making of such loan,

provided however that where a loan is extended at the direct request of the pledgor, the collateral loan broker may receive and be entitled to any interest or charges provided by this article on such loan for any period of time not to exceed fifteen months from the date of such extension.

§ 47. Second-hand business. A collateral loan broker may purchase items of personal property in accordance with this section, provided however that a collateral loan broker shall not receive in pawn, as a pledge or as a purchase any instrument or weapon mentioned in section 265.05 of the penal law. A collateral loan broker may purchase back any pledge offered for sale by him or her at public auction and may thereafter sell such pledge if the pledgor fails to redeem within ten days or may purchase any pledge offered for sale by any other collateral loan broker at private sale or public auction. Nothing in this article shall prohibit a collateral loan broker from purchasing a pawn ticket from a pledgor, his or her heirs or assigns upon the request of such pledgor, heir or assign, ninety or more days after the item was pawned. If the pawn ticket is sold to a collateral loan broker the pledgor, his or her heirs or assigns shall be entitled to redeem said ticket within ten days thereafter by tendering to the collateral loan broker the amount paid by the collateral loan broker for the ticket. Nothing shall prohibit the sale of new or second-hand property upon the premises where such collateral loan business is conducted, nor the purchase of new or second-hand property, except as otherwise expressly prohibited herein. A person selling any item to a collateral loan broker, upon the premises of a collateral loan broker, may cancel the transaction within five business days, provided that the seller tenders the full purchase price, together with a cancellation fee not to exceed ten dollars for sales equal to or greater than five hundred dollars, seven dollars for sales equal to or greater than one hundred dollars but less than five hundred dollars, or four dollars for sales less than one hundred dollars. A person selling jewelry, watches, precious stones, precious metals or coins to a collateral loan broker shall be afforded the option of converting the sale to a loan, provided the option is exercised within fourteen days from the date of the sale (the loan shall be in the principal amount of not less than eighty percent of the sale price).

A collateral loan broker engaged in the purchase or sale of second-hand articles, other than pledges or pawn tickets, shall comply with local laws or regulations governing dealers in second-hand articles. A collateral loan broker engaged in the purchase of second-hand articles shall provide the seller a receipt setting forth the item or items purchased and the purchase price for each item. Additionally, the receipt shall include a notice advising the seller of the option to cancel the transaction within five business days or

convert the sale of jewelry, watches, precious stones, precious metals and coins to a loan within fourteen days of the sale in accordance with this section.

A collateral loan broker purchasing articles from the general public shall display in a conspicuous place, in his or her shop, a sign stating:

" 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."

Such sign shall be made of a durable material, with letters being at least one inch high and have a stroke of at least one-quarter inch. The letters and background shall be of contrasting colors.

§ 47-a. Collateral loan broker dealing with a child. No collateral loan broker or person in the employ of a collateral loan broker shall receive or purchase any goods, chattels, wares or merchandise from, or make any loan or advance or permit to be loaned or advanced to any child, actually or apparently under the age of eighteen years any money, or in any manner directly or indirectly receive any goods, chattels, wares or merchandise from any such child in pledge for loans made or to be made to it or to any other person or otherwise howsoever. It shall be no defense to a prosecution for a violation of this section, that in the transaction upon which the prosecution is based the child acted as the agent or representative of another, or that the defendant dealt with such child as the agent or representative of another.

§ 48. Sale of unclaimed pledge by collateral loan broker. 1. No pawn or pledge made with a collateral loan broker shall be sold until the same shall have remained four months in his possession.

2. All sales of defaulted pledges shall be public or private with each such pledge being individually offered for sale.

(a) If at public sale, then it shall be by public auction, and shall

be conducted by licensed auctioneers within the state of New York. All bids for the purchase of any defaulted pledge offered at such sale shall be oral, and expressed in dollars and cents without the use of any special signs, signals or motions, if less than eleven people attend such sale.

(b) A private sale may be at any time and place and on any terms but every aspect of the disposition including the method, manner, time, place and terms must be commercially reasonable and conducted in conformity with applicable uniform commercial code provisions regarding the disposal of collateral after default.

(c) In addition to any other provision contained in this article and article twenty-two-A of this chapter, section three hundred forty-nine of this chapter shall apply to a violation of the private and public sale provisions of this article.

§ 49. Notice of such sale; report. 1. No pledge shall be sold unless written or printed notice of intention to sell with a statement of the article or articles to be sold has been first mailed by letter addressed to the pledgor at the address given at the time of pledging at least thirty days prior to the date of sale. If the sale shall be by public auction, then notice of every such sale shall be published for at least six days previous thereto, in at least two of the daily newspapers printed in the city where the business shall be carried on, and also in two daily newspapers of the city where the sale is to take place and to be designated by said mayor, and such notice shall specify the time and place at which such sale is to take place and the name of the auctioneers by whom the same is to be conducted together with a statement of the class of pledges to be sold and the inclusive dates and numbers of the pawn tickets of the pledges to be sold. If the pledge, at such sale, shall be purchased back by the collateral loan broker, the pledgor shall be entitled to redeem same within ten days thereafter by tendering to the collateral loan broker the amount of the loan with the interest due thereon, the amount of the auctioneer's lawful commission, lawful extra care charges, and the expense of the advertisement of the sale.

2. Any collateral loan broker who sells defaulted pledges at public auction, pursuant to this article, shall file with the office of the local governing body issuing such license within thirty days after such sale, a verified report setting forth the name and address of the collateral loan broker, the date when and place where such sale was held, the name and address of the auctioneer that conducted such sale and shall include a schedule of each of the defaulted pledges offered at such sale, together with their pledge numbers, the amount received for each pledge and a statement that each of the pledges so listed were delivered over to the auctioneer and actually offered for sale at such

auction, and in the event the collateral loan broker, during the course of such sale purchases back any such pledge, a statement setting forth which pledges were purchased back by the collateral loan broker. An affidavit of publication made by the newspaper in which the notice of each such sale was published, as provided by section fifty of this article, shall be annexed to every report filed pursuant to the provisions of this section.

§ 50. Disposition of proceeds. 1. The surplus money, if any, arising from any such sale, after deducting the amount of the loan, the interest then due on the same, the auctioneer's commissions, if applicable, lawful extra care charges and the expense of the advertisement of the sale, if applicable, shall be paid over by the collateral loan broker to the person who would be entitled to redeem the pledge in case no such sale had taken place.

2. In the event there is any surplus money due to a pledgor after such sale, the collateral loan broker shall give the pledgor written notice thereof, by mailing to such pledgor, directed to him at the address given at the time of pledging or in the event such pledgor has notified the collateral loan broker, in writing, of a change of address, to such new address, within thirty days after such sale, a notice which shall state the name and address of the collateral loan broker, the number of the pledge, the date of sale and the amount of any surplus. In the event any person entitled to such surplus fails to make claim for the same within one year from the date of such sale, such surplus shall be paid over, by the collateral loan broker, to the state comptroller in accordance with the provisions of section one thousand three hundred one of the abandoned property law.

§ 51. Violation of this article. The mayor or local licensing authority so licensing such collateral loan broker shall have full power and authority after a hearing to impose fines and penalties of not less than twenty-five dollars nor more than one hundred dollars upon persons offending against any of the foregoing provisions of this article for each and every offense, excepting sections forty and forty-one, and may also suspend or revoke the license of the collateral loan broker willfully violating any of the aforesaid provisions.

§ 52. Term "collateral loan broker", how to be construed. The term "collateral loan broker" contained in this article shall be construed so as to include any person, partnership, or corporation: (1) loaning money on deposit or pledge of personal property, other than securities or printed evidences of indebtedness; or (2) dealing in the purchasing of

personal property on condition of selling back at a stipulated price; or
(3) designated or doing business as furniture storage warehousemen, and
loaning and advancing money upon goods, wares or merchandise pledged or
deposited as collateral security.

§ 53. Registration statements. After September first, nineteen hundred
sixty, no person, corporation, partnership, firm or association shall
carry on the business of collateral loan broker within the state of New
York unless and until such collateral loan broker shall have caused to
be filed in the office of the state comptroller upon forms prescribed by
him a statement, duly verified as hereinafter provided, to be known as
"Collateral Loan Broker's Registration Statement" containing:

- a. The name of such collateral loan broker.
- b. The address of the principal office of such collateral loan broker,
if any, wherever situated, and the address or addresses of the principal
office of such collateral loan broker within this state, if any.
- c. If such collateral loan broker be a partnership, the names,
residences and business addresses of the partners, including special or
limited partners, and of all other individuals participating as
principals in the profits of such business, specifying as to each the
nature of his relation to such business.
- d. If such collateral loan broker be other than an individual or
partnership, the name of the state where incorporated or organized and
the names, residences and business addresses of its principal officers,
wherever located, and all its officers in this state, specifying as to
each the nature of his relation to such business.
- e. The date on which such collateral loan broker acquired a license
and the name and location of the local governing body under whose hand
and seal or authority said license was obtained under the provisions of
this article.
- f. In the event that after any collateral loan broker shall have filed
a statement as above, any change shall take place in the personnel of
the partners, principals, officers or in the location of the principal,
such collateral loan broker shall file a statement with the state
comptroller to be known as a "Collateral Loan Broker's Supplemental
Registration Statement", duly verified as hereinafter provided, setting
forth in full the details thereof.
- g. Each such collateral loan broker statement and each collateral loan
broker supplemental statement shall be verified by the collateral loan
broker, or if such collateral loan broker be a partnership, by a general
partner thereof, or, if such collateral loan broker be other than an
individual or partnership, by a principal officer thereof, and shall
state that the facts therein stated are true to his own knowledge;
providing that in case of a statement or supplemental statement by a

collateral loan broker other than an individual the person verifying the same may state on information and belief the facts therein included with respect to any other individual, if such collateral loan broker statement or supplemental statement shall have attached thereto an affidavit of such other individual stating that all facts contained in said collateral loan broker statement or supplemental statement with respect to him are true.

h. The state comptroller may in his discretion adopt forms for the use of collateral loan brokers for filing any statement with his department pursuant to the provisions of this section and furnish such forms to collateral loan brokers without charge or fee therefor. The state comptroller shall collect the following fees:

For filing each "Collateral Loan Broker's Registration Statement", five dollars; for filing each "Collateral Loan Broker's Supplemental Statement", two dollars and fifty cents.

The fees herein enumerated shall be payable at the time of filing and no filing shall be deemed effective within the meaning of this section until such fees have been paid.

i. Whenever a collateral loan broker shall have filed any registration statement or supplemental registration statement required to be filed under the provisions of this section or shall have prepared in such registration statement or supplemental registration statement and have forwarded the same together with the fees required by subdivision h of this section, postage prepaid and properly addressed, to the office of the state comptroller in Albany, such collateral loan broker, as to the filing of such collateral loan broker's statement or supplemental registration statement shall be deemed to have complied with the requirements of this section.

§ 54. Violation of article. Any person, partnership, corporation, company or association who willfully violates any of the provisions of this article shall be guilty of a misdemeanor punishable by a fine of not more than five hundred dollars, or imprisonment for not more than one year or both.

§ 55. Rules and regulations. The state comptroller is hereby authorized and empowered to require the keeping of such additional books, records, entries and reports as he may deem necessary and to determine the amount of the surplus payable as abandoned property in the event of non-compliance with the provisions of this article.

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NEW YORK CITY ADMINISTRATIVE CODE
TITLE 20: CONSUMER AFFAIRS
CHAPTER 2: LICENSES
SUBCHAPTER 12: PAWNBROKERS

§ 20-276 Pawnbroker's clerks. It shall be unlawful for any pawnbroker to employ a person under the age of sixteen years to accept or receive any pledge.

§ 20-277 Reports. The police commissioner, at such times as he or she may prescribe in a written notice served upon any pawnbroker by a member of the police department, may require such pawnbroker to report to such commissioner, upon blank forms to be furnished by the police department, a description of all goods, articles or things, or any part thereof, pawned or pledged in the course of business of such pawnbroker during the days specified in such notice, stating the numbers of the pawn tickets issued therefor, the amounts loaned thereon, and such identifying marks as may be on the goods pawned. If such notice from the police commissioner so prescribes, such pawnbroker, until he or she is notified to discontinue so doing, shall keep and furnish on such forms, a general description as to sex, color and apparent age of every person depositing such pledges.

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RULES OF THE CITY OF NEW YORK
TITLE 6: DEPARTMENT OF CONSUMER AFFAIRS
CHAPTER 5: UNFAIR TRADE PRACTICES
SUBCHAPTER L: COLLATERAL LOAN BROKERS

§5-221 Fees.

No collateral loan broker shall charge or exact a fee other than that permitted by §44 of the General Business Law, except that the collateral loan broker may charge a reasonable fee for:

- (1) insuring the articles from injury, fire, theft, burglary, robbery and other contingencies; and
- (2) extra care actually given when specifically requested by the customer and only if such fee does not exceed the following amounts:
 - (i) Storage of furs, fur coats, fragile, delicate or bulky items: \$25.00.
 - (ii) Storage of art objects including paintings, sculptures and all works in any other medium for sizes not to exceed 36 inches by 36 inches: \$25.00 plus any costs actually incurred for special crating and packaging; and for sizes exceeding the foregoing: an amount separately agreed to by the parties.
 - (iii) Vault storage for stamp or coin collection: \$20.00.
 - (iv) Vault storage for jewelry: 2 percent of the amount of the loan not to exceed \$20.00; if the loan exceeds \$1,000: an amount separately agreed to by the parties.
 - (v) Transportation of pledged items to and from the vault either by courier(s) or vehicle(s), together with security therefore: one percent of the amount loaned.
 - (vi) Special handling or wrapping of cameras and photographic equipment: \$5.00.
 - (vii) Special handling of musical instruments: \$5.00 for standard size; instruments exceeding standard size: by separate agreement of the parties.
 - (viii) Special handling of radios, hi-fi's, VCR's, stereos and television equipment: \$10.00.
 - (ix) Special handling for other electrical apparatus, including computers: \$10.00.

§5-222 Caveats on Pawn Tickets.

(a) Every ticket issued by a collateral loan broker shall include a notation in either of the following forms: "Not accountable for loss of goods by fire or theft" or "Protected

against loss by fire or theft." Words having practically the same meaning as the foregoing may be used.

(b) Every collateral loan broker shall, in every possible way, call attention to the contents of the pawn ticket, including the placing in a prominent position in his place of business of a sign reading: "Read your ticket."

(c) In every case where a charge is made or a fee exacted for extra care, the collateral loan broker shall specifically call the pledgor's attention to the said charge at the time the loan is made, and no such charge or fee shall be allowed unless the pledgor shall sign an agreement to pay such extra charge and the fee for such extra charge, as agreed upon, shall be plainly written on the face of the pawn ticket.

(d) Every collateral loan broker shall place in a prominent position in his or her place of business a reproduction of the application for the pawn ticket and the front of the pawn ticket which have been enlarged to twice their normal size, and a reproduction of the back of the pawn ticket which has been enlarged to three times its normal size.

§5-223 Pledgor's Identity Required for Precious Metals. [Repealed]

§5-224 Proof of Notice of Intention to Sell Pledged Property.

Upon mailing a notice to the pledgor of an intention to sell for failure to redeem, the pledgee shall obtain from the postal authorities a receipt for the letter. This receipt, or in case of failure by the postal authorities to deliver such notice, the return letter, shall be retained as proof of compliance with the law.

§5-225 Proof of Notice of Surplus Realized for Sale of Pledged Property and Arrangement for Payment to Pledgor. [Repealed]

§5-226 Acceptable Forms of Verification of Pledgor's Identity and Required Records.

(a) It shall be the duty of every collateral loan broker to verify the identity of every person from whom he accepts any article as a pledge for a loan and to make and keep a written record of the nature of the evidence submitted by such person to prove his identity.

Only the following shall be deemed acceptable evidence of identity:

(1) Any official document issued by the United States government, any state, county, municipality or subdivision thereof, any public agency or department thereof, or any public or private employer, which requires and bears signature of person to whom issued.

(2) Police, fire department and postal department badges containing numbers.

(3) A passport.

(b) In addition, and in every case, it shall be the duty of every collateral loan broker, to require that every person from whom he accepts an article as a pledge for a loan, sign his name in the presence of the collateral loan broker, compare the signature with

the signature on the identifying document and retain on his premises the person's signature together with the number and description of the identifying document.

§5-227 Papers in Which Collateral Loan Brokers Can Advertise Auction Sales.

The following is a list of all newspapers published in the City of New York in which collateral loan brokers may advertise the sale of all unredeemed pawns or pledges which remain in their possession in excess of the period prescribed by §48 of the General Business Law. To the extent required by §48 of the General Business Law, such sale shall be at public auction by a licensed auctioneer, so long as auctioneers are required to be licensed pursuant to the New York City Administrative Code.

American Banker
Brooklyn Daily Bulletin
China Daily News
The China Post
China Tribune
Daily News
El Diario—La Prensa
Jewish Daily Forward
National Herald
New York Daily Challenge
The New York Evening Express
New York Post
The New York Times
The News World
Novoye Russkoye Slovo
Nowy-Dziennik
The Peimer News
Il Progresso Italo-Americano
Queens Evening News
Staten Island Advance
Svoboda Ukrainian Daily
United Journal
The Wall Street Journal
Women's Wear Daily
World Journal
Yiddish Zeitung