



Office of Consumer Protection

50 Sanatorium Road, Building A, 5th Floor, Pomona, NY 10970
Phone: (845) 364- 3901 Email: CPLCAL@co.rockland.ny.us

Kimberly Von Ronn, Esq.
Director and Public Advocate

Dear Applicant:

In accordance with Chapter 331 of the Laws of Rockland County, all retail stores are required to individually price items for sale. If a retail store wishes to be exempt from this requirement, you must obtain a waiver issued by the Rockland County Office of Consumer Protection.

Please carefully read the enclosed instructions before completing the application.

The filing of an application does NOT grant immediate approval or authority to abstain from the item pricing requirement. You must have the approved waiver in your possession before discontinuing item pricing.

Be advised that stores are subject to inspections to ensure compliance.

The Office of Consumer Protection is available to assist you in the application process. Please do not hesitate to contact us to answer any questions.

Sincerely,

Kimberly Von Ronn, Esq.
Director & Public Advocate



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ITEM PRICING WAIVER APPLICATION INSTRUCTIONS

Failure to complete the required information may result in the delay or rejection of your application. Do not leave portions blank. Complete all required sections; write N/A, if appropriate. Providing false or misleading information in the application may result in the denial of your application and subjects you to suspension or revocation, if waiver is issued, as well as possible criminal penalties pursuant to Penal Law Section 175.

To avoid delays, please ensure that you carefully read and follow all instructions to submit a complete application.

1. Application Requirements

- ❖ Applications must be filled out *completely*. Incomplete applications may be rejected.
- ❖ Required forms and documents must accompany the application.
- ❖ Fees must be paid before Application will be reviewed.
- ❖ Application must be signed and notarized.

2. Fees

- ❖ All fees are non-refundable, regardless of whether an application is approved, and a waiver is issued. Payment can be made by Credit Card, Check, or Money Order payable to:
Rockland County Commissioner of Finance.
- ❖ Such application for an item pricing waiver shall be accompanied by a nonrefundable waiver fee of the following:
 - Retail stores with a gross size:
 - Up to and including 5,000 sq. ft. \$1,000
 - between 5,001 sq. ft. and 30,000 sq. ft. \$3,000
 - 30,001 sq. ft. and over \$7,500

3. Inspections

- ❖ The granting of this waiver application is contingent upon this store passing two (2) **pricing accuracy inspections** of a minimum of fifty (50) stock keeping units per inspection.
- ❖ These inspections shall be conducted on two separate days and shall consist of comparing the shelf, sale or advertised price of any stock-keeping unit with the computer-assisted checkout system price.

- ❖ The number of stock keeping units found in violation may not exceed two percent (2%) of the total number of stock keeping units inspected during both inspections.
 - In the event the total violations exceed the 2% threshold, **a waiver shall not be granted.**
 - Such store must promptly reapply for a waiver and pay the required fee within five business days after being notified of failure
 - For the first failed inspection, the store shall pay up to \$50 for each offense
 - For the second failed inspection, the store shall pay up to \$100 for each offense
 - For the third failed inspection, the store shall pay up to \$250 for each offense
 - For the fourth and any subsequent failed inspections, the store shall pay up to \$500 for each offense
 - In no event, however, shall the total penalty exceed \$5,000 for any one inspection

4. **Annual Renewal**

- ❖ Waivers must be renewed annually.
- ❖ Failure to renew and pay the yearly waiver fee shall result in the retail store being immediately subject to the item pricing provisions as contained herein.
- ❖ A waiver shall be valid until the annual expiration date or until a store falls below the ninety-eight percent accuracy on two consecutive pricing accuracy inspections.



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ITEM PRICING WAIVER APPLICATION

PART I. STORE INFORMATION

Answers to all questions must be accurate and complete. Please do not leave blank spaces. Write N/A as needed. Do not submit an incomplete application without all required documentation. Incomplete applications will result in a delay. **False statements made herein are punishable by a Class A Misdemeanor pursuant to 210.45 of the NYS Penal Law.**

Store Name & Number: _____

Store Street Address: _____

Town/Village: _____ State: _____ Zip: _____

Store Contact Name: _____ Phone Number: _____

Corporation Name: _____

Corporation Street Address: _____

Town/Village: _____ State: _____ Zip: _____

Corporate Contact Name: _____ Phone Number: _____

Corporate Contact Email: _____@_____.com

NOTE: Email address must be legible, accurate and regularly monitored as it will be used to create your online profile, and you will receive important notifications regarding your waiver via this email.

Each application must be accompanied by a non-refundable waiver fee based upon the gross square footage of this store, as set below (**Please check one of the following boxes**):

Gross Square Footage	Waiver Fee
<input type="checkbox"/> Up to and including 5,000 square feet	\$1000
<input type="checkbox"/> Between 5,001-30,000 square feet	\$3000
<input type="checkbox"/> 30,001 square feet and over	\$7500

Attach the completed form and email to CPLCAL@co.rockland.ny.us. An invoice will be issued once your application is processed with a link to pay the applicable waiver fee online. Payment can also be made by check or money order payable to: *Rockland County Commissioner of Finance*. Be sure to enclose the application form with your payment if you wish to pay by check.

Each store that accepts a waiver must agree to meet the following requirements:

1. The store shall designate and make available price check scanners to enable consumers to confirm the price of the stock keeping items.
2. These price check scanners shall be in locations convenient for customers with signs of sufficient sized lettering identifying the units to consumers.
3. The store will submit their proposed sign and device locations to the Director for approval
4. The store shall not charge any customer a price for any stock keeping item which exceeds the item, shelf, sale, or advertised price, whichever is less.
5. The store shall make prompt payment to consumers who have been overcharged and shall correct errors identified by consumers as required by this law.

I have read the above requirements and agree to abide by them. I also declare that to the best of my knowledge the gross square footage of this store listed above is accurate.

Signature of Applicant

Note: Digital / Typed signatures are not accepted.

SWORN BEFORE ME THIS DATE

_____ Day of _____, 20____

COMM. OF DEEDS – NOTARY PUBLIC

County of _____

No. _____