



**IMMIGRATION ASSISTANCE SERVICE
PROVIDER REPORT**

Covering 4/1/2017 – 9/30/2017

This report is submitted pursuant to N.Y.C. Ad. Code § 20-779.5 as added by Local Law 63 of 2017.

I. Number of complaints received related to providers of immigration assistance services: 13

Complaint Date	Complaint Source	Complaint Type	Days to Result
4/12/2017	311	Non-Delivery of Service	65
4/24/2017	311	Non-Delivery of Goods	90*
4/28/2017	Email/mail/fax	Misrepresentation	0**
5/12/2017	311	Breach of Contract	90*
5/12/2017	311	Refund Policy	90*
5/23/2017	Online	Misrepresentation	34
5/24/2017	311	Misrepresentation	0**
7/14/2017	311	Breach of Contract	Pending
7/24/2017	311	Refund Policy	Pending
7/27/2017	311	Advertising/Misleading	Pending
8/15/2017	311	Refund Policy	Pending
8/16/2017	Email/mail/fax	Non-Delivery of Service	13
9/6/2017	Online	Blank	Pending

II. Number of proactive investigations: 32***

III. Number of violations: 7

Complaint/Proactive	Business	Charge(s)
Proactive	Printing of America, Inc.	N.Y.C. Ad. Code § 20-772: Fails to provide written contract in language(s) in which business provides immigration services
		N.Y.C. Ad. Code § 20-772: Improper contract
Proactive	Queens Service Center, Inc.	N.Y.C. Ad. Code § 20-777.1(a): Fails to post not an attorney/free legal referral/complaint sign in every language business provides services
		N.Y.C. Ad. Code § 20-777.1(b): Signs not 11" x 17"
Proactive	Quickly Become American Corp.	N.Y.C. Ad. Code § 20-772(3): Contract missing statement that provider may not keep original documents needed to be submitted to government including for fees/costs

* Complaints were closed after 90 days because complainant did not respond to requests for additional information.

** Complaints were referred to Enforcement Division, Office of the General Counsel, or an appropriate outside agency on the day of receipt.

*** Investigations conducted by the Affirmative Litigation Unit in the Office of the General Counsel are best characterized as a mix of complaint response and proactive investigation; six such cases are included in this figure.



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Complaint/Proactive	Business	Charge(s)
Proactive	Quickly Become American Corp.	N.Y.C. Ad. Code § 20-772(2): Contract fails to include itemization of all services business will provide to customer and fees and costs business will charge
		6 R.C.N.Y. § 5-263(b): Fails to post required DCA complaint sign
		N.Y.C. Ad. Code § 20-773(a): Fails to post required not an attorney sign
		N.Y.C. Ad. Code § 20-773(a): Fails to post separate sign with schedule of service fees and required 3-business days cancellation statement
		N.Y.C. Ad. Code § 20-773(b): Fails to post required not an attorney sign in conspicuous location or in 11" x 17" size
Proactive	Dumany Spencer	N.Y.C. Ad. Code § 20-773(b): Fails to post separate sign with schedule of service fees and required 3-business days cancellation statement in conspicuous location or in 11" x 17" size
		N.Y.C. Ad. Code § 20-773(b): Fails to post separate sign with schedule of service fees and required 3-business days cancellation statement in every language business provides services
Proactive	Power Line Printing, Inc.	N.Y.C. Ad. Code § 20-772: Written contract does not include all required information
Complaint/Proactive	A New Beginning for Immigrants Rights, Inc.	N.Y.C. Ad. Code § 20-772: Written contract does not include all required information
		6 R.C.N.Y. § 5-263(b): Fails to post required DCA complaint sign
		6 R.C.N.Y. § 5-32(c): Receipt did not include required information
		N.Y.C. Ad. Code § 20-771(a): Threatening to report client to immigration or other authorities
		N.Y.C. Ad. Code § 20-771(b): Demanding fees for services not performed or costs not actually incurred
		N.Y.C. Ad. Code § 20-771(c): Failing to provide customer with copies of documents filed with a governmental entity
		N.Y.C. Ad. Code § 20-771(d): Representing or advertising the title of "Immigration Expert"
		N.Y.C. Ad. Code § 20-771(e): Giving any legal advice concerning an immigration matter or otherwise engaging in the practice of law
		N.Y.C. Ad. Code § 20-772: Failing to provide a written contract for services



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Complaint/Proactive	Business	Charge(s)
Complaint/Proactive	A New Beginning for Immigrants Rights, Inc.	N.Y.C. Ad. Code § 20-774(b): No advertisement may expressly or implicitly guarantee any particular government action
Proactive	Mr. Enry Immigration Consulting Services	N.Y.C. Ad. Code § 20-777.1(a): Not an attorney sign is not posted with exact language required by law
		N.Y.C. Ad. Code § 20-777.1(b): Schedule of fees and cancellation/refund policy sign is smaller than 11" x 17" and lettering is less than 60 point font
		N.Y.C. Ad. Code § 20-777.1(a): Schedule of fees and cancellation/refund policy sign is not posted with exact language required by law
		N.Y.C. Ad. Code § 20-777: Written contract does not include all required information
		N.Y.C. Ad. Code § 20-776(e): Falsely uses or advertises title of immigration consultant

IV. Proactive agency investigations:

Proactive agency investigations fall into one of two categories: patrol inspections and legal investigations. Because immigration assistance service providers are mobile, tend to serve communities that may not have long traditions of interaction with DCA, and procure much of their business through word of mouth and informal social networks, it is challenging for the agency to locate businesses in the absence of a complaint. Consequently, DCA acts quickly to schedule patrol inspections whenever we receive information suggesting that an immigration assistance service provider is operating in a particular location. In addition, the agency regularly solicits information about possible immigration assistance service providers from government and law enforcement partners, advocates, and community members.

DCA's Affirmative Litigation Unit in the Office of the General Counsel also conducts in-depth investigations of immigration assistance service providers. These investigations may uncover violations of DCA's Consumer Protection Law, which prohibits the use of deceptive trade practices, as well as our immigration assistance service provider law. As a result, DCA attorneys can still investigate cases of misleading or deceptive advertising or conduct even if an investigation reveals that a business is operated by a licensed attorney and thus falls outside the definition of immigration assistance service provider. In some cases, DCA may seek to change behavior by



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sending a warning letter directing a party to cease unlawful conduct and pay a fine or face agency charges. Earlier this year, DCA successfully employed this strategy to compel an attorney to remove deceptive YouTube advertisements and pay a \$1,050 fine.

V. Collaboration on investigation, enforcement, and community education:

DCA works diligently to foster productive relationships with law enforcement agencies, community partners, and advocates in order to generate case complaints and referrals. As part of this effort, the agency participates in several groups and task forces dedicated to assisting and protecting immigrants, including the Immigrant Task Force organized by Queens Borough President Melinda Katz and the Protecting Immigrant New Yorkers (PINY) task force. During this reporting period, DCA also partnered with New York State Attorney General Eric Schneiderman to attend several constituent referral and Know Your Rights (KYR) events.

DCA has also worked with the Mayor's Office of Immigrant Affairs (MOIA) to provide information to the public about the legal rights of immigrants and ways to access legitimate immigration legal resources. MOIA has continued to provide information about immigration fraud by holding and supporting KYR events. MOIA has held and supported over 619 KYR forums since April, serving over 5,000 people. At KYR forums specifically related to immigration law and policy, the facilitators distribute DCA tips for avoiding fraud, provide examples of common fraudulent schemes, and refer participants to trusted legal services.

VI. Changing trends and common fraudulent schemes:

Earlier this year, DCA took action against the so-called “10-year visa” scam. The agency learned that some immigration service providers and immigration lawyers were preying on fear and desperation by misleading immigrants into believing that they could qualify for an “easy way to obtain a green card” after ten years of residency. In reality, these providers were offering a service that requires immigrants to enter deportation proceedings and prove “extreme, unusual, and exceptional hardship” to their family members, conditions that were often not adequately disclosed or explained. DCA issued a Consumer Alert encouraging immigrant New Yorkers to be on the lookout for this and similar scams and encouraging them to seek out trusted resources offered by the City.

The City is also aware that the federal administration’s announcement that it intends to end the Deferred Action for Childhood Arrivals (DACA) program, recent information about Temporary Protected Status (TPS) extensions and terminations for various countries, and the announcement



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of a new travel ban may create an environment where unscrupulous providers seek to exploit the anxiety and fear arising from shifting policies at the federal level with misinformation and misleading promises. Accordingly, both DCA and MOIA have increased outreach and are providing information about trusted legal services to potentially vulnerable communities around New York City. Both agencies maintain strong relationships with communities and advocates and we will actively monitor for any new schemes that seek to leverage DACA, TPS, or the travel ban to misinform, deceive, or harm immigrants. In September, the City offered a series of legal clinics for DACA renewals. These legal clinics offered free, trusted, and confidential immigration legal assistance. The City is also continuing to provide clear and accurate information about changes to DACA, TPS, and the travel ban.