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Consumer alert: NYS DCP provides tips for consumers planning spring & summer travel

Says New Yorkers should know their rights and be aware of travel scams

Submitted by the New York State Department of State Division of Consumer Protection
For this week's "Tuesday's Tips," the New York Department of State's Division of Consumer Protection is providing tips to consumers planning for spring and summer travel.

As New Yorkers begin traveling again, consumers should be informed of their rights, shop smartly to safeguard their hard-earned money, and stay vigilant to protect themselves from scams.

"As warmer weather approaches and New Yorkers begin planning their spring and summer travels, it's important to be on the lookout for red flags that could derail your trip before it even begins," Secretary of State Robert J. Rodriguez said. "Following our tips can help consumers safely book and enjoy their vacations while steering clear of scammers and protecting their hard-earned money."

Shopping Smart for Travel

There are basic travel tips that consumers should be aware of when they are booking travel:

√ **Plan for possible cancellations and delays.** Pack a change of clothes, electronic device chargers and snacks in your carry-on luggage to support travel disruptions. A cancellation that impacts your return home will require additional resources, budget for an extra day or two to sustain until you can get home.

√ **Book early-morning tickets.** You will have greater options for getting to your destination on time.

√ **Consider traveling to a larger airport.** Larger metropolitan airports offer more direct flights than regional airports. Direct flights avoid missed connections and cancellations in a city outside of your hometown or destination.

√ **Do your research.** Consumers should always weigh in the factors of a trip before purchase, including price, location, availability of activities, and cancellation policies. Also consider whether the location has any COVID-19 restrictions in place, such as testing or vaccination status, prior to booking the trip.

√ **Get all confirmations in writing.** To safeguard against scams via changes in agreements, consumers should always get confirmation of plans in writing, whether booking online, over the phone, or in person. Retailers are required to disclose terms and conditions to consumers – always receive a copy of the agreement and save it for reference.

√ **Beware of "all-inclusive"**

or too-good-to-be true offers. All-inclusive offers sound great, but can have hidden charges and fees in their terms and conditions. Consumers may not even be aware of such fees until check-out, when their bill is higher than advertised. Sometimes these offers come with an agreement to join a membership or participate in a presentation. Always inquire about mandatory fees that may not appear in the advertised price, such as resort fees and taxes. Read the fine print when taking advantage of an "all-inclusive" offer.

√ **Try to pay with a credit card, if you can.** Credit cards often offer more protection than paying by cash, check or debit card. Some credit card companies also offer perks like trip insurance or concierge service while traveling, and may offer additional protections if the trip is canceled. Check with your credit card company on the conditions of travel expenditure reimbursement.

√ **Review your travel agreements.** Did you know you have an opportunity to cancel a travel agreement? The New York State Truth in Travel Act safeguards consumers against fraud, false advertising, misrepresentation and other abuses. Travel agents and promoters must provide consumers with written disclosures of all the terms of the travel service within five days of purchase or agreement. Consumers should review the terms of the agreements fully upon receipt and ensure they align with what the consumer purchased. Consumers have until midnight of the third business day after receiving the agreement to cancel. Consumers can also cancel any time during the five-day period prior to receiving the disclosures.

√ **Use reputable travel agents/tour companies.** Consumers should research thoroughly before choosing an agent or company to work with. Keep track of arrangements and contracts, and review terms and conditions, especially the cancellation and refund policies. Reservations often require a deposit that may not be refundable. If the trip is canceled, the deposit might only be applied toward future travel or may be forfeited altogether. Consumers should be sure they understand the policy prior to putting down a deposit.

√ **Consider trip insurance and whether you need a "Cancel for Any Reason" policy.** Travel insurance can offer consumers relief in

case of emergency before or during their trip, as coverage ranges from incidents of lost baggage to missed connections to potential medical emergencies. However, most standard travel insurance policies do not cover trip interruption or cancellation due to COVID-19, because such standard policies usually exclude coverage for an epidemic, pandemic, or similar public health event. Some trip insurance plans offer "Cancel for Any Reason" coverage at an additional cost, which is often substantially higher than standard travel insurance and normally only allows up to 75% refund of traveler expenses if the trip is canceled. Prior to purchasing a plan, review the terms of the policy and ask your insurer about coverage that may be excluded.

Trip Cancellation

When all or part of a trip is canceled, the cancellation policy and a consumer's right to a refund will vary based on laws that regulate the company's industry, who initiates the cancellation, when the cancellation is made, and the company's own policy.

√ **Airlines.** According to the U.S. Department of Transportation, airlines may offer refunds, including the ticket price and any optional fees charged, for canceled or significantly delayed flights, even when flight disruptions are outside their control. If an airline isn't doing that, consumers can report it to the U.S. Department of Transportation. If consumers cancel a reservation for any reason, consumers will be subject to the refund policy agreed to at the time of purchase, which may be no refund at all.

√ **Cruise lines.** Refund options may vary by cruise line. The cruise ticket contract lays out the company's cancellation policies and your rights. For example, you may be offered a refund, credit or voucher for a future cruise. If you opt for a credit or voucher, make sure the expiration date is far enough out that you can use it. Read more from the Federal Maritime Commission about consumer rights and the recourse that might be available to you.

√ **Lodging.** Cancellation policies for hotels, motels and online accommodation marketplaces can vary greatly, even within the same company based on the season, room type, or length of stay. Some may offer a choice between a refundable or nonrefundable rate while making the reservation. Be sure you fully understand the cancellation policy

prior to making a reservation.

If a consumer is having trouble getting a refund owed for all or part of a canceled trip, they are encouraged to file a complaint with New York's Division of Consumer Protection.

Signs of a Travel Scam

The Federal Trade Commission warns against common travel scams. Some signs of a scam when booking travel include the following:

√ **You have "won" a free vacation.** Scammers will sometimes entice consumers with a free trip, but then disclose fees or deposits to get access. A prize should not include spending money, and is likely a scam.

√ **The details of your trip are vague.** Consumers may be offered a stay in a five-star hotel or on a luxury cruise line, but then few details about the trip are presented. Always confirm and review the name of the company and location of the trip details.

√ **You have limited time to accept the offer.** Scammers often pressure consumers to make quick decisions about a deal, making it likely that the consumer will not have time to investigate the offer. Never feel pressured to agree to any terms you have not reviewed on your own.

√ **You must pay in an uncommon way.** Cryptocurrency, wire transfer, and gift cards are difficult to trace – and perfect for scammers looking to take advantage of consumers, who will not be able to recoup their losses if they pay this way. If a travel company insists that you pay in one of these ways, decline the offer and report the company.

About the New York State Division of Consumer Protection

The New York State Division of Consumer Protection serves to educate, assist and empower the state's consumers. Consumers can file a complaint with the DCP at <https://dos.ny.gov/consumer-protection>.

For more consumer protection information, call the DCP helpline (800-697-1220) from 8:30 a.m. to 4:30 p.m. weekdays, or visit the DCP website at <https://dos.ny.gov/consumer-protection>. The division can also be reached via Twitter at @NYSConsumer or on Facebook at www.facebook.com/nysconsumer. Check in every Tuesday for more practical tips that educate and empower New York consumers on a variety of topics.

Niagara County Tribune/Sentinel

Founded February 14, 1987

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The Tribune is published weekly.

Display Ads Deadline: MONDAY 5 PM

New York State Press Association, Niagara County Builders Association, Grand Island Chamber of Commerce, Wheatfield Business Association Inc., Niagara River Region Chamber of Commerce, The Niagara USA Chamber.



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