



The Nassau County Administrative Code

PREPARED BY THE NASSAU COUNTY ATTORNEY'S OFFICE

January 1, 2026

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the employer of a domestic or household employee whom the employment agency has placed with such employer, indicating that the employer has read and understands the statement of rights and obligations he or she received pursuant to subdivision a of this section.

§21-9.10.3 Statement of job conditions; records.

- a. Every employment agency engaged in the job placement of domestic or household employees in Nassau County shall provide to each applicant for employment as a domestic or household employee a written statement, in a form approved by the commission, of the job conditions of each potential employment position to which the agency recommends that the applicant apply. Each such statement shall fully and accurately describe the nature and terms of employment, including the name and address of the person to whom the applicant is to apply for such employment, the name and address of the person authorizing the hiring for such position, wages, hours of work, the kind of services to be performed and agency fee.
- b. Every employment agency engaged in the job placement of domestic or household employees in Nassau County shall keep on file in its principal place of business for a period of three (3) years a duplicate copy of the signed written statement of job conditions required by subdivision (a) of this section.

§21-9.10.4 Enforcement. The commission shall have the same duties and powers of enforcement as set forth in section 21-9.9 of this chapter.

§21-9.10.5 Violations. Any employment agency that violates this title shall be subject to a fine not to exceed one thousand dollars by any court of competent jurisdiction.

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Title D
Consumer Affairs

§ 21-10.0 Commissioner of Consumer Affairs; powers and duties.⁸⁷
(Repealed by Local Law No. 5-2018, in effect April 2, 2018.)

§ 21-10.1 Board on consumer affairs. There is hereby created a Board of Consumer Affairs, consisting of fifteen representatives who shall reflect a cross section of consumer and business interests, to be appointed by the County Executive, subject to confirmation by the Board of Supervisors. Of the nine members the first appointed before September fifteenth, nineteen sixty-eight,

⁸⁷ See Article XXI-B of the County Charter establishing a Department of Consumer Affairs.

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two shall be appointed for three years, two for a term of two years, and two for a term of one year, thereafter, all appointments shall be for a term of three years. One member shall be designated by the County Executive as chairman. Members shall serve without compensation but shall be reimbursed for the expenses actually and necessarily incurred by them in the performance of their duties. The Board shall assist and advise the Commissioner in his duties and functions under this title.

§ 21-10.2 Unfair trade practices prohibited; enforcement.⁸⁸

1. Unfair Trade Practices Prohibited; Licenses Required

(a) Unfair trade practices prohibited. No person shall engage in any deceptive or unconscionable trade practice in the sale, lease, rental or loan or in the offering for sale, lease, rental or loan of any consumer goods or services, in the extension of consumer credit, or in the collection of consumer debts.

(b) It shall be unlawful for any person or entity required to be licensed pursuant to the provisions of this title or pursuant to provisions of state law authorized to be enforced by the Department to engage in any trade, business or activity for which a license is required unless such person or entity possesses such license.

(Amended by Local Law 20-2002, in effect November 15, 2002.)

2. Definitions.

a. "Person." An individual, merchant, partnership, firm or corporation.

b. "Deceptive trade practice." Any false, falsely disparaging, or misleading oral or written statement, visual description or other representation of any kind, which has the capacity, tendency or effect of deceiving or misleading consumers and is made in connection with the sale, lease, rental or loan of consumer goods or services; the offering for sale, lease, rental or loan of consumer goods or services; the extension of consumer credit; or the collection of consumer debts, deceptive trade practices include but are not limited to:

1. representations that:

(a) goods or services have sponsorship, approval, accessories, characteristics, ingredients, uses, benefits, or quantities that they do not have;

⁸⁸ See *Matter of Food Parade v. Office of Consumer Affairs*, 7 N.Y.3d 568 (2006).

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- (b) the merchant has a sponsorship, approval, status, affiliation or connection that he does not have;
 - (c) goods are original or new if they are deteriorated altered, reconditioned, reclaimed, or secondhand:
 - (d) goods or services are of particular standard, quality, grade, style, or model, If they are of another.
2. the use, in any oral or written representation, of exaggeration, innuendo or ambiguity as to a material fact:
 3. failure to state a material fact if such use or failure deceives or tends to deceive;
 4. disparaging the goods, services, or business of another by false or misleading representations of materials facts;
 5. offering goods or services without intent to sell them:
 6. offering goods or services without intent to supply reasonably expectable public demand, unless the offer discloses the limitation;
 7. making false or misleading representations of fact concerning: the reason for, existence of, or amounts of price reductions; or the price in comparison to prices of competitors to one's own price at a past or future time;
 8. falsely stating that a consumer transaction involves consumer rights, remedies or obligations:
 9. falsely stating that services, replacements or repairs are needed; and
 10. falsely stating the reasons for offering or supplying goods or services at sale or discount prices.
 11. causing, permitting, allowing or approving the blockage, obstruction or concealment from the view of the purchaser or purchasers, the indicators of any machine, device or register used to Itemize and/or total sales to such purchaser or purchasers, by any person engaged in any commercial business activity in which consumer goods and/or services are sold to the public.
 12. advertising a price for goods or services which price is a

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comparative price to the price of a specified merchant or to the prices of other specified merchants, unless such comparative price is a price at or below the price at which goods or services of identical or substantially the same kind or quality are to have been offered for sale by the specified merchant.

(Subd. (12) added by Local Law No. 2-1996, In effect May 8, 1996.)

13. advertising former price unless goods or services of identical or substantially the same kind or quality have been sold in reasonable quantities for a price equal to or below the former price or openly and actively offered for sale to the public for a reasonable period of time in the regular course of business in good faith and not for the purpose of establishing a fictitious price comparison. "Former price" shall mean the price at which goods or services were previously sold in reasonable quantities or offered for sale to the public for a reasonable period of time.

(Subd. 13 added by Local Law No. 2-1996, in effect May 8, 1996.)

- 14.⁸⁹ The sale, advertising or offering for sale of gasoline:

- (a) Using the term "regular", either by itself or in combination with any other term, to describe or identify gasoline with an R+M/2 octane number greater than 87;
- (b) Using the terms "mid grade", "plus" or "mid", either by themselves or in combination with any other term, to describe or identify gasoline with R+M/2 Octane number other than 89;
- (c) Using the terms "super", "premium" or "high test", either by themselves or in combination with any other term, to describe or identify gasoline with an R+M/2 Octane number less than 92;
- (d) Using the terms "no lead", "unleaded" or "lead free" or other similar meaning to describe or identify any grade of gasoline. These terms may be used in combination with other terms such as "unleaded regular", "premium no lead", etc., providing such terms meet the conditions set forth in (a), (b) or (c) above;
- (e) Using more than one term, description or identifying name to describe gasolines with the same R+M/2 Octane number at a single retail gasoline location.

(Subd. 14 added by Local Law No. 5-1998, in effect August 19, 1998.)

⁸⁹ There are two subdivisions 14.

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14.⁹⁰ failure of any taxicab company and/or limousine service or terminal therefore to include its license and/or Nassau County registration number and the name or the issuing jurisdiction in any print, television or radio advertisement.

(Subd. 14 added by Local Law No. 20-2000, in effect June 26, 2000.)

- c. "Unconscionable trade practice." Any act or practice is unconscionable if it takes unfair advantage of the lack of knowledge, ability, experience or capacity of a consumer which results in a gross disparity in the rights of a consumer as against the merchant or results in a gross disparity between the value received by a consumer and the price paid by the consumer;
 - d. "Consumer goods, services, credit and debts." Goods, services, credit and debts which are primarily for personal household or family purposes;
 - e. "Consumer." A purchaser, lessee or recipient or prospective purchaser, lessee or recipient of consumer goods or services or consumer credit. Including a co-obligor or surety;
 - f. "Merchant" A manufacturer, supplier, seller, lessor, creditor or other person, firm or corporation who makes available to consumers, either directly or indirectly, goods, services, or credit;
 - g. "Commissioner." The Commissioner of Consumer Affairs.
2. Regulations. The Commissioner may, after a public hearing, adopt such rules and regulations as may be necessary to effectuate the purposes of this section, including regulations defining specific deceptive or unconscionable trade practices. At least seven days prior notice of such public hearing shall be published in the official newspapers of the County. A copy of the rules and regulations adopted hereunder and any amendments thereto shall be filed in the office of the clerk of the Legislature and posted to the Department of Consumer Affairs webpage on the official website of Nassau County.
(Amended by Local Law No. 1-2021, in effect January 13, 2021_

4. Enforcement.

- (a) The violation of any provision of this section or of any rule or regulation promulgated hereunder shall render the violator liable for the payment to the County of a civil penalty, recoverable in a civil

⁹⁰ There are two subdivisions 14.

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action, in the sum of not more than \$5,000 for each violation, together with, in each instance, the cost of the investigation incurred by the Commissioner.

- (i) Prior to the issuance of a ticket or summons for an alleged unconscionable trade practice in violation of any provision of this section or any rule promulgated hereunder, the Department of Consumer Affairs shall provide a reasonable opportunity for businesses to present evidence including receipts, books, and records showing that the increased price to be paid by a consumer is attributable to increased or additional costs incurred that are not within the control of the business or that the amount charged preserves the margin of profit that the business received for the same goods or services prior to the abnormal disruption in the market. Notwithstanding the foregoing, there shall be no obligation for businesses to present such evidence.
- (ii) Prior to the issuance of a ticket or summons for an alleged deceptive trade practice in violation of any provision of this section or any rule promulgated hereunder, the Department of Consumer Affairs shall provide a reasonable opportunity for businesses to present exculpatory evidence. Notwithstanding the foregoing, there shall be no obligation for businesses to present such evidence.
- (iii) After the issuance of a summons for alleged violation of any provision of this section or any rule promulgated hereunder and within five (5) business days prior to a hearing or conference on such charges, the Department of Consumer Affairs shall provide a written explanation of the alleged violations to the defendant business including the evidence it will present to prove that a violation has occurred under this section. Failure of the Department to meet this deadline shall result in the adjournment of the matter for a first offense and dismissal of the matter for a second offense.

(Amended by Local Law No. 19-1990, in effect November 26, 1990; amended by Local Law No. 25-2000, in effect July 31, 2000; amended by Local Law No. 20-2002, in effect November 15, 2002. Amended by Local Law No. 20-2014, in effect August 6, 2104. Amended by Local Law No. 1-2021, in effect January 13, 2021)

- (b) Whenever any person has engaged in any acts or practices which constitute repeated, persistent or multiple violations of any provision of this section or of any rule or regulation promulgated hereunder, the County Attorney, upon the request of the Commissioner of Consumer Affairs, may make application to the Supreme Court for a temporary

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or permanent injunction, restraining order, or other equitable relief.

- (c) Notwithstanding any other provision in this title, the Commissioner after notice and a hearing shall be authorized to impose fines upon any person or entity in violation of this paragraph (b) of subdivision 1 of this section of one hundred dollars (\$100.00) per violation per day for each and every day of such violation.

(Subd. (c) added by Local Law No. 20-2002, in effect November 15, 2002.)

5. Settlements. In lieu of instituting or continuing an action or proceeding, the Commissioner may accept written assurance of discontinuance of any act or practice in violation of this section. Such assurance may include a stipulation for the payment by the violator of the costs of investigation, a fine, and/or a stipulation for the restitution by the violator to consumers of money, property or other things received from such consumers in connection with a violation of this section. Any civil penalty authorized by subdivision 4 of §10.2 may be waived or compromised by the Commissioner or his designated representative.
(Subd. 5 amended by Local Law No. 7-1994, in effect August 1, 1994.)
6. Exclusions. Nothing in this section shall apply to any television or radio broadcasting station or to any publisher or printer of a newspaper, magazine, or other form of printed advertising, who broadcasts, publishes, or prints an advertisement which violates this section except insofar as such station or publisher or printer engages in a deceptive or unconscionable practice in the sale or offering for sale of its own goods or services.
7. Separability. If any provision of this section or the application of such provision to any person or circumstance shall be held unconstitutional or invalid, the constitutionality or validity of the remainder of this section and the applicability of such provision to other persons or circumstances shall not be affected thereby.
(Title D added by Local Law No. 9, 1961 § 2, in effect June 9, 1961; § 21-10.1 amended by Local Law No. 5, 1968; §21.10.2 added by Local Law No. 2, 1970; paragraph b of subdivision 2 of § 21-10.2 amended by Local Law No. 6, 1971 adding subparagraph 11; subparagraph 11 of paragraph b of subdivision 2 of § 21.10.2 amended by Local Law No. 11, 1973, in effect October 1, 1973; subparagraphs (12) and (13) of § 21-10.2 amended by Local Law No. 2-1996, in effect May 8, 1996.)

§ 21-10.3. **[Late Renewal Fee]**⁹¹ Any person or company that fails to renew a license issued by the Commissioner of Consumer Affairs or his or her designee or employee within fifteen days after the expiration of the license shall be subject to a fee, to be set by ordinance, in addition to the renewal fee, which

⁹¹ Not in local law. Added to facilitate use.

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shall be paid prior to the issuance of the renewed license.
(Added by Local Law No. 9-2016, in effect January 2, 2017.)

Title D-1
Licenses

§ 21-11.0 **Legislative purpose.** It is the purpose of the Board of Supervisors in enacting this Local Law to safeguard and protect the homeowner against abuses on the part of home improvement contractors by regulating the home improvement, remodeling and repair business and by licensing of persons engaged in such business.

(§ 21-11.0 amended by Local Law No. 2-1984, in effect January 4, 1984.)

§ 21-11.1 **Definitions.**

1. "Commissioner" means the Commissioner of Consumer Affairs.
2. "Contractor" means any person who owns or operates a home improvement business or who undertakes or offers to undertake or agrees to perform any home improvements in Nassau County.
(Subdivision 2 amended by Local Law No. 2-1984, in effect January 4, 1984; Local Law No. 3-1981, in effect July 21, 1981.)
3. "Home Improvement" means repair, maintenance, replacement, remodeling, alteration, conversion, modernization, or addition to any land or building, or that portion thereof, which is used as a private residence or dwelling place for not more than three families, and other improvements to structures or upon land which is adjacent to a dwelling, and shall include, but not be limited to, the installation, construction, replacement or improvement of driveways, swimming pools, porches, garages, sheds, central heating or air conditioning systems, vacuum cleaning systems, windows and awnings, sandblasting, power washing, waterproofing, floor refinishing, chimney cleaning, interior and/or exterior painting, carpet installation, demolition, mold remediation services, and gardening/landscaping, when the gardener/landscaper uses his/her own equipment in the conduct of his/her business and uses his/her vehicle to transport such equipment. "Home Improvement" shall not include (a) the construction of a new home building or work done by a contractor in compliance with a guarantee of completion of a new building project, or (b) the sale of goods or materials by a seller who neither arranges, to perform nor persons directly or indirectly any work or labor in connection with the installation of goods or materials, or (c) decorating when not incidental or related to home improvement work as herein defined, or (d) residences owned by, the state or any municipal subdivision thereof, or (e) automatic fire alarm systems, or (f) burglar alarm systems.

(Subd. 3 amended by Local Law No. 3-1981, in effect August 17, 1981; Local Law No. 3-1981, in effect July 27, 1981; Local Law No. 2-1995, in effect February 28, 1995;

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amended by Local Law No. 20-2002, in effect November 15, 2002; amended by Local Law No. 10-2004; amended by Local Law No. 12-2014, in effect August 6, 2014).

4. "Home improvement contract" means an agreement between a contractor and an owner for the performance of a home improvement, and Includes all labor, services and materials to be furnished and performed thereunder.
5. "Home improvement establishment" means any shop, establishment place or premises where the home improvement business is carried on.
6. "Licensee" means a person permitted to engage in the home improvement business under the provisions of this title.
7. "Owner" means any homeowner, tenant, or any other person who orders, contracts for, or purchases the home improvement services of a contractor, or the person entitled to the performance of the work of a contractor pursuant to a home Improvement contract.
8. "Person" means an individual, firm, partnership, association or corporation.
9. "Management Personnel" means a person or persons who are principals in a contracting business or who are employed by a contractor and are responsible for assisting in the business of the contractor and vested with such discretion and judgment as to accomplish the business purpose of the contractor.
(Subd. 3, amended by Local Law No. 3-1978, in effect March 13, 1978; amended by Local Law No. 3-1981, in effect August 17, 1981; Subd. 9 added by Local Law No. 2-1981, in effect July 27, 1981.)

§ 21-11.2 **License required; home improvement business.** No person shall own, maintain, conduct, operate, engage in or transact a home improvement business after January first, nineteen hundred seventy-two, or hold himself out as being able to do so after such date unless he is licensed therefore pursuant to this title.

(Amended by Local Law No. 4-1971, in effect May 26, 1971.)

§ 21-11.3 **Craft Licenses.**

1. A license issued pursuant to this title may not be construed to authorize the licensee to perform any particular type of work or kind of business which is reserved to qualified licensees under separate provisions of state or local law; nor shall any license or authority other than as is issued or permitted pursuant to this title authorize engaging in the home improvement business.

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2. Nothing in this title shall be construed to limit or restrict the power of a city, town or village to regulate the quality, performance, or character of the work of contractors including a system of permits and inspections which are designed to secure compliance with and aid in the enforcement of applicable state and local building laws, or to enforce other laws necessary for the protection of the public health and safety. Nothing in this title limits the power of a city, town or village to adopt any system of permits requiring submission to and approval by the city, town or village of plans and specifications for an installation prior to the commencement of construction of the installation or of inspection of work done.

§ 21-11.4 Home improvement business Licenses; requirements.

1. The maintenance of a bona fide establishment at a definite location within the state shall be a prerequisite for the issuance of a home improvement business license.

The use of a telephone answering service shall not constitute a location for purposes of this section.

2.

- (a) An applicant for a home improvement contractor's license must establish that he is the real owner and possesses title to or is entitled to the possession of the establishment and will conduct, engage in and transact a home improvement business. He must furnish satisfactory evidence of a good moral character and financial responsibility.
- (b) All applicants for a license pursuant to this title will submit to fingerprinting of the individual owner, if the applicant is a sole proprietorship, the general partners if the applicant is a partnership, and the officers, principals, directors, and stockholders holding more than 5% of the outstanding stock if the applicant is a corporation. All individuals fingerprinted in connection with an application for a license shall be subject to a review of their criminal history record by the Commissioner of the Nassau County Department of Consumer Affairs, or his/her designee. All fingerprints and any applicable fees must be submitted in the form and manner as prescribed by the Division of Criminal Justice Services ("DCJS"). Any decision regarding a prospective applicant's fitness for a license based upon a conviction contained in the criminal history background information obtained from the DCJS of any individual fingerprinted pursuant to this section must be made upon consideration of New York State Correction Law Sections 701-703-b and Sections 751-753. The cost for fingerprinting shall be an expense payable by the applicant.

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(c) All applicants must furnish certificates of public liability and property damage insurance in the amount of two hundred and fifty thousand dollars (\$250,000) per person, five hundred thousand dollars (\$500,000) per occurrence, bodily injury and one hundred thousand dollars (\$100,000) each occurrence and aggregate, property damage. (Subd. 2 amended by Local Law No. 3-1987, in effect July 27, 1987; Subd. 2 further amended by Local Law No. 9-2023, in effect December 19, 2023.)

3. The Commissioner may require an application for a license or a renewal application to be accompanied by a bond, approved as to form by the County Attorney, executed by a bonding or surety company authorized to do business in the State of New York, in an amount to be set by the Commissioner, but in no event to exceed one hundred thousand dollars, conditioned upon the assurance that during the term of such license, the licensee will continue to comply with the provisions of this title to assure that upon default in the performance of any contract the advance payments made thereon, less the reasonable value of services actually rendered to the date of such default, of the reasonable costs of completion of the contract in the event of noncompletion thereof, will be refunded to the purchaser, owner or lessee with whom such contract was made. Such bond shall run to the County of Nassau for the use and benefit of any person or persons intended to be protected thereby. The filing of the required bond in the office of the clerk of the Board of Supervisors, after approval as to form by the County Attorney, shall be deemed sufficient compliance with this section. The Commissioner may require a bond at any time during the term of the license based on the licensee's performance during such term.

(Subd. 3 amended by Local Law No. 1-1972, in effect February 4, 1972; Local Law No. 5, 1980, in effect June 9, 1980; Local Law No. 3-1987, in effect July 27, 1987.)

§ 21-11.5 Licenses; display; renewals; duplicates.

1. All licenses, except temporary licenses, shall be for a period of two years from the date of issuance and shall expire on the last day of the twenty-fourth month following issuance.
(Subd. 1 amended by Local Law No. 1-1972, in effect February 4, 1972; Local Law No. 18-1990, in effect November 26, 1990.)
2. No license shall be assignable or transferable except as hereinafter provided. A license to conduct a home improvement business issued to an individual may be assigned or transferred for the remainder of the license period to a partnership or corporation if such individual is a member of such partnership or a stockholder of such corporation owning not less than twenty five per cent of the outstanding stock at the time of such assignment or transfer. A license issued to a partnership may be assigned or transferred for the remainder of the license period to any one

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member of such partnership provided he obtains the consent of all of the other members of such partnership. The application for such transfer or assignment must be accompanied by proof satisfactory to the Commissioner that the requirements herein provided have been complied with. No assignment or transfer shall become effective unless and until the endorsement of the transfer or assignment has been made on the face of the license by the Commissioner and such license, so endorsed, has been returned to the assignee or the transferee. All such endorsements shall be made upon a payment of a fee to be set by ordinance.

(Subdivision 2 amended by Local Law No. 20-2002, in effect November 15, 2002; amended by Local Law No. 13-2012, in effect August 8, 2012; amended by Local Law No. 9-2016, in effect January 2, 2017.)

3. Each license issued pursuant to this title shall be posted and kept posted in some conspicuous place in the home improvement business.
4. Any license except a temporary license, which has not been suspended or revoked, may, upon the payment of the renewal fee prescribed by this title, be renewed for an additional period of two years from its expiration, upon filing of an application for such renewal on a form to be prescribed by the Commissioner. Failure to make application for such renewal within fifteen (15) days shall subject the licensee to an additional fee to be set by ordinance which shall be paid prior to the issuance of the renewal.
(Subdivision 4 amended by Local Law No. 1-1972, in effect March 16, 1972; Local Law No. 3-1987, in effect July 27, 1987; Local Law No. 18-1990, in effect November 26, 1990; Local Law No. 20-2002, in effect November 15, 2002; amended by Local Law No. 13-2012, in effect August 8, 2012; amended by Local Law No. 9-2016, in effect January 2, 2017.)
5. A duplicate license may be issued for one lost, destroyed or mutilated upon application therefore a form prescribed by the Commissioner and the payment of the fee prescribed therefore by this title. Each such duplicate license shall have the word "duplicate" stamped across the face thereof and shall bear the same number as the one it replaces.
6. A supplementary license may be issued for each additional place of business maintained by a licensee within the County of Nassau upon application therefore on a form prescribed by the Commissioner and the payment of the fee prescribed therefore by this title. Each such supplementary license shall have the word "supplementary" stamped across the face thereof and shall bear the same number as the original.
(Subd. 6 added by Local Law No. 1-1972, in effect February 4, 1972.)

§ 21-11.6 Fees.

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1. The fee for a license to conduct a home improvement business and for each renewal thereof the fee shall be set by ordinance.
(Subd. 1 of 21-11.6 amended by Local Law No. 5-1986, in effect June 2, 1986; Local Law No. 18-1990, in effect November 26, 1990; Local Law No. 20-2002, in effect November 15, 2002; amended by Local Law No. 13-2012, in effect August 8, 2012; amended by Local Law No. 9-2016, in effect January 2, 2017.)
2. The fee for issuing each supplementary or for a duplicate license for one lost, destroyed or mutilated shall be set by ordinance.
(Subd. 2 amended by Local Law No. 1-1972, in effect February 4, 1972; Local Law No. 3-1987, in effect July 27, 1987; Local Law No. 20-2002, in effect November 15, 2002; amended by Local Law No. 13-2012, in effect August 8, 2012; amended by Local Law No. 9-2016, in effect January 2, 2017.)
3. The fees hereinabove set forth shall be those for licenses issued for a period of two (2) years.
(Subd. 3 amended by Local Law No. 1-1972, in effect February 4, 1972; Local Law No. 18-1990, in effect November 26, 1990; Local Law No. 20-2002, in effect November 15, 2002.)
4. The Commissioner shall refund the fee paid by any applicant in the event that the applicant for the license has predeceased its issuance, or has been inducted into the military service prior to its issuance. The Commissioner shall refund half of the fee paid by any applicant in the event that the application is denied, such refunds shall, upon approval by the Commissioner and after audit by the Comptroller, be paid from any monies received from the operation of this title.
(Subd. 4 amended by Local Law No. 20-2002, in effect November 15, 2002.)

§ 21-11.7 **Powers of the Commissioner.** In addition to the powers and duties elsewhere prescribed in this title, the Commissioner shall have power:

1. To appoint such officers and employees, within the appropriation therefore as he shall deem necessary for the performance of his duties;
2. To examine into the qualifications and fitness of applicants for licenses under this title;
3. To keep records of all licenses issued, suspended or revoked;
4. To adopt such rules and regulations not inconsistent with the provisions of this title as may be necessary with respect to the form and content of applications for licenses, the receipt thereof, the investigation and examination of applicants and their qualifications, and the other matters incidental or appropriate to his powers and duties as prescribed by this title and for the proper administration and enforcement of the provisions of this title, and to amend or repeal any of such rules and regulations:

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5. In the event that an applicant for a home improvement license has outstanding examinations, hearings, investigations, complaints or proceedings with the Office of Consumer Affairs, the Commissioner shall be authorized, after review, to issue a temporary license. Said temporary-license shall be for a period and under conditions to be determined by the Commissioner. Said temporary license shall have no effect upon the merits of the outstanding matters of the applicant pending in the Office of Consumer Affairs.

(Subd. 5 added by Local Law No. 3-1987, in effect July 27, 1987.)

6. The Commissioner or commissioner's designee shall be authorized to suspend the license of any person pending payment of such fine, penalty or pending compliance with any order of the Commissioner or the Office of Consumer Affairs or with any other lawful order of the office.

(Subd. 6 added by Local Law No. 3-1987, in effect July 27, 1987.)

7. The Commissioner or the Office of Consumer Affairs may arrange for the redress of injuries or damage caused by any violation of this article and may otherwise provide for compliance with the provisions and purposes of this article.

(Subd. 7 added by Local Law No. 3-1987, in effect July 27, 1987.)

§ 21-11.8 **Refusal, suspension and revocation of license; fines.** A license to conduct, operate, engage in and transact a home improvement business as a home improvement contractor may be refused, suspended or revoked by the Commissioner, or a fine not exceeding five thousand dollars (\$5,000.00), or both, may be imposed by the Commissioner or an authorized officer or employee of the Commissioner for anyone or more of the following causes:

1. Fraud, misrepresentation or bribery in securing a license.
2. The making of any false statement as to a material matter in any application for a license.
3. The contractor is not financially responsible.
4. The person or the management personnel of the contractor are untrustworthy or not of good character.
5. The business transactions of the contractor have been marked by a failure to perform its contracts.
6. The willful manipulation of assets or accounts by the contractor.
7. Failure to display the license as provided in this title.

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8. Failure to resolve a valid complaint registered in the Office of Consumer Affairs.

9. Violation of any provision of this title, or of any rule or regulation adopted hereunder.

(Amended by Local Law No. 1-1975, in effect December 16, 1974; amended by Local Law No. 20-2002, in effect November 15, 2002; subd. 3 re-numbered 4 and amended, new subdivision 3 added, subdivision 4 re-numbered 5 and amended, subdivision 5 re-numbered and amended, new subdivision 6 re-numbered 8 and amended, new subdivision 6 added by Local Law No. 2-1984, in effect January 4, 1984; amended by Local Law No. 18-1990, in effect November 26, 1990.)

10. A home, improvement contractor who has had a license suspended and/or revoked in another jurisdiction shall report said suspension or revocation to the Office of Consumer Affairs within ten (10) days of said action. Upon receipt of notification, the Commissioner, or his designee, may order a hearing to determine the continued validity of the contractor's ability to operate as home improvement licensee in Nassau County.

Any failure on the part of the contractor to report another jurisdiction's actions, shall be deemed a willful failure to report and will result in the immediate suspension and/or revocation of the contractor's home improvement license in Nassau County.

(Subd. 10 added by Local Law No. 12-1992, in effect January 1, 1993.)

§ 21-11.9 **Prohibited acts.** The following acts are prohibited:

1. Abandonment or willfully⁹² failure to perform, without justification, any home improvement contract or project engaged in or undertaken by a contractor;
2. Making any substantial misrepresentation in the procurement of a home improvement contract, or making any false promise likely to influence, persuade or induce;
3. Any fraud in the execution of or in the material alteration of any contract, mortgage, promissory note or other document incident to a home improvement transaction;
4. Preparing or accepting any mortgage, promissory note or other evidence of indebtedness upon the obligations of a home improvement transaction with knowledge that it recites a greater monetary obligation than the agreed consideration for the home improvement work;

⁹² So in local law.

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5. Directly or indirectly publishing any advertisement relating to home improvements which contains an assertion, representation or statement of fact which is false, deceptive or misleading, provided that any advertisement which is subject to and complies with the then existing rules, regulations or guides of the Federal Trade Commission shall not be deemed false, deceptive or misleading; or by any means of advertising or purporting to offer the general public any home improvement work with the intent not to accept contracts for the particular work or at the price which is advertised or offered to the public;
6. Willful or deliberate disregard and violation of the building, sanitary and health laws of this state or of any political municipal subdivision thereof;
7. Willful failure to notify the Commissioner, in writing, of any change or control in ownership, management or business name or location;
8. Conducting a home improvement business in any name other than the one in which the contractor is licensed;
9. Willful failure to comply with any order, demand or requirement made by the Commissioner pursuant to provisions of this title;
10. As part of or in connection with the inducement to make a home improvement contract, no person shall promise or offer to pay credit charges or allow to a buyer any compensation or reward for the procurement of a home improvement contract with others;
11. No contractor shall offer or pay a loan as an inducement to enter into a home improvement contract;
12. No acts, agreements or statements of a buyer under a home improvement contract shall constitute a waiver of any provisions of this title intended for the benefit or protection of the buyer;
13. Any transaction or agreement which fails to provide that the buyer can cancel same at any time prior to midnight on the third business day after the date of such agreement without penalty and every home improvement contract, excluding contracts signed in the seller's retail business establishment, shall contain a "Notice of Cancellation" in such form as provided by the Commissioner pursuant to such rules and regulations as he promulgates;
(Subd. 13 added by Local Law No. 2-1984, in effect January 4, 1984.)
14. A willful deviation from or disregard of plans or specifications in any

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material respect without the consent of the owner.

(Subd. 14 added by Local Law No. 3-1987, in effect July 27, 1987.)

§ 21-11.10 **Exceptions.** No contractor's license shall be required of any person when acting in the particular capacity or particular type of transaction set forth in this section:

1. An individual who performs labor or services for a licensee as an employee thereof.
(Amended by Local Law No. 12-2014, in effect August 6, 2014)
2. A plumber, electrician, architect, professional engineer, or any other such person who is required by state or local law to attain standards of competency or experience as a prerequisite to engaging in such craft or profession and who is acting exclusively within the scope of the craft or profession for which he is currently licensed pursuant to such other law.
3. This title shall not apply to a home improvement contract otherwise within the purview of this local law which is made prior to the effective date of the respective provisions of this title governing such contracts.
(Amended by Local Law No. 12-1992, in effect January 1, 1993.)

§ 21-11.11 **Completion Date.** Every home improvement contract shall provide for a completion date on which date all labor, services and materials to be furnished and performed is to be completed and in no event shall such work be completed any later than thirty days after said contract completion date.

(§ 21-11.11 repealed and new § 21-11.11 added by Local Law 2-1984, in effect January 4, 1984; amended by Local Law 3-1987, in effect July 27, 1987.)

§ 21-11.12 **Issuance, refusal and renewal of licenses; temporary licensing.**

1. When an application or renewal application has been filed with the Commissioner in proper form the Commissioner shall, within a period of ninety days from the date thereof, issue or refuse the appropriate contractor's license to the applicant. If an application for a license is refused, the Commissioner shall send to the applicant a written statement setting forth the reasons for the refusal to grant the license.
2. The Commissioner shall prescribe and furnish such forms as he may deem appropriate in connection with applications for licenses and the issuance, renewal or termination thereof.
3. An applicant for any license required by the provisions of this title shall file with the Commissioner a written application which shall be signed and under oath. As a part of or in connection with such application, the

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applicant shall furnish information concerning his true identity, residence, personal history, home improvement business and any other pertinent facts which the Commissioner may require. The Commissioner may require the names of owners, stockholders, partners, directors and officers of any applicant, and the business addresses and trade names of any applicant.

(Subd. 3 amended by Local Law No. 3-1987, in effect July 27, 1987.)

4. Every contractor licensee shall immediately after a change of control in ownership or of management or a change of address or trade name, notify the Commissioner in writing of such changes.
5. Licenses of all contractors shall expire two years from the date of issuance unless prior thereto the license is revoked or suspended by the Commissioner. Upon payment of the bi-annual license fee, as prescribed by Section 21.11.6 of this title, prior to the expiration date, a license may be renewed in the discretion of the Commissioner for another two years: and the authority to do business shall continue in effect until such time within the two years as the Commissioner revokes or suspends the license.

(Subd. 5 amended by Local Law No. 3-1987, in effect July 27, 1987; Local Law No. 18-1990, in effect November 26, 1990.)

6. Temporary licenses may be issued in accordance with such rules or regulations as the Commissioner may prescribe to any applicant for a license who files an application in proper form and pays the bi-annual license fee thereof. A temporary license shall automatically expire at the time the Commissioner either refuses to issue or grants the license.

(Subd. 6 amended by Local Law No. 18-1990, in effect November 26, 1990.)

7. The Commissioner may, at any time, require reasonable information of an applicant or licensee, and may require the production of books of accounts, financial statements or other records which relate to the home improvement activity, qualification or compliance With this title by the licensee.

§ 21-11.13 Hearings on charges; decisions.

- a. No license shall be revoked until after a hearing had before an officer or employee of the Commissioner designated for such purpose by the Commissioner upon notice to the licensee of at least ten days except as otherwise provided in this section. The notice shall be served by registered or certified mail and shall state the date and place of hearing and set forth the ground or grounds constituting the charges against the licensee: and, if the licensee fails to attend such hearing, the Commissioner shall revoke the license of said licensee. The licensee

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shall be heard in his defense either in person or by counsel and may offer evidence on his behalf. A stenographic record of the hearing shall be taken. The person conducting the hearing shall make a written report of his findings and a recommendation to the Commissioner for decision. The Commissioner shall review such findings and the recommendation and, after due deliberation, shall issue an order accepting, modifying or rejecting such recommendation. For the purpose of this title, the Commissioner or any officer or employee of the department designated by him may administer oaths, take testimony, subpoena witnesses and compel the production of books, papers, records and documents deemed pertinent to the subject of the investigation.

- b. A license may be suspended or fine imposed after a hearing had before an officer or employee of the Commissioner designated for such purpose by the Commissioner upon notice to the licensee of at least ten (10) days except as otherwise provided in this section. The notice shall be served by registered or certified mail and shall state the date and place of hearing and set forth the ground or grounds constituting the charges against the licensee, and if the licensee fails to attend such hearing, the Commissioner shall revoke the license of said licensee. The licensee shall be heard in his defense either in person or by counsel and may offer evidence on his behalf. For the purpose of this title, the Commissioner or, any officer or employee of the department designated by him may administer oaths, take testimony, subpoena witnesses and compel the production of books, papers, records and documents deemed pertinent to the subject of investigation.
- c. Any fine authorized by section 21-11.8 may be waived or compromised by the Commissioner or his designated representative.
(Amended by Local Law No. 1-1975, in effect December 16, 1975; amended by Local Law No. 2-1984, in effect January 4, 1984; amended by Local Law No. 8-1994, in effect August 1, 1994.)

§ 21-11.14 The Home Improvement Industry Board.

- 1. Board: The Commissioner of Consumer Affairs shall appoint a seven-member home improvement contracting board to serve for a three-year term. Said board shall be composed of individuals having a personal knowledge and interest in home improvement contracting such as representatives of labor, management, trade or government. The Commissioner shall serve as a non-voting ex officio member of each board. Three members of the Board shall be appointed for a three-year term, two members for a two-year term, and two members for a one-year term. All appointments thereafter shall be for a three-year term.
- 2. Compensation: No member of the Board shall be compensated for

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performing the duties of said board. Reasonable and necessary expenses incurred by a member carrying out the duties defined herein shall be compassable by the County of Nassau.

3. Powers and Duties: The Board shall have the following powers and duties:
- (1) To hold bi-monthly meetings in the Office of Consumer Affairs for the efficient discharge of the responsibilities and duties of the Board.
 - (2) To make rules for the conduct of its meetings and keep a minute book of its proceedings, including a record of its examinations and other official actions.
 - (3) To conduct meetings and, after a hearing at which all interested parties are afforded a sufficient opportunity to be heard, submit recommendations to the Commissioner relating to the home improvement industry.
 - (4) To formulate and recommend to the Commissioner and Office of Consumer Affairs standards for the issuance, suspension, and revocation of licenses and identification cards, including the conditions for the issuance of same, the type of examination required, the terms and fees, and the conditions upon and the circumstances under which the same may be revoked or suspended.
(§ 21-11.14 amended by Local Law No. 1-1972, in effect March 6, 1972; amended by Local Law No. 5-1980, in effect June 9, 1980, renumbered as §21-11.5 by Local Law No. 3-1987, in effect July 27, 1987; new §21-11.14 added by Local Law No. 3-1987, in effect July 27, 1987.)

§ 21-11.15 Violations and penalties.

1. Any person who shall own, conduct or operate a home improvement business without obtaining a license therefore or who shall violate any of the provisions of this title or any rules promulgated hereunder, or having had a valid license which has been suspended or revoked, shall continue to engage in such business, shall be guilty of a class A misdemeanor, and subject to the punishment provided therefor. Each such violation shall be deemed a separate offense.
2. In addition to the penalties provided by paragraph 1 of this section and those provided by sections 21-10.2 of this code, any person who violates any of the provisions of this title shall be liable for a penalty of not more than five thousand dollars (\$5,000) for each such violation.
3. In addition to the penalties provided by paragraphs 1 and 2 of this

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section and those provided by sections 21-10.2 of this code, any person who uses a false or invalid license number, or falsely states or implies that he or she is licensed, under this title, in any advertisements or in dealings with consumers whether oral or written, shall be subject to a penalty for a deceptive trade practice, in accordance with the provisions of section 21-10.2 of this code.

4. The County Attorney may bring an action in the name of the County to restrain or prevent any violation of this subdivision or any continuance of any such violation.
5. Where any violation of this subdivision is found to be willful or where such violation has posed a threat to the health or safety of the persons residing at the property at which the contractor has performed the work, the Commissioner may order the contractor to pay to the owner of such property, or other person for whom the contractor has performed the work, an amount which shall not exceed three times the actual amount of damages sustained by such owner or other person as a result of such violations.

(§ 21-11.14 renumbered as §21-11.5 by Local Law No. 3-1987, in effect July 27, 1987; amended by Local Law No. 20-2002, in effect November 15, 2002.)

§ 21-11.15-a [Seizure and Impound]⁹³

- a. A police officer or authorized officer, employee or agent of the office of consumer affairs or the sheriff's department may, upon service on the operator of a vehicle of a notice of violation for operating without a license required by section 21-11.2 of this title, seize and impound any vehicle, tool or other implement which such officer has reasonable cause to believe is being used in connection with such violation. Any vehicle, tool or implement seized pursuant to this section shall be delivered into the custody of the office of consumer affairs.
 - (i). A person from whom a vehicle has been seized and impounded pursuant to this section shall receive notice at the time of such seizure and by certified mail, return receipt requested, as soon thereafter as practical informing such person how and when the vehicle may be reclaimed and whether the vehicle is subject to a civil forfeiture proceeding pursuant to subdivision e of this section. In the event that the person from whom the vehicle was seized is not the registered owner of the vehicle, separate notice shall be provided by certified mail, return receipt requested, to the registered owner of the vehicle. Notice shall also be provided to any lienholder. For purposes of this section, the term "lienholder" shall, in the case of a vehicle, mean any person,

⁹³ Not in local law. Added to facilitate usage.

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corporation, partnership, firm, agency, association or other entity who at the time of an seizure pursuant to this section has a financial interest recorded as a lien with the department of motor vehicles of New York state or any other state, territory, district, province, nation or other jurisdiction, except that "lienholder" shall not mean an entity that leases vehicles pursuant to a written agreement subject to the New York state personal property law or the uniform commercial code. Nothing in this provision shall be construed to prevent a lienholder whose lien is not so recorded from intervening in any action or proceeding under this section.

- (ii) The commissioner or the designee of the commissioner shall hold a hearing to adjudicate the violation underlying the seizure and impoundment within five business days after the date of such seizure and impoundment and shall render his or her determination immediately following the conclusion of such hearing.
- b. A vehicle, tool or other implement seized and impounded pursuant to this section may be released prior to the hearing provided in subdivision a of this section upon the posting of an all cash bond in a form satisfactory to the commissioner in an amount sufficient to cover the maximum fines or civil penalties which may be imposed for the violation underlying the impoundment and all reasonable costs for removal and storage of such vehicle, tool or implement; provided, however that such release shall be conditioned on presentation of, in the case of (i) a vehicle, proof of ownership or authorization from the owner of the vehicle as ownership is defined by section three hundred eight-eight of the vehicle and traffic law, or (ii) in the case of a tool or other implement or equipment, proof of ownership or authorization by the owner satisfactory to the commissioner.
- c. Following an adjudication that has resulted in a determination that the vehicle, tool or other implement was used in connection with unlicensed activity in violation of section 21-11.2 of this code, release of such vehicle, tool or other implement may be obtained upon payment of all applicable fines and civil penalties and all reasonable costs of removal and storage and upon proof of ownership as provided in subdivision b of this section.
- d. Notwithstanding the provisions of subdivisions b and c of this section, no person shall obtain release of a vehicle, tool or other implement pursuant to such section unless and until such person submits an application for a home improvement contractor license, or reinstatement of such a license, as appropriate, to the commissioner in the form and containing the information required by the commissioner. A vehicle, tool or implement released pursuant to this subdivision or subdivision b of this section may be used for home improvement activities pending the determination of the

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commissioner on the license application. In the event that the commissioner denies such application, such use shall cease upon notification of the commissioner's determination. Continuation of such use following notification of denial of a license shall constitute unlicensed activity subject to the fines and other penalties provided in this title. Notwithstanding the provisions of this section, in the event that the owner of the vehicle, tool or other implement is not the person who was found to be in violation of the provisions of section 21-11.2 of this code, such owner may obtain release upon payment of fines and penalties and reasonable costs of removal as provided herein and upon execution of a sworn statement, subject to the provisions of the penal law relative to false statements and satisfactory to the commissioner, that he or she will not permit the person who has violated such provisions to operate the vehicle, tool or other implement in violation of section 21-11.2 of this code.

- e. In addition to any other fine, penalty or sanction for violation of section 21-11.2 of this code, the county of Nassau may commence a civil action for forfeiture to such county of any vehicle as such term is defined in subdivision fourteen of section 10.00 of the penal law or any tool or implement when such vehicle is operated or such tool or implement is used by a person who has been found at least two times within any five year period, commencing after effective date of the local law that added this section to have engaged in unlicensed activity in violation of section 21-11.2 of this code and each such determination has included findings that a vehicle, or tool or implement similar to the tool or implement seized was used in connection with such violations. The interest of a lienholder in such property shall not be subject to forfeiture pursuant to this provision, provided, however, that this provision shall not be construed to entitle a lienholder to more than the outstanding balance of the lien.
- f. The county may, pending final resolution of the forfeiture proceeding, retain a vehicle, tool or implement subject to forfeiture pursuant to subdivision e of this section and shall apply to the court, after having provided notice as required to the persons or entities set forth in subparagraphs a and d of this section paragraph, within fifteen days of seizure for a prompt hearing to request the court to take measures to protect the public from unlicensed home improvement businesses and to protect the vehicle from destruction or sale during the pendency of the forfeiture proceeding. At such hearing the court shall determine the probable validity of the retention of the vehicle by the county, or other such appropriate measures, including but not limited to an order prohibiting the use of the vehicle, tool or equipment in home improvement activities, the posting of a bond or an order restraining the sale or transfer of title of the vehicle. The hearing shall take into consideration, but not be limited to:

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- (i) the existence of probable cause for the underlying seizure;
- (ii) the likelihood of success on the merits of the forfeiture action; and
- (iii) determinations of unlicensed home improvement activities within the past five years.

Notice pursuant to this paragraph to an owner or lienholder shall be to the address recorded with the department of motor vehicles by certified mail, return receipt requested.

- g. It shall be an affirmative defense to forfeiture pursuant to this subdivision that a person who claims an interest in a vehicle, tool or implement, establishes to the satisfaction of the court that 1) the use of the vehicle, tool or implement for the conduct that was the basis for seizure occurred without the knowledge of such person, or if such person had knowledge of such use, that such person did not consent to such use by doing all that could reasonably have been done to prevent such use, and that such person did not knowingly obtain such interest in the vehicle in order to avoid the forfeiture of such vehicle, or (ii) that the conduct that was the basis for such seizure was committed by any person other than such person claiming an interest in the vehicle tool or implement while such vehicle, tool or implement was unlawfully in the possession of a person who acquired possession thereof in violation of the criminal laws of the United States or any state.
- h. The county may, after judicial determination of forfeiture, at its discretion either retain such vehicle for official use by the county; or (ii) sell such vehicle at public sale, the proceeds of which shall be deposited into the general fund.
(Added by Local Law No. 10-2004).

§ 21-11.16 Home Improvement Restitution Fund.

- 1. There shall be a fund administered by the Office of Consumer Affairs known as the Home Improvement Restitution Fund.
- 2. Every home improvement contractor who applies for a license or a renewal of a license pursuant to this title on or after the effective date of this local law, shall pay a one-time fee of \$50.00 into the Home Improvement Restitution Fund.
- 3. The Nassau County Treasurer is hereby authorized, empowered and directed to deposit the collected funds into a separate account and is

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hereby further authorized to invest the proceeds of this account into any instrument authorized for the investment of reserve funds pursuant to Section 6-F of the General Municipal Law. All proceeds and earnings of such investments shall be retained in the Home Improvement Restitution Fund and shall be utilized solely and exclusively for this account.

4. The proceeds of the Home Improvement Restitution Fund shall be used to compensate an owner or owners who have obtained a judgment from a court of law or final award in arbitration against a licensed home improvement contractor but which is incapable of execution.
5. Payment of Claims from the Home Improvement Restitution Fund.
 - (A) The Commissioner is hereby authorized to approve a payment from the Home Improvement Restitution Fund in an amount not to exceed \$10,000 for any owner who complies with the following conditions:
 - (1) The owner first files a complaint with the Office of Consumer Affairs against a licensed home improvement contractor subsequent to the effective date of this title.
 - (2) The owner provides the Commissioner with a certified copy of a final judgment of a court of competent jurisdiction, or a final award in arbitration, with all rights of appeal exhausted, in which the court or arbitrator has found on the merit that the owner is entitled to monetary relief in a sum certain, or a default judgment rendered against the home improvement contractor that the owner is entitled to monetary relief in a sum certain which shall be verified to the satisfaction of the Commissioner by the production of receipts of payments by the owner or owners or other such proof.
(Amended by Local Law 20-2002, in effect November 15, 2002.)
 - (B) The Commissioner may authorize payment from the Home Improvement Restitution Fund in an amount not to exceed \$10,000 to compensate for monetary damages certified in the aforementioned judgment or award for non-performance, partial performance, or performance in an unworkmanlike manner by a licensed home improvement contractor.
(Amended by Local Law 10-2005).
 - (C) No compensation from the Home Improvement Restitution Fund shall be made for the following: attorney fees, court costs, personal injury awards; consequential, incidental or punitive damage; loss of income; loss of time.

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(D) If, at any time, the amount on deposit in the Home Improvement Restitution Fund, is insufficient to satisfy any approved claim, the Commissioner when a sufficient amount has been deposited in the Home Improvement Restitution Fund, shall satisfy the unpaid claims in the order in which they were received by the Commissioner.

(E) A claim for compensation from the Home Improvement Restitution Fund shall be brought by an owner within 2 years from the date that the judgment or award upon which the claim is made has been filed with the County Clerk.

(Subd. F added by Local Law 10-2005 and repealed by Local Law No. 12-2014, in effect August 6, 2014)

6. Consumer Affairs Review and Disciplinary Actions.

(A) Neither the pendency of a claim or the satisfaction or a claim against the Home Improvement Restitution Fund shall limit the authority of the Commissioner to investigate and to take any action consistent with this title against a contractor.

(B) A contractor whose actions have resulted in the payment of a claim from the Home Improvement Restitution Fund, shall not be issued a home improvement license or a renewal thereof, until the full amount of said claim shall be repaid to the Home Improvement Restitution Fund. Said payment shall not include the \$50.00 fee established in this title.

(C) No home improvement contracting license or a renewal thereof shall be issued to a contractor while a claim against the Home Improvement Restitution Fund is pending.

(Title D.-1 added by Local Law No. 6-1970, in effect October 7, 1970. Section 21-11.16 added by Local Law No. 12-1992, in effect January 1, 1993.)

Title D-2
Locksmiths Licenses⁹⁴

§ 21-12.1 **Definitions.** As used in this title the following terms shall have the following meanings:

“Commissioner” shall mean the commissioner of the Nassau County Office of Consumer Affairs.

⁹⁴ Former Title D-2 [§ 21-12.0 to 21-12.18] entitled “Privilege Tax on Coin Operated Amusement Devices” was added by Local Law No. 2-1979 in effect April 23, 1979 amended by Local Law No. 10-1984 in effect June 21, 1984 and REPEALED by Local Law No. 20-2003, in effect December 31, 2003.