



Mario Vazquez

September 22, 2025

Commissioner Vilda Vera Mayuga  
NYC Department of Consumer and Worker Protection (DCWP)  
42 Broadway, 9th Floor  
New York, NY 10004

## **Re: Comments on Proposed Rule Regarding Mandatory Fee Disclosures**

Dear Commissioner Mayuga:

The Business Council of NYS, representing over 3,000 member businesses and trade associations, write to comment on the NYC Department of Consumer and Worker Protection's proposed rule for mandatory fee disclosures for hotel stays.

We support the Department's efforts to ensure transparent and honest pricing for consumers. Fee transparency is essential to maintain trust between consumers and the hospitality industry to further promote tourism to NYC.

However, we are concerned with the section in the Department's proposed rule that requires hotels, at the time of booking, to disclose detailed information relating to holds on credit or debit cards. This disclosure would require the inclusion of when these holds would be released and timeline of when the funds would be returned to guests (proposed § 5-15 (d)(3)).

Requiring a disclosure of credit or debit card holds would only serve to potentially confuse consumers, especially when booking on mobile devices or third-party sites. This would also pose a significant difficulty to comply with for franchised hotels or hotels with reservation systems controlled by third parties. Many hotels would have to perform a major overhaul of their systems and policies in order to comply with displaying credit/debit card holds at the time of booking. We recommend limiting the credit/debit hold disclosure requirement of proposed § 5-15 (d)(3) to a general statement that such a hold may be placed, without requiring precise refund timelines (being outside of the hotel's knowledge and control) or "any reasons" for which the hotel may keep such funds (a self-limiting exercise leaving hotels exposed to damaging consumer behaviors). Additionally, we ask that this disclosure be allowed to be sent through pre-check-in communication or booking confirmation communications, as consumers tend to review these more closely.

Furthermore, we ask that the language requiring hotels provide a timeline of when holds will be refunded be taken out. This is not something those in the hospitality industry can realistically comply with as they have no control over how long it will take a guest's financial institution to release such funds. Requiring hotels to estimate these timelines risks providing guests with inaccurate information as releasing these holds varies widely from bank to bank.

Additionally, we recommend that the Department limit these rules to apply only to businesses physically operating in or transacting within New York City, rather than requiring any business advertising to a New York City consumer, regardless of where the business is located. This may raise legal challenges as well as compliance issues for businesses located outside of the city, and could ultimately limit choices for New York consumers.

We ask the Department also to provide a long implementation timeline for any new disclosure requirements to allow for businesses the necessary time to gather any necessary data and resources from global partners to properly implement changes for proper compliance. A minimum of a two-year timeline is recommended for any such new requirements.

We would also like to acknowledge many of the concerns regarding fee transparency these proposed rules have been resolved at the federal level by the FTC rules published earlier this year that require hotels and other service industry businesses to conspicuously disclose true total price of goods and services, which includes all mandatory fees. These rules also include a clause that sets forth disclosures that the specified businesses must provide before a consumer consent to pay.

Ensuring fee transparency for consumers is crucial, however, it must be done in a way that does not make compliance difficult or a major burden to business that could hinder the quality of their service. We appreciate your consideration of these comments and the shared dedication to ensuring the implementation of fair and transparent consumer protection rules for both businesses and consumers

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Vazquez', with a long, sweeping horizontal stroke at the end.

Mario Vazquez  
Director of Government Affairs