



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Governor Signs Senator Fuschillo's Legislation to Protect Consumers From Being Charged to Retrieve Their Unclaimed Funds

CHARLES J. FUSCHILLO JR. August 2, 2012

Senator Charles J. Fuschillo, Jr. (R-Merrick) today announced that legislation he sponsored to protect consumers from being charged to retrieve their unclaimed funds was signed by Governor Cuomo. The new law requires companies that charge a fee to obtain a consumer's unclaimed funds to inform that person that they can retrieve the funds on their own free of charge.

"Searching and applying for unclaimed funds through the State Comptroller's office can be done free of charge. However, many residents are unaware of that and are paying companies to recover their unclaimed funds when they can easily do that on their own for no charge. Requiring these companies to inform consumers that they can retrieve these funds themselves for free will ensure that residents can make an informed decision before they are charged. I applaud Governor Cuomo for signing this law and approving an important new consumer safeguard," said Senator Fuschillo.

"As New York's custodian of more than \$12 billion in unclaimed funds, my office greatly appreciates this essential protection for individuals looking to claim their rightful property," said New York State Comptroller Thomas P. DiNapoli. "I applaud Senator Fuschillo and

Assemblyman Dinowitz for their leadership and Governor Cuomo for signing this important legislation."

Unclaimed funds are money or the rights to money that have been dormant or forgotten. State law requires banks, insurance companies, utilities, investment companies and many other businesses to turn over inactive accounts to the State. The Office of the State Comptroller holds these funds in trust, serving as a custodian of the funds until they can be claimed by their rightful owners. Types of unclaimed funds include un-cashed checks, old bank accounts, wages, telephone/utility deposits, stocks and dividends, and mortgage insurance refunds. Currently, there is more than \$11 billion in unclaimed funds in New York State.

Residents can perform free searches for unclaimed funds through the New York State Comptroller's website, www.osc.state.ny.us or by calling 1-800-221-9311. However, there are companies that charge individuals a fee for performing a search and/or filing a claim. In some cases, the consumer pays an upfront fee, only to find that the amount of unclaimed funds was less than the fee.

The new law requires these companies to inform consumers in writing on all solicitations and agreements that unclaimed funds can be obtained through the State Comptroller's office by their rightful owner, without paying a fee. Additionally, the written notice must provide the current phone number and website where consumers can contact the Comptroller's Office with regard to unclaimed funds.

The new law takes effect on September 29, 2012.

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