

For more information, contact:

New York State Immigration Hotline
(212) 419-3737 or (800) 566-7636

To report any unlawful activity or file
a complaint about immigration fraud,
contact:

New York State Attorney General
(800) 771-7755

To file a complaint about any other
consumer issue or if you believe
you're a victim of a consumer scam,
contact:

NYS Consumer Protection Board
(800) 697-1220

The information provided in this brochure was adapted in
part from other resources prepared by USCIS and
the New York City Department of Consumer Affairs.

Provided by
New York State
Consumer Protection Board

www.nysconsumer.gov

1-800-697-1220

NEW YORK STATE
CONSUMER PROTECTION BOARD



HOW TO AVOID
IMMIGRATION
FRAUD



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Beware of Immigration Fraud

Due to the complexity of immigration laws, many people need assistance dealing with the U.S. Citizenship and Immigration Services (USCIS).

While there are many businesses that provide excellent assistance to immigrants, there are dishonest businesses that engage in fraud and victimize immigrants. Therefore, if you do approach a business to assist you, it's important that you protect yourself.

The NYS Consumer Protection Board (CPB) has developed this guide to help immigrants know their rights and avoid common scams perpetrated by dishonest providers of immigration assistance.

What is an “Immigration Assistance Service Provider”?

Immigration assistance service providers (ASP) assist with matters relating to citizenship, resident status, eligibility for employment and government services and benefits. They are not attorneys and are usually not supervised by attorneys. Thus, they cannot represent you in immigration proceedings.

How to Avoid Becoming a Victim of an Immigration Scam:

- **DO NOT** sign any blank paper, application, petition or other document.
- **DO NOT** sign any document that you don't understand.
- **DO NOT** sign any document that contains false or misleading information.
- **DO** make sure that you read and understand any documents that are filed on your behalf and that all questions are answered truthfully.
- **DO** make copies of all documents prepared or submitted for you.
- **DO** be aware that you can cancel a contract for services in writing within three business days and obtain a full refund.
- **DO** get a receipt for all payments, and keep proof of payment.
- **DO** verify that your attorney is licensed or that your accredited representative is authorized by the BIA to represent you.

Common Scams

- Pretend to be federal immigration agents and offering special treatment or services.
- Promise employment or work VISAs they cannot provide.
- Provide false promises that they can get special treatment for their clients from the USCIS.
- Produce and selling fraudulent Social Security cards, licenses, passports and other documents.
- Represent themselves as accredited representatives or attorneys when they are not.
- Offer services but just taking money from customers and disappearing.



Under NYS law, Immigration an ASP MUST:

- Provide a written contract in English and the language best understood by the customer. The contract must list all services, fees and costs to be charged to the customer, as well as the name, address and phone number of the business. The contract must state that the ASP is not to disclose any information or file any documents without the customer's consent.
- Allow the customer to cancel the contract in writing within three business days and receive a full refund. Contracts may also be canceled after three business days, however you will lose any fees for services already paid.
- Conspicuously post a sign and include in advertisements, in the language in which services are conducted, a statement that the provider is not an attorney or accredited by the Board of Immigration Appeals (BIA) at the US Department of Justice and that the provider cannot provide legal advice.
- Keep copies of all records and documents prepared or obtained for the customer for three years, and provide copies to the customer on demand and without fee.
- Maintain a \$50,000 surety bond.

What is an “Accredited Representative”?

An accredited representative is authorized to represent you in immigration proceedings. An accredited representative must work for an organization that has been recognized by the BIA of the US Department of Justice to provide legal advice on immigration matters and to practice before the Department of Homeland Security, immigration courts and the Board. In most instances, an accredited representative is not an attorney.

Before working with an accredited representative, you should ask to see the BIA decision granting accredited status or contact BIA directly at 703-305-9029.

Choosing an Attorney

You can also choose to have an attorney, familiar with immigration law, represent you in immigration matters. The attorney must be a member in good standing of the bar. Ask the attorney to provide their current attorney licensing documentation or contact the bar admission authorities to verify their credentials (New York State Unified Court System, Attorney Registration Unit at 212-428-2800).

Beware of Notarios

In some countries the word “notario” means the individual is an attorney. In the U.S., a “notario” or “notary public” is not an attorney and is not authorized to give legal advice. A “notario” or notary public can only verify your identity and witness your signature.

