

Gender-Based Pricing is a Form of Discrimination

Miami-Dade County's **Gender Pricing Ordinance** and **Dry Cleaning & Laundering Ordinance** prohibit businesses from charging different prices for goods or services based solely on the customer's gender.

However, a business is permitted to charge a different price if the goods or services involve more time, difficulty or cost. In other words, consideration must be given to the quality and complexity of the goods or services to determine whether or not you have been discriminated against.

Limited legitimate discount programs based on gender are permitted if they are not designed to exclude others from the program. For example, it is all right to advertise, "Ladies Free on Monday Night," as long as men are not prevented from patronizing the establishment.

Your rights

When a valid complaint cannot be resolved in a satisfactory manner, the consumer may be advised to sue the business in Small Claims Court.

If you can prove discrimination, based on gender, under the Gender Pricing or Dry Cleaning & Laundering ordinances you are entitled to compensatory damages, attorney's fees, and court costs from the person committing the violation. In addition, you are entitled to threefold damages with a minimum of (\$200.00) if a willful violation is established.

Dry cleaning claims

In addition to the gender price discrimination prohibition, the Dry Cleaning & Laundering Ordinance requires cleaners to follow certain procedures whenever a claim is made for loss, damage, or delay, resulting from the cleaner's performance.

- A customer has a period of up to thirty (30) days after receipt of cleaning to notify a cleaner in writing of any claim for loss, damage or delay resulting from the cleaner's performance.
- The cleaner must promptly and thoroughly investigate each claim made in writing. If the claim cannot be satisfied in fifteen (15) days, the cleaner must advise the claimant of the status of the claim and the reason for the delay. The cleaner must object to or satisfy a customer's claim no later than thirty (30) days after receipt of the claim.

To register a complaint

The Consumer Services Department's Consumer Protection Division is charged with the responsibility of enforcing the Gender Pricing and Dry Cleaning and Laundering ordinances.

If you think that a business has been unfair, deceptive, or discriminatory in its dealings with you, or has violated these laws, you have the right, as a consumer, to file a complaint.

You should first try to settle the problem with the business. If you cannot resolve a dispute directly with the business, call the Consumer Mediation Center at (303) 375-3677. A Consumer Protection Enforcement Officer will handle your call. Your complaint may be handled directly or a simple complaint form may be mailed to you. You can also access a complaint form from this website.

Record all pertinent facts in a brief and clear manner. If your complaint is being submitted by mail please include copies (not originals) of all documentation. Be sure to include a copy of any advertisement, coupon or invoice, the name and address of the business, and the name(s) of any person(s) you dealt with at the business. The more completely you present the facts, the quicker we can process your complaint.

If your complaint is being submitted online, please send us these documents in the mail and please reference the number which appears at the top of your electronic complaint form.

Experienced staff will investigate your complaint and contact you with results.

If violations of the ordinances are detected, the business will be subject to enforcement action.

Tips:

Some businesses are regulated by government agencies. For example, the Consumer Protection Division regulates motor vehicle repair shops, towing companies, moving and locksmith businesses and water remetering. Check to see that the establishment is properly licensed to do business. Also check with the Occupational License Division of Miami-Dade County at (305) 270-4949 to see if the establishment has an occupational license to do business.

Remember!

Careful and informed comparison shopping at reputable businesses is ALWAYS the best consumer protection!