



[REDACTED]  
1<sup>st</sup> Deputy Commissioner

[REDACTED]  
General Counsel and Deputy  
Commissioner for Legal Affairs

[REDACTED]  
42 Broadway  
8th Floor  
New York, NY 10004

[REDACTED]  
[nyc.gov/consumers](http://nyc.gov/consumers)

April 3, 2014

[REDACTED]

Re: [REDACTED] Trade-In Program

Dear Mr. [REDACTED]:

We understand that the [REDACTED] store locations in New York City currently offer or will be offering a trade-in program jointly administered by [REDACTED] Corp. Our understanding of this program is that a consumer can trade-in a used iPhone at [REDACTED] Store in exchange for a store credit that can only be used to purchase a new iPhone and require the consumer to continue an existing plan or purchase a new plan with a wireless carrier.

The New York City Department of Consumer Affairs (DCA) enforces industry specific business laws, as well as the Consumer Protection Law and other laws in New York City. We license businesses in 55 different industries, including dealers in second-hand articles. The New York City Licensing Law, enforced by DCA, defines a Dealer in Second-Hand Articles as "...any person who, in any way or as a principal broker or agent, ... Accepts or receives second-hand articles as returns of merchandise or in exchange for or for credits on any other articles or merchandise." (Section 20-264(a)(2) of the New York City Administrative Code)

Based on our understanding of the trade-in program, this exchange of a consumer's used iPhone for a [REDACTED] store credit toward a new iPhone and plan with a wireless carrier constitutes dealing in second-hand articles according to the Licensing Law. The relevant sections of the New York City Administrative Code, as well as the Rules of the City of New York, that apply to Dealers in Second-Hand Articles can be found here: [nyc.gov/BusinessToolbox](http://nyc.gov/BusinessToolbox)

If individual [REDACTED] stores in New York City are to continue participating in the trade-in program, they must apply for a Second-hand Dealer license through DCA. This license is distinct from the Electronics Store licenses already held by Apple Inc. locations in New York City and can be applied for on our website.

Please do not hesitate to contact me if you have any questions or would like to discuss this matter. Thank you in advance for your cooperation.

Sincerely,  
[REDACTED]

CC: [REDACTED]