



## News Release

### South Dakota Department of Revenue

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### Transient Vendor Season in South Dakota

PIERRE, S.D., -- Many transient vendors begin selling products and services in South Dakota starting in the spring.

While many of these vendors are legitimate, the South Dakota Department of Revenue and the Attorney General's Consumer Protection Office advise people to take common-sense steps to ensure vendors are reputable, before doing business with them.

"Every single spring the Attorney General's Consumer Protection Division receives numerous complaints against transient vendors," said Attorney General Marty Jackley. "The main goal is to trick consumers into making hasty decisions in purchasing an inferior product, generally at an inflated price. Catching the consumer or business off guard is their most effective tactic."

"A goal for some bad acting transient vendors can be to take advantage of consumers, and we want to help shield South Dakota citizens from that effort. It is also our responsibility to ensure fair taxes are paid by these traveling businesses," Doug Schinkel, director of the Department of Revenue's business tax division said. "If a vendor is unwilling to provide business licenses, consider choosing another vendor. If concerns or questions arise, contact the Department of Revenue."

If you are considering hiring a person to provide repair or construction services, please be advised to:

- Ask for a price quote, in advance, in writing.
- Question the contractor about a permanent address and telephone number, and do not assume that if the information they provide is local, they are a local business. Transient vendors often have business cards printed with local mailing services or motel addresses and telephone numbers.
- Ask for a list of local references and check them before making a decision.

- Ask if the contractor has worker's compensation and general liability insurance. If vendors are not properly insured, homeowners may be liable for accidents that occur on their property.
- Be careful about paying for work in advance; before making final payments, make sure transient vendors have paid their local suppliers or you may be held liable for unpaid materials.
- Make sure you are completely satisfied with the work before paying the bill, and do not pay more for the job than originally quoted unless you have given written approval for the additional work or cost.
- Ask the contractor for an excise tax license.

Out-of-state vendors often travel to South Dakota to sell items like fruit, seafood, meat packages, paintings, magazine subscriptions, rugs, T-shirts, sunglasses, household cleaners, furniture, stuffed animals and asphaltting and roofing services. Asking the right questions when approached by those vendors can help you avoid making a purchase you may regret:

- Question the salesperson about the product, warranties, guarantees, etc.
- Get something in writing with the company's name, address and phone number.
- Ask to see their current South Dakota tax license. State law requires everyone selling products or services to have a current South Dakota sales or contractors' excise tax license. To verify if the license is valid, call the Department's toll-free helpline at (800) 829-9188.

All sellers must provide you with a contract or receipt at the time of sale showing the date, the merchant's name and address, and a statement informing you of your right to cancel the contract within three days. After proper cancellation, the seller has 10 days to refund your money.

If you have doubts about the vendor or think you may have been the victim of a scam, call your local police department or county sheriff's office immediately. You can also contact the Attorney General's Consumer Protection Office at (800) 300-1986 or by email at [consumerhelp@state.sd.us](mailto:consumerhelp@state.sd.us). Be prepared to give as much information as you can about the vendor, including the name of the company and salesperson; company address and telephone number; and make, model and license number (if possible) of the vehicle the vendor was driving. Without tips from the public, law enforcement officials may not be able to catch illegal vendors before they move on to the next community.

For more information on transient vendors, contact the South Dakota Department of Revenue's toll-free helpline at (800) 829-9188, press "1" for the Business Tax Division.