

Recovery – Price Gouging

What is price gouging?

Answer: Price gouging is the act of charging an unconscionable price for essential goods or services. The amount charged must represent a gross disparity between the actual price being charged and the price for the same commodity during the preceding 30 day period, or a price which grossly exceeds the average price for the same commodity during that 30 day period.

What mechanism is in place to address price gouging?

Answer: Miami-Dade County has an ordinance prohibiting price gouging. The State of Florida also has laws prohibiting price gouging.

When would the price gouging ordinance be effective?

Answer: Upon the declaration of a state of emergency by the Governor, the Board of County Commissioners, the County Manager, or the Director of the Miami-Dade Police Department.

What goods are covered by the price gouging ordinance?

Answer: Any essential commodity including food, water, ice, chemicals, petroleum products, lumber, supplies, services, provisions, or equipment, or any dwelling unit or self-storage facility, that is necessary for consumption or use as a direct result of the emergency.

Is there anything that is not covered by the ordinance?

Answer: Yes. It does not apply to wholesale sales by growers, producers, or processors of raw or processed food products. However, the retail sale of these products to the consumer is covered.

What are the penalties for price gouging?

Answer: Price gouging is a criminal offense, and any person found guilty of price gouging under the County's ordinance may be punished by a fine of \$500, or by imprisonment of up to 60 days or both. Also, a person or business that price gouges is subject to: 1) an injunction; 2) civil damages up to \$10,000 for each violation; and 3) reimbursement of the County's costs in investigating a violation, as well as attorney's fees.

Who should a consumer call if they believe they have been the victim of price gouging?

Answer: Price Gouging complaints should be filed with the Miami-Dade County Consumer Services Department Consumer Hotline at (305) 375-3677.

If the location of the disaster forces County Offices to close, consumers should contact the Attorney General's toll-free hot line number at 1-800-646-0444. Consumers should watch for other announcements about price gouging, including any price gouging hotlines that may be established, during an emergency. Consumers are advised to save all receipts.

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