



CONSUMER ADVOCATE

A publication from the Consumer Protection Section of the Office of Ohio Attorney General Richard Cordray

OHIO PROGRAM ADOPTED BY NATIONAL ORGANIZATION

An Ohio-born initiative to warn consumers about fake checks has been adopted on a national level by the Consumer Federation of America (CFA). The CFA says its goal is to implement the program in at least six of 12 targeted states.

As part of the program, the CFA will distribute educational brochures to banks and credit unions to help financial institutions warn consumers about fake check scams. Bank tellers will hand the brochures to consumers who deposit or cash checks of \$1,000 or more or who withdraw \$1,000 or more.

In 2007, the Ohio Attorney General's Office and the U.S. Postal Inspection Service launched a similar program, in which educational flyers were distributed to more than 1,300 Ohio credit union and bank branches. In all, more than 130,000 flyers were distributed, yielding an

increased awareness of fake check scams in Ohio.

According to the CFA, about one in every three adults has been targeted by a fake check scam. Fake check scams generally occur when a scam artist sends a real-looking check to a potential victim. The scammer tells the victim to deposit the check, and then wire transfer a portion of the money to the scammer for "fees," "administrative charges" or overpayment. Days later, the check is returned as counterfeit and the victim is out any money he or she sent.

The Ohio Attorney General's Office recently developed a new flyer to warn consumers about fake checks and sweepstakes scams. To check it out, visit www.OhioAttorneyGeneral.gov/FakeCheckTips; call (800) 282-0515 to order hard copies.

HOME REPAIR: FIND A GOOD CONTRACTOR

If you are considering a home repair this spring or summer, make sure you know how to find a good contractor.

Begin by asking family and friends for recommendations of reliable contractors. If possible, check out the work contractors have done for previous customers.

Next, check each contractor's reputation with the Ohio Attorney General's Office and the Better Business Bureau. You can search for complaints filed against the business to help you determine whether it is trustworthy.



Warning: even if you find no complaints, don't assume the contractor is reliable. Some unscrupulous contractors and scam artists continually change the name of their businesses to fool consumers.

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YOUR RIGHT TO CANCEL A TELEMARKETING PURCHASE

Recently, a consumer received a call from a telemarketer trying to sell her a car warranty product. The telemarketer convinced her to provide her credit card number but promised to send her a contract to look over before finalizing the deal.

Unfortunately, the company never sent her any documents and proceeded to charge her credit card more than \$370 per month. When she tried to cancel, the company became aggressive and refused to do so.

In a typical telemarketing transaction, where the telemarketer takes payment immediately, the telemarketer must send the consumer a written cancellation notice. Consumers have seven days after they received the goods or agreed to the services to cancel the purchase. Cancellations must be in writing.

Consumers also have the right to dispute unauthorized credit card charges with their credit card providers within 60 days of receiving the bill containing the disputed charges.

As a general rule, do not give your credit card number, bank account information or Social Security number to anyone who calls you unexpectedly. Before making a purchase from a telemarketer, first research the company and ask for written information. If you feel pressured, hang up the phone.

TRAVEL SMART

When natural disasters interrupted their travel plans, some consumers reported that they had trouble getting refunds from their vacation companies.

If this happens to you or if you feel you've been treated unfairly in some other way, file a complaint with our office. We will review the specific facts of your case, and we will work with you and the vacation company to try to reach a fair resolution.

In general, if you are planning to book a vacation or cruise, be sure to read the fine print before signing a contract or paying any money. It's important to fully understand a company's refund policy. Specifically, look for how long you have to cancel the contract and for any factors that might limit your ability to get your money back.

Also, check the reputation of companies before you do business with them. Research the number of complaints filed against a company with the Ohio Attorney General's Office and with the Better Business Bureau.

Get everything in writing. Make sure all verbal promises are put into a written contract; otherwise, they're not guaranteed. If a company will not put a promise in writing, don't sign the contract.

Pay with credit card, if possible. When you pay with a credit card, you have the right to dispute unauthorized charges of more than \$50 with your credit provider. In order to dispute the charges, you must send a letter to your credit provider (at the address given for "billing inquiries") so that it reaches the creditor within 60 days after the first bill containing the error was mailed to you.

WANT UPDATES?

- Receive the Consumer Advocate via e-mail by signing up at
- www.OhioAttorneyGeneral.gov/ConsumerAdvocate.
- Receive news and updates from the Ohio Attorney General's Office by signing up at www.OhioAttorneyGeneral.gov.
- Visit www.OhioAttorneyGeneral.gov for more information.

HOME REPAIR: FIND A GOOD CONTRACTOR

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Once you narrow your selection to roughly three different contractors, get written estimates from each one for the work you want to have done. Compare the estimates before making a final decision.

Once you select a contractor, get everything in writing. A written contract should include the following information:

- Your full name and address
- Contractor's name, address and phone number (not someone else's name or number)
- Complete description of the work to be done
- Provision requiring your written approval for any changes
- Explanations of any guarantee or warranty
- Any verbal promises the contractor makes
- Total cost of the work
- Specific terms for payment of materials and labor
- Starting date and completion date
- Provision that says you are not required to pay attorney fees, court costs or damages in case of a dispute or cancellation
- Requirement for the contractor to obtain all necessary permits and inspections
- Your signature and the contractor's signature

Remember, too, that the contract should not require you to pay a large down payment or payment in full until the project is complete and has been inspected. The Federal Trade Commission recommends that you limit your down payment and avoid paying in cash. Also make sure the contract does not include a mandatory arbitration clause, in which you waive your right to sue.

Under Ohio law, consumers have three days to cancel most contracts they sign at their home or at a location that is not a company's normal place of business, such as a home improvement show. All cancellations must be in writing.

Door-to-door salespeople must notify consumers of their right to cancel and provide a cancellation form. If a contractor does not provide you with a cancellation form, don't do business with that contractor.

HAVE A PROBLEM? FILE A COMPLAINT

If you have a consumer problem that you can't solve on your own, file a complaint with Attorney General Richard Cordray's office. We'll do everything we can to help you resolve it.

File a complaint online at www.SpeakOutOhio.gov or by calling (800) 282-0515.