



Ohio Attorney General's
**Consumer Advocate
Newsletter**

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Practice Smart Online Holiday Shopping

If you're shopping online this holiday season, you're not alone. Each year, more consumers go online to buy gifts for their friends and family. To help you avoid scams and make the most of your money, the Ohio Attorney General's Office is offering 10 tips for smart online shopping.

1. **Buy from trusted websites.** You can check a store's reputation by researching complaint history at the Ohio Attorney General's Office and the Better Business Bureau. Also, use the internet to look up consumer reviews by searching for the company's name along with terms such as "complaint," "scam," or "review."
2. **Use secure websites** whenever you disclose personal or financial information online. Look at the beginning of the website address for the lock symbol and the "s" in "https," which tell you the website is secure.
3. **Don't use free, public Wi-Fi when entering sensitive information** like your credit card number. Hackers may be able to monitor your activity when you're using free Wi-Fi networks.
4. **Limit what you share.** Only provide a seller with as much personal information as is necessary, and understand the store's privacy policy so you know how your information will be stored, sold, and shared.
5. **Consider paying with a credit card, if possible.** Paying with a credit card usually offers greater protections from unauthorized charges compared to other kinds of payment methods. In general, with a credit card, your responsibility for unauthorized charges is limited to \$50 and you have certain rights to dispute charges that you may not have with a debit card or other form of payment.
6. **Keep up with updates.** Be sure to keep your apps, anti-virus software, operating system, and other important programs up to date on your phone, computer, or other

device you use to shop. (Find additional cybersecurity tips on the Ohio Attorney General's website.)

7. **Check refund policies.** Under Ohio consumer protection laws, stores are not required to provide refunds or to have a specific type of return policy, but if they do have a return policy, they must clearly tell you what it is before you complete the purchase. Check a website's refund policy before making a purchase. If a website has a refund policy, it must be clearly and conspicuously posted.
8. **Understand the role of third-party sellers.** Keep in mind that some websites, including Amazon and Walmart, have marketplaces that allow third-party companies to sell products through their well-known online stores. In these cases, you generally would return the item to the actual (third-party) seller, and the return policy may vary from the website's policy. For example, even if you buy something from a website with a defined return policy, the actual seller may have a different return policy.
9. **Beware of puppy scams.** If you're looking for a puppy this holiday season, be aware of online puppy scams. A typical scam begins when a consumer finds a website offering desirable breeds of dogs. To buy a puppy, consumers are told to wire a few hundred dollars. After they pay once, they're asked to send more money for veterinarian costs, shipping, insurance, or other costs. No puppy is ever delivered. The scams often begin with a specific puppy website, but they also may start with a post on social media. To protect yourself, never purchase a pet sight-unseen over the internet, especially from a seller who wants you to pay via money order or wire transfer. Visit the puppy in person and consider working with a local, reputable organization.
10. **Look for exclusions and limitations.** Important exclusions and limitations should be clearly disclosed, so check to see if an offer is valid only at a certain time, if limited quantities are available, or if other terms and conditions apply.

Consumers who suspect a scam or an unfair business practice should contact the Ohio Attorney General's Office at www.OhioProtects.org or 800-282-0515.

Be a Wise Donor: Learn to Recognize Charitable Giving Scams

While there are many worthy causes to support, there are also some charity scams that waste donors' contributions. Learn to be a wise donor by recognizing charitable giving scams and researching organizations you would like to support this holiday season.

Beware of Scams

Watch out for the following charity-related scams:

- **Look-a-like, fake charities:** Some phony charities use names similar to those of well-known organizations but fail to use donations for the cause they claim to support. To avoid falling for an impostor, be sure to research the exact name of the charity you plan to support and find out if it is a registered charitable organization.
- **Scams following natural disasters or tragedies:** These events tend to bring out scammers to capitalize on people's generosity during difficult times. Consider giving to an organization you know to be legitimate, as opposed to waiting for one to reach out to you. For natural disasters, fraudulent campaigns can be reported to the National Center for Disaster Fraud at 866-720-5721.
- **Police and firefighter donation scams:** Some fraudulent fundraisers falsely claim to be associated with police and fire organizations. If you receive a request, check with your local police and fire organizations to confirm your donation will benefit the group you intend or to find out the best way to support the cause.
- **Crowdfunding scams:** Some people ask for donations for a good cause but ultimately keep the money for themselves. If you want to make a contribution using a crowdfunding or peer-to-peer fundraising site, find out how your donation will be used before donating. Try to determine which campaigns are legitimate and which haven't been vetted. Also consider how much of your donation will go to the website itself or whether you will be charged any fees for making the donation.

Signs of a possible charity scam include:

- Requests for payment by wire transfer, gift card, or cash.
- Organizations that pressure you to make donation decisions immediately.
- Charities with names that are similar to well-known, national organizations.
- Claims that you previously donated to an organization you've never supported.

Research Charities

With many groups and individuals seeking contributions, donors need to ask the right questions and do research to be confident their gifts will be used as they intended.

- Ask each charity the following questions as part of your research:
 - ✓ How is my money being used?
 - ✓ Where are you located?

- ✓ What is the legal name of your charity?
- ✓ How much of my money is going directly to the program?
- Visit the [Ohio Attorney General's website](#) to research charities. Use the links on the “Research Charities” page to connect with charity watchdog organizations and learn what others say about the group. Also beware if you can’t find any information about a charity you’re researching. That may indicate it is not a real charity.
- View the IRS 990 form that most tax-exempt organizations must file with the IRS. This form describes where organizations get their funding and how they use that funding.
- When considering giving to a specific charity, search its name online with terms such as “complaint,” “review,” “rating,” or “scam.”
- Talk with friends and family about unfamiliar solicitations. Have they heard of the group? Do they know anyone who has been assisted by this charity?

If you suspect a charity scam or questionable fundraising activity, contact the Ohio Attorney General’s Office at www.OhioAttorneyGeneral.gov or 800-282-0515.

Gift Cards: Know Before You Give

Gift cards are a popular present to give and receive, especially for last-minute shoppers and for people without a wish list, but not all gift cards are alike. From expiration dates to potential scams, know the basics about gift cards before making your purchase.

Gift cards are protected under both state and federal law. Under Ohio law, gift cards in any form – electronic, paper, or other – generally cannot expire for at least two years. Under federal law, gift cards issued in electronic format for a specific amount cannot expire for a minimum of five years. Pay attention to a card’s expiration date, especially if you plan to buy a gift card from a reseller.

Keep in mind that a gift card that is branded by a credit card company and can be used almost anywhere may reduce in value faster than a single-store gift card. If a gift card has no expiration date, it is generally valid until redeemed or replaced with a new card. Nevertheless, it’s often best to use a gift card as quickly as possible to reduce the chance that it will be lost or stolen or that the business will close before you’ve used up the gift card.

There are a number of exceptions related to gift card laws. For example, gift cards purchased for a specific service, such as a gift card for one manicure (as opposed to a specific dollar amount to a nail salon), are not protected under federal law. Additionally,

“bonus” cards are not protected under state or federal law. Around the holidays, many businesses offer deals, such as “buy a \$100 gift card, get a \$20 gift card free.” While the \$100 gift card would have all the protections the law offers, the \$20 gift card would not be subject to the protections and could expire at any time. Closely check the expiration dates and other restrictions of any bonus cards.

Sometimes, gift cards also can be used in scams. For example, you may come across a legitimate-looking website advertising better deals than other stores’ websites, but at the checkout page, the website requests the number to a gift card (not associated with the company) rather than a credit or debit card. Beware! Scammers may create phony websites – complete with made-up customer reviews – to trick people into revealing redeemable gift card information. Unfortunately, once the information is provided, any money loaded on the card will be lost.

Similarly, a con artist may call you, claiming that you’re in trouble with the IRS or that one of your family members has been in an accident, and ask you to pay immediately using a gift card. This is a common sign of a scam, because once you provide the gift card information, even just by reading the gift card numbers over the phone, the con artists can drain the funds.

When you buy gift cards in a store, be sure that any PINs, generally located on the back of gift cards, are not already scratched off. Some scammers go into stores, scratch off and record PINs, and put the gift cards back on the shelf. Then they regularly check to see if a consumer has purchased (or put any funds on) the card. The scammer then attempts to drain the card.

Consumers who suspect a scam or an unfair business practice should contact the Ohio Attorney General’s Office at www.OhioProtects.org or 800-282-0515.

New Ohio Law Expands the Definition of Elder Abuse and Who Must Report It

To protect older adults, a new Ohio law expands the definition of elder abuse and the groups of individuals – including pharmacists, first responders, and bankers – required to report suspicions of it.

Elder abuse generally refers to the abuse, neglect, or exploitation of a vulnerable adult over the age of 60. Some of the new changes to Ohio law include an expanded definition of exploitation, training requirements related to elder abuse, putting the state’s Elder Abuse Commission into law, and expanding the number of individuals required to report suspicions of elder abuse, neglect, or exploitation.

In Ohio, elder abuse can include: physical, sexual, verbal, and emotional abuse; neglect, including abandonment; or financial exploitation. While “financial exploitation” previously included only exploitation by caregivers, changes under House Bill 49 expanded the definition to cover the improper acts of *any* person who uses an older adult’s resources for their own personal benefit, profit, or gain by, among other things, deception, threat, or intimidation.

Under the previous law, some professions – including attorneys, doctors, dentists, peace officers, coroners, clergy, social workers, and hospital and nursing home employees – were already required to report elder abuse. However, the new law creates new mandatory reporters of elder abuse, some of which include:

- Pharmacists
- Employees of outpatient health facilities
- Firefighters
- Employees of the health department
- Ambulance drivers
- First responders
- Building inspectors
- Certified public accountants
- Bank, savings and loan, and credit union employees
- Real estate brokers or agents
- Notary publics
- Investment advisors
- Accredited financial planners

Additional information about who is required to report elder abuse is available through the [Ohio Department of Job and Family Services](#).

Warning signs of elder abuse may include:

- Changes in an older adult’s physical appearance, such as weight loss or unexplained bruising or bleeding
- Changes in an older adult’s personality or mood
- Changes in an older adult’s finances or money management
- A dominating, threatening caregiver or new “best friend”
- Exclusion from other family members or friends
- Changes in an older adult’s home environment

In understanding financial exploitation, it also can be helpful to understand common red flags of a scam, such as:

- Requests for wire-transfers, prepaid money cards, or gift cards
- Requests for personal information
- Pressure to act immediately
- Requests to keep the interaction secret
- Guarantees to make money
- Requests for a large down payment
- No contract or nothing written into the contract
- Sending money out of the country

Reporting Elder Abuse

Any mandatory reporter who has reasonable cause to believe that an adult is being abused, neglected, or exploited (or is in a condition that is the result of abuse, neglect, or exploitation) must immediately report the suspected situation to the county department of job and family services or the local designated adult protective services agency. Failure of mandatory reporters to report alleged abuse, neglect, or exploitation can result in a fine or misdemeanor criminal charges.

Reports of elder abuse can be made to local adult protective services or by calling 1-855-OHIO-APS (1-855-644-6277) 24 hours a day, seven days a week.