



Ohio Attorney General's Consumer Advocate Newsletter

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Beware of “Malvertising” Scams When Surfing Online

Savvy consumers may be familiar with “malware,” which is short for malicious software. They also may know never to click on unfamiliar or suspicious links, attachments, or pop-up windows to avoid malware. However, today’s technology presents us with a danger that is not so easy to recognize or avoid: “malvertising,” or malicious advertising.

Malvertising occurs when what appears to be a legitimate online advertisement is actually dangerous malware. Many times, people believe that legitimate websites will show only legitimate advertisements, but that is not always the case. In cases of malvertising, scammers pay the website as if their ad is legitimate, when, in reality, the ad is malware. Often, the malware is what is known as “ransomware,” which can lock a computer or mobile device and demand payment to regain access to the device.

Consumers can take steps to protect themselves from malvertising such as:

- **Install protective software.** Some anti-virus programs provide protection against malware that can find its way onto your computer through security holes or malicious actors.
- **Keep your operating system, plug-ins, and internet browsers up to date.** Installing updates and security patches for your operating system, plug-ins (such as Flash and Java), and internet browsers will make your device less susceptible to malvertising. You may want to have your computer or other device automatically update these programs.
- **Consider installing an ad blocker.** While many legitimate businesses run online advertisements, an ad blocker may help eliminate some of the threats caused by malvertising. However, consumers may need to disable the ad blocker to fully utilize some websites they wish to visit.

Beyond this advice, simply following general [smart computing tips](#) can help you avoid entire websites and sections of the internet that are designed to cause harm to your digital device.

If you suspect a scam or unfair business practice, report it to the Ohio Attorney General’s Office by calling 800-282-0515 or visiting www.OhioProtects.org.

Make Healthy Goals, not Financial Headaches

You may have the best of intentions to become healthier in the New Year, but before purchasing a product or service, be sure to do your homework to help prevent a well-intentioned goal from becoming a disappointment.

We've outlined tips to help you make the most of your New Year's purchases and avoid potential problems.

Gym Memberships

Before signing up for a gym membership, search for any complaints on file with the Ohio Attorney General's Office and your local Better Business Bureau. Common complaints include billing disputes, cancellation policy problems, and fitness centers closing without notice.

Typically, you will sign a contract when signing up for a gym membership. As with any other contracts, read the entire document to make sure you understand all the terms and ensure that any promises made by a salesperson are included in the contract.

Under Ohio law, gym membership contracts should not last longer than three years. Also, under Ohio law, you generally have three business days (excluding Sundays or legal holidays) from the date you sign the contract to cancel it in full at no cost to you. Before signing the contract, ask about the facility's cancellation policy, and determine what your responsibilities are if you decide to end the contract early.

Dietary Supplements

Dietary supplements are popular in the weight-loss industry and often claim to be a quick and easy solution for weight loss. These supplements may advertise fast results, but it is important to research products before trying them. Look online for reviews from others who have tried the product and can detail if the product worked for them. Also, check for any scientific research conducted on the product.

Automatic Renewals (or "Negative Option")

Be on the lookout for "negative option" contracts with gym memberships and dietary supplements. Under negative option plans, the consumers' contract auto-renews and customers are charged automatically unless they take proactive steps to cancel. For example, a gym might automatically renew an annual membership by charging the consumer's credit card for the next year when the first year is about to expire. When buying dietary supplements online, look for any commitments you may be making by clicking (or not *unclicking*) boxes on the offer page. If a deal includes a "free" or "no obligation" trial, be especially careful about whether you are making future commitments.

Gift Cards

If you buy or receive a gift card to a day spa or fitness center, make sure to check the details. Gift cards receive protections under both state and federal law. Under Ohio law, gift cards in any form – electronic, paper, or otherwise – 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. But “bonus gift cards,” which are common around the holidays, are not subject to the same rules. For example, if you buy a \$100 gift card and get a \$20 gift card for free, the \$20 gift card may expire sooner.

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Learn About Attorney General Outreach and Training Resources

People from all parts of the state are affected by the work of the Ohio Attorney General’s Office. In order to meet specific needs of Ohioans, the office offers important services to families, taxpayers, consumers, veterans, victims of crime, and other individuals.

The office is committed to being accessible to all Ohioans and offers training presentations for many different audiences, including professional groups, faith-based organizations, nonprofits, small businesses, and members of the general public.

Among the available programs are:

- **Charitable Law:** The Ohio Attorney General’s Charitable Law Section is committed to making sure funds given to charities are used for appropriate purposes. The section also offers resources and guidance to charitable leaders on board governance and how to avoid fraudulent activity. Charitable Law conducts workshops on the legal obligations of charity leaders, charitable fundraising and registration, how to recognize charitable fraud, bingo and more. You also can research a charity [online](#).
- **Consumer Protection:** The Consumer Protection Section helps ensure that all Ohio consumers are protected from unfair and deceptive sales practices. By providing education to consumers, its goal is to make sure all Ohioans have the tips and tools they need to protect themselves and their families. The Consumer Protection Section conducts free presentations on a variety of topics, including identity theft, senior scams, consumer rights, and cybersecurity. It also offers presentations to small businesses on consumer protection laws in Ohio and how to avoid scams.
- **Crime Victim:** The Crime Victim Services Section provides services for victims of crime including victim compensation, and training for professionals, and promotes crime prevention. The Crime Victim Compensation program reimburses qualifying victims of crime for their out of pocket expenses lost as a result of the victimization. Training is also available for victim services professionals where they develop skills related to child abuse, domestic violence, and crisis intervention. The section also educates salon professionals on how to identify the signs of domestic violence and provide a safe referral for victims of crime.
- **Civil Rights:** The Civil Rights Section represents the Ohio Civil Rights Commission. The Civil Rights Section provides free training in the areas of fair employment (employee leave, allegations of discrimination, religion in the workplace, and reasonable accommodations for employees with disabilities) and fair housing and public

accommodations (advertising, screening potential tenants, steering tenants, and reasonable accommodations and modifications).

A variety of free publications are available [online](#), including resources for consumers, nonprofits, and victims. Several publications are also available in Spanish.

If you would like more information on other presentations and workshops offered by our office, please visit our website at www.OhioAttorneyGeneral.gov or contact the Ohio Attorney General's Help Center at 800-282-0515.

Know Your Consumer Rights – Warranties and Service Contracts

Have you recently purchased new appliances for your home, such as a refrigerator, washer, or clothes dryer? Are you thinking about remodeling your home or getting your roof repaired? These are likely to be costly investments, but understanding warranties and service contracts can help you make the most of your money and avoid problems.

A warranty is a company's promise to stand behind its product. A federal law called the Magnuson-Moss Warranty Act sets requirements for entities that provide warranties. If a manufacturer offers a warranty, it must be available for the consumer to read before the purchase is made. Warranties can also vary in length and coverage. A new car warranty may last three years or 36,000 miles and the warranty may state that the car's manufacturer will fix or pay for certain problems that occur during that period. However, a product that is purchased "as is" has no warranty and the seller is not responsible for any repairs.

Before purchasing goods and services that involve warranties, it is important to evaluate and compare warranties:

1. Find out how long the warranty lasts by determining when coverage begins and ends. Also, look for any conditions that would void or cancel coverage.
2. Determine who will perform services under the warranty, and consider where you will need to take the product for repairs. Also, determine whether the warranty covers shipping costs and if you will need to keep the original packaging for the warranty to be honored.
3. Find out the company's responsibilities under the warranty and determine if it will repair the item, replace it, or refund the purchase price.
4. Figure out exactly what is covered under the warranty, and check for exclusions in coverage. Be aware that some warranties require the customer to pay for labor costs.
5. Be sure to get all warranties in writing. If a salesperson makes verbal promises about a warranty, make sure to get those promises put in a written contract, otherwise they are not guarantees.

An extended warranty lengthens the coverage provided by the regular warranty, usually by two or three years and is generally offered by the manufacturer or a third party. If you do end up purchasing an extended warranty, make sure to check that the warranty provider has a

good reputation. You can check complaints filed against a company with the Ohio Attorney General's Office and the Better Business Bureau.

If you are buying a car, an electronic device, or a major appliance, you may be offered a service contract. Although often confused with warranties, a service contract is different. A service contract is a promise to perform or pay for certain repairs or services. A warranty is usually included in the price of an item, while a service contract costs extra and may be offered by a retailer, the manufacturer, or a third party. A service contract may cover specific parts of the product or specific repairs such as painting your house or tuning-up your car. Because some service contracts may duplicate the warranty coverage that the manufacturer provides, it is important to compare the service contract with the warranty.

Be sure to read future editions of the "Consumer Advocate" for more the "Know Your Consumer Rights" articles.

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