



# Ohio Attorney General's Consumer Advocate Newsletter

FEBRUARY 2017

## Prevent Heartbreak: Steer Clear of Romance Scams

As Valentine's Day approaches, watch out for con artists seeking to profit off Ohioans looking for love. While we all want to find the perfect match, unless you know how romance scams operate, instead of finding real love, your new "sweetheart" may deliver the double doozy of a broken heart and a lighter wallet.

This scam typically begins when a con artist creates a phony profile on a dating website or social media to attract unsuspecting victims. Many times, con artists claim to be located in another state or country – pretending to be an oil rig worker, a military member stationed overseas, or a businessperson working in another country. They may even send forged photos or documentation in order to "prove" their identity. The scammer and the soon-to-be victim may spend countless hours communicating before the scammer asks for money.

Scammers use various excuses to explain why they need money, such as airfare to visit, hospital fees or medical costs, to get out of a foreign country, or to access an inheritance they promise to share with the victim. Victims generally are asked to send money using a wire-transfer service, money order, prepaid card, gift card, or other hard-to-trace payment method. Once the money is sent, it is nearly impossible to recover.

In 2016, consumers reported losing an average of \$21,000 to sweetheart scams, according to about 60 complaints filed with the Ohio Attorney General's Office. Some consumers reported sending as much as \$100,000 or more over the course of months or years.

One Ohioan met a con artist pretending to be a general in the Air Force serving overseas. He convinced her to send a total of \$40,000, purportedly to help him receive early release and travel back to the United States.

Another Ohioan became attached to a scammer through a popular dating website, which led to a 15-month relationship. The scammer claimed to be working in the United Kingdom and said he needed money for rent. His first request was for \$500, followed by other small-dollar requests. Eventually, he sent a request for more than \$15,000 to help fund a business project in Sweden. At that point, the victim realized it was a scam and reported it to her local law enforcement and the Ohio Attorney General's Office.

Tips to avoid sweetheart scams include:

- Research someone you meet online; don't rely solely on what that person tells you. Conduct internet searches and check with independent sources to verify the person's claims.
- Be cautious of individuals who claim it was destiny or fate that brought you together or who claim to love you soon after you meet online.
- Talk to friends and family members about any online relationships, even if the other person asks you to keep the relationship a secret.
- Don't send money to someone you've only met online, even if you have developed a relationship with the individual.
- Be very skeptical of requests for money sent via wire transfer, money order, prepaid money cards, or gift cards. These are preferred payment methods for scammers.

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](http://www.OhioProtects.org).

### **New Device? Make Cybersecurity a Top Priority**

Did you start out the new year with a new smartphone, tablet, laptop, or even a TV that connects to the internet? The Ohio Attorney General's Office encourages you to make cybersecurity one of your top priorities as you learn, program, and use your new devices.

Many consumers want to make securing their electronics and personal information a priority, but they may not know where to start. Here are five tips to help stay safe in cyberspace:

- **Use complex, unique passwords:** Make your passwords long, hard-to-guess, and unique to each account you set up. Choose a mix of lower case and capital letters, random numbers, and special characters, like an asterisk or question mark. Many experts recommend passwords be at least 8 to 12 characters in length. Also, consider updating your passwords on a regular basis, such as every 60 or 90 days, or right away if you suspect that a password has been compromised.
- **Use strong authentication:** While complex passwords are essential, many experts also recommend that you enable "multi-factor" authentication where it is available. This authentication requires you to enter a password and complete at least one other action to prove your identity before gaining access to the account. For example, some websites may require your password and a one-time access code that is sent directly

to your smartphone. For more information about multi-factor authentication, visit [www.lockdownyourlogin.com](http://www.lockdownyourlogin.com).

- **Secure smart devices:** Smart devices are electronic items that are connected to other devices or networks, often through wireless technology such as Bluetooth and WiFi. With the popularity and media attention given to the “internet of Things,” be sure that any internet-enabled appliances, wearable devices, and other smart gadgets are connected to a secure router. Also, be sure to educate yourself about your particular devices, along with any related apps, to keep them secure and understand your security or privacy settings.
- **Install timely updates:** Not only is it important to have strong anti-malware software, but it’s also important to update that software and operating systems as updates become available. Updates may contain recent security patches, the latest malicious software (malware) detection, and malware removal tools. You may want to set your device to automatically update.
- **Delete, delete, delete:** Many times, clicking on suspicious links or attachments can activate malware. Make it a practice to delete anything suspicious, even if it appears to be from a friend. Accounts can be hacked, and viruses sometimes send messages to whole address books or networks of friends. Remember, when in doubt, delete. If you’re really curious, call your friend to ask if he or she sent you the message before you open it.
- **Be cautious about sharing:** Limit the amount of personal information you share online, and be sure to set privacy and security settings on your device and on social media apps. While some programs or apps may claim that information is available only to friends or deleted after a period of time, it is best to operate under the assumption that any posts are permanent and available to a wider audience.

When applied, these tips will help protect you and keep you safe in cyberspace. For more information, download the Ohio Attorney General’s [cybersecurity booklet](#).

To learn more from the Ohio Attorney General’s Office or to schedule a free presentation on the Cybersecurity Help, Information, and Protection Program (CHIPP), visit [www.OhioProtects.org](http://www.OhioProtects.org) or call 800-282-0515.

### **Know Your Consumer Rights: Shopping Rights and Tips**

Whether reading a store ad, shopping online, or making a purchase at a retail store, you are likely protected by Ohio’s consumer protection laws. The Ohio Consumer Sales Practices Act (“CSPA”) and its related rules operate to maintain a fair marketplace for consumers.

To help you understand your rights and responsibilities as a shopper, we've outlined a few key elements of Ohio's consumer protection laws.

### ***Failure to Deliver***

Ohio's CSPA says that it is deceptive for a seller to accept money and not deliver goods or services. Generally, within eight weeks of payment, the seller must deliver the goods or services; provide a full refund; tell the customer about the delay and offer to send a refund within two weeks, or substitute similar goods or services of equal or greater value.

For example, if a consumer purchased a refrigerator from a retailer, it would be deceptive for that retailer to accept money for that appliance and not deliver the refrigerator.

### ***Gift Cards***

In general, if you have a single-store gift card, it cannot expire or be assessed fees within two years of the card issue date, according to Ohio law. If a gift card has no expiration date, it is generally valid until redeemed or replaced with a new card. However, some exceptions apply. Ohio's Gift Card Act does not apply to gift cards that are issued as part of an awards, loyalty, or promotional program where the consumer gives no money for the card or to cards that are usable with multiple retailers such as mall cards, bank-branded gift cards, and credit-branded gift cards.

Also, if a company shuts down before you redeem your gift card, you may not be able to get your money back. To avoid this, only purchase gift cards from reliable companies that you trust, and try to redeem your gift cards as soon as possible.

### ***Layaway***

In a layaway arrangement the seller agrees to hold goods for the buyer and delivers the goods based on a payment arrangement. If a consumer enters into a layaway agreement for \$500 or less, the consumer can cancel at any time if the agreement is in writing. If the layaway arrangement is more than \$500, the consumer must receive a copy of the written contract upon first payment. Consumers also may cancel at any time but this cancellation must be in writing. In addition, if the consumer cancels within the first five days, the consumer cannot be penalized and the down payment, deposit, or partial payment must be returned.

### ***Refund Policies***

Stores are not required to provide refunds or to have any specific type of return policy under Ohio law. Always ask about a store's refund policy up front before making a purchase. If a store has a refund policy, it must be clearly and conspicuously posted. Look for policies on signs in the stores, on the backs of receipts, and on an internet seller's website. It is not

acceptable for a refund policy to be printed only on the receipt because the customer sees the receipt after the purchase has been made.

### ***Rain Checks***

Consumers may be entitled to a rain check if a seller advertises goods or services at a certain price and sells out before the consumer has had a chance to purchase the product at that price. A rain check will allow the consumer to purchase the advertised product or service at a later date for the sale price. However, some exclusions apply. If the seller clearly and conspicuously discloses the number of goods available or that the merchandise is limited and no rain checks will be given, the seller is not required to issue a rain check. In addition, the rain check requirement does not apply if the seller allows the consumer to purchase a similar item of equal or greater value at the same savings event. A rain check must be honored within 60 days after issue. Once the seller notifies the consumer that the item is back in stock, the consumer has 14 days to redeem the rain check.

### ***Restocking Fees***

Some sellers charge consumers restocking fees for returning certain items, most commonly electronics or special-order products. A restocking fee may limit a customer's ability to receive a full refund for a returned item. Sellers may charge restocking fees, but these fees must be clearly and conspicuously disclosed up front.

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

To report a scam or unfair business practice, contact the Ohio Attorney General's Office by visiting [www.OhioProtects.org](http://www.OhioProtects.org) or calling 800-282-0515.

### **Unclaimed Funds 101**

Do you think there are unclaimed funds out there belonging to you? Are you unsure of how to claim these funds? Have you recently been contacted by someone who offered to help you claim funds owed to you?

Unclaimed funds can originate from an inactive bank account, rent or utility deposits, uncashed checks, uncashed insurance policies, or unclaimed money transfers (such as MoneyGram or Western Union products). If there is no activity in the account for a certain period of time, generally three to five years, and the owner cannot be reached, the funds are reported to the Ohio Department of Commerce's Division of Unclaimed Funds. The division then works to track down the rightful owner and re-unite the Ohioan with his or her money.

In order to claim your funds, you must prove that you are the rightful owner of the funds and that you are legally entitled to claim the funds (such as if the owner is incapacitated or

deceased). If the original owner is deceased, contact the probate court in the county where the account owner lived when they died and obtain documentation that grants you the right to obtain the funds. A Social Security number is required when claiming funds for IRS tax reporting purposes related to the payment of interest.

There are companies that may help you find or recover your unclaimed funds for a fee; however, the company can charge no more than 10 percent of the total amount claimed. To circumvent this fee, you may wish to work directly with the Ohio Department of Commerce's Division of Unclaimed Funds, which provides official claim forms that are free and will lead to claim payment after verification. The state does allow companies to assist consumers in their search for unclaimed funds for a fee, but they must be registered with the Ohio Department of Commerce. To find out if a company is registered, call the Division of Unclaimed Funds at 877-644-6823.

Although there may be some legitimate companies that can assist you in recovering your funds, you should also be on the lookout for scammers. Some Ohioans have received letters or emails from operators claiming that a recovery agent will help them recover unclaimed funds for a service fee. However, once the fee is sent, no work is performed. The same scammers may also ask you to verify your Social Security number or to provide a copy of a driver's license. It is likely that these scammers will use your personal information to steal your identity, so it is important not to give out this information.

To see if you have any unclaimed funds or for more information on how to claim funds from the Ohio Department of Commerce's Division of Unclaimed Funds, visit [www.com.ohio.gov/unfd/](http://www.com.ohio.gov/unfd/).

If you have been a victim of an unclaimed funds scam, contact the Ohio Attorney General's Office by visiting [www.OhioProtects.org](http://www.OhioProtects.org), or call 1-800-282-0515.