

Ohio Attorney General's
Consumer Advocate Newsletter
Keeping Consumers Safe and Informed



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Watch Out for Home Improvement Scammers

As outside temperatures heat up, Ohioans will undoubtedly dive-in to new home improvement projects ranging from staining decks to installing new roofs. Many contractors do a great job, but unfortunately, some contractors prove to be less than reputable. It's important that you do your homework before hiring a contractor; this includes getting more than one estimate and asking for references of prior customers who can vouch for the contractor's work.

While there are many legitimate contractors, home improvement scammers often ask for large down payments but simply take the money and run, leaving homeowners with

no repairs and no refunds. Then, they usually move on to another customer to repeat their scheme.

Some unscrupulous contractors may start a significant project only to stop their work without any notice, leaving the job unfinished. They may try to stall with false promises to finish the job, or they may ignore phone calls altogether. Others may simply perform shoddy work, leaving homeowners with projects that need to be completely redone.

Ohio Attorney General Dave Yost recently filed two lawsuits against contractors accused of scamming homeowners who suffered damage from the Dayton tornadoes in 2019 out of over \$300,000 in total. One lawsuit alleges that Robert T. Green, 54, through TK Home Improvement LLC, solicited homeowners after the tornadoes, taking \$95,650 in payments and doing shoddy work or no work at all, according to complaints received by Yost's Consumer Protection Section.

The second lawsuit alleges that Tyler A. Puckett through his business, StormAid Restoration LLC, promised to repair roof damage. Several homeowners reported that Puckett, 31, of Hamilton County, collected \$213,569 from them but failed to deliver goods or services, or did only minimal roof patching, in violation of the Consumer Sales Practices Act.

Follow these tips to help avoid becoming a scammer's next victim:

- Before signing a contract or making a payment, check a company's reputation with the [Ohio Attorney General's Office](#) and the [Better Business Bureau](#). Conduct an internet search for the business and the names of individuals involved.
- Do not make a large down payment. Instead, pay in increments – for example, one-third at the beginning of the job, one-third after half of the work is completed to your satisfaction and one-third when the job is completed.
- Avoid paying in cash. It leaves you with a limited paper trail if something goes wrong.
- Get all promises in writing.
- Be cautious of contractors who want payment made out to themselves as individuals, instead of a company.
- Understand that Ohio's Home Solicitation Sales Act provides consumers with a three-day cancellation period for most contracts signed at their own home. The law also applies to contracts signed at any location that is not a company's normal place of business (such as a home improvement show).
- Look for the red flags of a traveling scam artist. If a contractor claims to have leftover materials from a nearby job or offers unbelievably low prices, be suspicious.

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.

Attorney General Celebrates One-Year Anniversary of Robocall Enforcement Unit

In March 2021, Ohio Attorney General Dave Yost celebrated the one-year anniversary of the Robocall Enforcement Unit, a unit with staff dedicated to making Ohio the most difficult state in which illegal robocallers operate.

Understanding the overwhelming frustration and annoyance that robocalls bring, last year, Attorney General Yost put together a team housed in his Consumer Protection Section to combat this problem that affects everyone.

“Robocallers bombard our phones every day, many time pushing worthless products,” said Attorney General Yost. “It’s time for them to get the message – not in Ohio!”

In an attempt to fight robocalls in a number of different ways, since its inception, the Unit has:

- Received over 47,000 Unwanted Call Notifications, which serve as the launching point for investigations and information sharing;
- Worked with state and federal partners as well as USTelecom, the industry-led telecommunications consortium, to trace the origin of suspected illegal robocalls;
- Opened a number of investigations pertaining to over 40 targets and issued over 50 investigatory subpoenas in those investigations.
- [Joined a brief](#) with 33 other state attorneys general in asking a US Court of Appeals to reverse a decision that prevents the enforcement of the robocall prohibitions of the federal Telephone Consumer Protection Act.
- With seven other states’ attorneys general, [filed a case](#) against eight defendants alleged to be responsible for sending over 59 million robocalls to Ohioans offering vehicle service contracts and health care plans.
- With the Federal Trade Commission, [settled a case](#) against ten defendants, including Globex Telecom, marking the first case ever filed against a voice service provider for assisting and facilitating illegal robocalls.
- Issued letters to 14 different companies offering “car warranties,” reinforcing the requirement to comply with Ohio’s Telephone Solicitation Sales Act as well as federal telemarketing statutes and regulations.
- Previously crafted and is currently supporting legislation to make Ohio the toughest state in which to conduct an illegal robocall scheme by fully incorporating existing prohibitions of certain federal statutes into a similar Ohio statute, as well as prohibit anyone from providing substantial assistance to robocallers in an effort to hold all the bad actors who knowingly participated in these schemes accountable.

Attorney General Yost also sent a “thank you” letter to those who have filed Unwanted Call Notifications, encouraging them to keep filing to help in this effort. If you receive an unwanted call, [file a complaint online](#) or call 800-282-0515. To learn more about robocalls, visit www.OhioProtects.gov.

And remember, when it comes to unwanted calls, Just Don't Answer!

AG Yost Reminds Parents How to Protect Children from Identity Theft

In an effort to curb identity theft of children, Ohio Attorney General Dave Yost is advising parents to proactively place a freeze on their child's credit report.

Child identity theft occurs when someone fraudulently uses a child's identity to fraudulently open accounts or receive benefits. The imposter may be a family member, friend or a stranger and may use the child's name and Social Security number to open new accounts for cell phones, utilities, credit cards and even mortgages.

"A victim's age doesn't matter to identity thieves so parents need to utilize all the available tools to protect their children," Yost said. "A freeze on your children's credit report is free and can provide that security to lock out scammers."

Attorney General Yost was joined in March 2021 by other governments and nonprofit organizations in celebrating National Consumer Protection Week. The nationwide campaign encourages consumers to focus on their rights to better protect themselves.

The Federal Trade Commission found there were more than 14,000 victims of identity theft under the age of 19, [according to its latest report](#).

Thieves could get away with using a child's identity for years because children typically do not try to check or access credit. As a result, child identity theft usually is not discovered until the child applies for college financial aid, a car loan or employment.

[This video](#) explains how a parent or guardian can ask the three major credit reporting agencies to create and freeze a credit record in the child's name. The freeze restricts the credit reporting agencies from releasing information about the child, making it more difficult for an imposter to use the child's personal information to be approved for credit, loans or services. To place a child security freeze, a parent should contact each of the credit reporting agencies - [Equifax](#), [Experian](#), and [TransUnion](#). The parent must provide proof of authority to act on behalf of the child, such as a birth certificate and proof of identity for both the child and the adult.

It is free to place or to lift a security freeze. Once in place, the freeze will remain in effect unless it is lifted by the parent or by the child after reaching the age of 16.

Victims of identity theft should contact the Ohio Attorney General's Office at 800-282-0515 or www.OhioProtects.org for assistance.

The Basics of Buying a Used Car

For most consumers, automobiles are one of life's biggest expenses. Some Ohioans may want to use their income tax refund and/or stimulus payments to help with such an expense. However, whether it is paid for or financed, buying, maintaining, and repairing a car can involve many different costs and decisions.

Under Ohio law, consumers do not have a general right to cancel the purchase of a vehicle to get their money back. Additionally, in general, Ohio's Lemon Law does not apply to used cars, protecting cars only for the first year after purchase or 18,000 miles, whichever occurs first. Therefore, it is important to understand your rights and responsibilities before buying a used car.

In 2020, motor vehicles topped the list of consumer complaints reported to the Ohio Attorney General's Office, so before buying a used car, consider the following:

Choosing a reputable dealer

- Research consumer complaints with the [Ohio Attorney General's Office](#), the [Better Business Bureau](#), and through internet searches.

Evaluating the car's operating condition

- Carefully and completely inspect the car's exterior and interior.
- Take the car on an extended test drive on highways, in stop-and-go traffic, and in other conditions.
- Have an independent mechanic of your choosing inspect the car.

Reviewing the car's history

- Use the Vehicle Identification Number (VIN) to research who owns the car, the last odometer reading, and other facts at www.vehiclehistory.gov, and to check on issues such as potential flood damage through the National Insurance Crime Bureau at www.nicb.org.
- Review all available service records, including work the dealer performed since buying the car, and obtain copies for your records.
- Research safety recalls through the National Highway Traffic Safety Administration at www.nhtsa.gov.

Paying a fair price

- Research the price using guides such as the National Automobile Dealers Association (www.nadaguides.com), Edmunds (www.edmunds.com), and Kelley Blue Book (www.kbb.com).
- Consider the total price of the car, not just your monthly payments.
- Understand how interest is being calculated on your car loan.
- Know when monthly payments are due and understand all late fees.

- If trading in a car, confirm with the lender that any lien will be paid within two weeks after the trade-in.

Knowing who's responsible for repairs and maintenance after the purchase

- Know whether the car is being sold "as is," in which case you are generally responsible for all repairs once you buy it and drive it off the lot.
- If purchasing an extended service contract, read its terms and conditions. (A service contract is an agreement to repair, replace, or maintain a car for a specific period. It is different from a warranty, which is generally offered by the manufacturer and included in the purchase price.)
- Beware of warranty expiration notices. You may receive notices that appear to be from your car manufacturer, dealership, or state Bureau of Motor Vehicles but are actually sales solicitations for vehicle service contracts. If you get a notice about your warranty expiring, check with your manufacturer before responding. by using the contact information you already have for the manufacturer. Don't rely on the notice, which may contain only contact information for a scammer.

Reviewing the written contract and any other necessary documents

- Confirm that all verbal promises and representations about the car and its condition are in the written agreement.
- Make sure there are no blank spaces on the written agreement.
- Obtain a copy of the written agreement.
- Obtain the title from the dealer within 30 days of the purchase.

Before buying a used car, download the [Ohio Attorney General's Used Car Buyer Checklist](#). If you experience problems buying a used car or receiving your title, contact the Ohio Attorney General's Office at 800-282-0515 or www.OhioProtects.org.