

# Ohio Attorney General's Consumer Advocate Newsletter

Keeping Consumers Safe and Informed



## Consumer Advocate October 2019

### Tips to Shop Smart During Black Friday Sales

Time will fly by and before you know it, Ohioans will enter into the holiday shopping season, beginning with Black Friday on November 29.

This holiday shopping season, consumers should keep these tips in mind:

- **Research products and sellers carefully:** Search for complaints filed with the Ohio Attorney General's Office and the Better Business Bureau. Also look up customer reviews online and find out what previous customers have said about the product or seller.
- **Beware of scams:** Watch out for phony Black Friday coupons, such as those offering hundreds of dollars to spend at a store, and other claims that sound too good to be true. Be wary if someone asks you to pay using high-amount gift cards, which are commonly requested by scam artists.
- **Know stores' return policies:** Under Ohio's consumer protection laws, sellers can choose to set their own return policies, including policies of no returns, but they must clearly tell you their policies before you complete the purchase. (For example, the return policy shouldn't be posted only on the back of a receipt.) Also, ask if a return policy is different around the holiday season, as some stores increase their return periods during this time.
- **Important exclusions and limitations should be disclosed:** Ads should clearly disclose important exclusions and limitations of an offer, so check to see if limited quantities are available, if a sale is valid only during certain hours or if other terms and conditions apply.
- **Rain checks apply only in certain situations:** If a seller advertises a product at a certain price but sells out of that product by the time you respond to the ad, you may have the right to a rain check. However, sellers are not required to provide rain checks if they clearly disclose the number of goods available at that price or if they clearly state that no rain checks will be given.
- **Understand differences between gift cards:** Gift cards are the most requested type of gift, according to the National Retail Federation, but not all gift cards carry the same protections. 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. Also, promotional cards, such as those that come free with a purchase, may not carry the same protections as other cards and may last only a short period of

time. If you receive a gift card, it's generally best to use it as quickly as possible to reduce the chance it will be lost, stolen or diminish in value.

- **Keep cybersecurity in mind:** When shopping for deals online, don't use free public Wi-Fi when entering sensitive information like your credit card number. Keep apps, software and operating systems up to date and use secure websites when you need to enter personal information. (Find additional cybersecurity tips on [the Ohio Attorney General's website](#).)
- **Paying with a credit card usually offers greater protection:** 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 forms of payment.

If you suspect a scam or an unfair business practice, contact the Ohio Attorney General's Office at [www.OhioProtects.org](http://www.OhioProtects.org) or 800-282-0515.

## Beware of Scams When Moving

Moving can be a fun and exciting time, but beware of scams when choosing a moving service. Some con artists pretend to be movers, even giving quotes and accepting deposits, but never show up for the job.

Other scammers may quote a price based on the weight of what is being moved, but when it comes time for the move and the items are loaded, the company informs you that the belongings weigh more than the estimate. The scammer then says that additional weight will cost significantly more to move.

A third variation of the moving scam occurs when everything seems to be smooth sailing but your items don't show up at your new house. The belongings are either lost forever or are held hostage until you pay an additional fee.

Before hiring a mover, consumers should research companies through the Ohio Attorney General's Office, Public Utilities Commission of Ohio (PUCO) and the Better Business Bureau. Be sure to know how long the moving company has been in business, look for reviews from prior customers and ask for proof that the company is licensed and insured. The PUCO has important information about [consumers' rights](#) when hiring movers. For consumers moving across state lines, [the Federal Motor Carrier Safety Administration](#) regulates interstate moving companies.

Also, look for some red flags of a moving scam:

- Watch out if the company doesn't list an address or provide information about its registration or insurance coverage. Also, beware of companies that do not give a company name when they answer your phone call or that use rented trucks instead of their own vehicles – those may be signs that the movers are not in business for the long haul.
- Look out for companies that require a large down payment or payment in full before they provide the moving service. Do not pay cash before services are completed.

- Be sure to get a written contract from the moving company, and read the terms and conditions and any fine print before committing to the service. Be sure the written contract spells out the dates your goods will be picked up and delivered, as well as how the rate is calculated.
- Inventory all your items being moved and the number of boxes being transported to your new home or apartment. Look for movers that provide full-value protection insurance in case items are lost or damaged. Also, find out what your existing homeowner's policy will cover.

If you suspect a scam or an unfair business practice, contact the Ohio Attorney General's Office at [www.OhioProtects.org](http://www.OhioProtects.org) or 800-282-0515.

## **Attorney General Yost Warns of Genetic Testing Scams**

Recent reports indicate that scammers are targeting Medicare beneficiaries at senior centers and other community locations by claiming that Medicare fully covers a cheek swab that tests for a variety of diseases and can identify how a person's body processes medications.

In this scam, which has been reported in Ohio and other states, firms reportedly collect consumers' personal information, including their Social Security and Medicare numbers, under the pretense of providing a medical screening. This scam, similar to other medical device scams, is aimed at improperly accessing older adults' insurance benefits.

To protect yourself, be cautious if anyone conducting DNA cheek swabs requests that you agree to be billed for services in the event that Medicare does not pay.

What should Medicare recipients know about genetic testing?

- In order for the testing to be covered by Medicare, it must be medically necessary.
- Consumers should always confirm that their test has been ordered by their doctor, that it's covered by their plan and that it's medically necessary.
- If you are interested in DNA screening, talk to your doctor and determine if it's right for you.

How can I protect myself from this type of scam?

- If you or a loved one is approached by someone claiming to offer genetic testing, do not give them your personal information (like your Medicare or Social Security information).
- Theft of Medicare card numbers may be used to commit identity theft or fraud.
- Instead of receiving an unsolicited DNA screening from a firm that's not affiliated with your health care provider, talk to your doctor first and determine if the test is necessary.
- Some consumers have reported receiving DNA testing kits in the mail without requesting them. Consumers should not use these kits but should instead talk to their doctor.

If you suspect wrongdoing or if you believe you have been victimized, call the Ohio Department of Insurance's Fraud and Enforcement Hotline at 800-686-1527 or the Ohio Senior Health Insurance Information Program at 800-686-1578.

If you suspect a scam or an unfair business practice, contact the Ohio Attorney General's Office at [www.OhioProtects.org](http://www.OhioProtects.org) or 800-282-0515.

## **Attorneys General Secure \$600 Million from Equifax in Largest Data Breach Settlement in U.S. History**

In July, Ohio Attorney General Dave Yost announced a multistate coalition of attorneys general, led in part by Ohio, reached a settlement with Equifax following an investigation into its massive 2017 data breach.

The historic settlement included payment of at least \$7.14 million to Ohio. All affected consumers are eligible for long-term credit monitoring. Those who have credit-monitoring services and who plan to keep those services for at least six months may be eligible for up to \$125. However, that amount may be significantly reduced based on the number of claimants. Consumers also may be eligible for reimbursement for their time and expenses if they were the victims of identity theft related to the breach or if they purchased Equifax credit-monitoring services the year prior to the breach. The settlement includes additional measures that aim to protect consumers' information in the future.

Consumers who are eligible for redress will be required to submit claims online or by mail. Paper claims forms can also be requested by phone. Note that most claims must be made by Jan. 22, 2020.

For those who may have been affected by the breach:

- Visit <https://eligibility.equifaxbreachsettlement.com/en/Eligibility> to determine if your information was impacted.
- File a claim by Jan. 22, 2020 at <https://www.equifaxbreachsettlement.com/file-a-claim>.

For everyone, whether affected or not:

- Check your credit report at [www.annualcreditreport.com](http://www.annualcreditreport.com) to make sure your credit report is free of any errors.
- Consider placing a security freeze on your credit. A security freeze prevents anyone from opening new credit accounts in your name. The process to place a security freeze requires that you contact each of the credit-reporting companies directly. You can place a freeze at the following websites:
  - Equifax: [www.equifax.com/CreditReportAssistance](http://www.equifax.com/CreditReportAssistance)

- Experian: [www.experian.com/freeze](http://www.experian.com/freeze)
- TransUnion: <https://freeze.transunion.com>

If you suspect a scam or an unfair business practice, contact the Ohio Attorney General's Office at [www.OhioProtects.org](http://www.OhioProtects.org) or 800-282-0515.

## **Attorney General Yost Launches Tool to Help Ohio Consumers**

Ohio Attorney General Dave Yost has launched an online tool to help Ohioans gauge the reputations of businesses and steer clear of those with problematic pasts.

The [Consumer Protection Lawsuit Search](#) available now on the attorney general's website lets consumers check if businesses and individuals have been sued by the State of Ohio for violating the state's consumer protection laws.

The searchable database houses civil lawsuits and criminal indictments filed by the attorney general's Consumer Protection Section and its Economic Crimes Unit since 2013.