

2013

Financial Fraud
Enforcement
Task Force
Consumer
Protection
Working Group

Servicemember
Subgroup



**UNITED STATES
ATTORNEY TOOLKIT
FOR MILITARY
CONSUMER FRAUD
ENFORCEMENT**



Office of the Attorney General

Washington, D.C. 20530

March 7, 2013

Dear Law Enforcement Partner:

Even as our economy shows signs of improvement, financial fraud remains a growing threat to so many. And it can affect even the strongest and bravest among us -- our servicemembers and veterans.

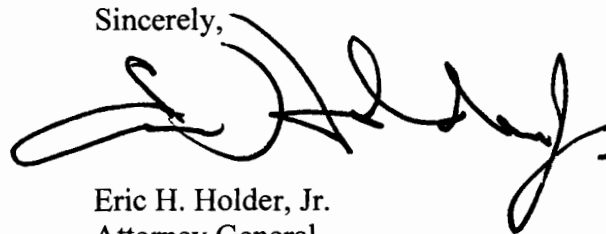
This type of financial fraud is unacceptable. Financial crimes can be just as devastating as violent ones, and can wreak havoc not just on an individual, but on whole families. We as a Nation owe an incredible debt to our servicemembers and veterans and need to work together to protect them -- just as they do us. Because of that debt, it is our responsibility to use all available tools to deter and hold accountable those who would prey upon our servicemembers and veterans for financial gain.

That is why the Department of Justice, along with State Attorneys General, have come together in an historic fashion to express our commitment to greater enforcement against these pernicious forms of financial fraud. One product of that collaboration has been a set of enforcement toolkits containing the information that United States Attorneys, JAG Legal Assistance Attorneys, and State Attorneys General need to take effective enforcement action in this area. We believe that these enforcement toolkits will increase (1) dialogue amongst law enforcement about financial scams affecting the military; (2) referrals between military, state, and federal partners of potential investigative leads; and, most importantly (3) the number of civil and criminal cases brought against those who would defraud our servicemembers and veterans.

We implore you not just to review the materials herein, but keep them handy. Use them. Talk about consumer frauds that affect the military. Encourage those affected by fraud and other deceptive practices to report. Refer matters. Bring cases. And together, we may be able to prevent and stop this insidious financial fraud.

Thank you for all you do.

Sincerely,



Eric H. Holder, Jr.
Attorney General

A Message from Co-Chairs of the FFETF Consumer Protection Working Group

Effective consumer protection requires that all levels and branches of government work together to deliver more targeted prevention and enforcement. Communication, collaboration, and responsiveness are three key components in this effort. The educated consumer is, and always will be, the very best protection against fraud and deceit.

With that collaboration in mind, President Obama established the interagency Financial Fraud Enforcement Task Force (the "FFTEF") in 2009. We co-chair the Consumer Protection Working Group of that Task Force, focused on identifying threats to consumers, and working together to prevent and stop them.

The public that we protect is also safeguarded by those who defend us all – our active duty and reserve military servicemembers. Many of us know someone who has served in our Armed Forces. We all share an appreciation of the sacrifices made by those who protect us. Our service members don't ask for glory or to be described as heroes. They simply want to do their jobs, come home to their families, and enjoy the same freedoms and protections as others in America.

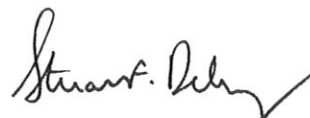
That is why financial scams directed at servicemembers, veterans and their families are so insidious – and why we have made stopping them a priority of the Consumer Protection Working Group. One way to demonstrate our thanks to those who give so much is to raise awareness, within the military and among those in law enforcement, about the specific consumer threats facing servicemembers and also to help build comprehensive strategy to target those threats.

This toolkit is designed to provide an overview of common consumer scams affecting the military, applicable federal and state laws, available federal and state partners, models for outreach to the military community, and sample legal materials to assist United States Attorneys and their AUSAs in bringing more enforcement in this area. We know that United States Attorney's Offices around the country are engaged in the same effort – conducting fraud prevention training in Bridgeport Connecticut, and base visits in Pensacola, Florida and in the District of Kentucky, for example. Our hope is that this toolkit offers an enforcement and outreach model for others to draw from, and a guide to better understanding some of the challenges faced by our servicemembers and their families.

To those reading this toolkit who have served in our military, we thank you for your sacrifice. To those US Attorneys seeking to bring more actions addressing fraud on servicemembers and their families, we hope that this toolkit provides a useful template for you and we look forward to working with you in the days to come.



André Birotte Jr.
United States Attorney
Central District of California



Stuart F. Delery
Principal Deputy Assistant
Attorney General
Civil Division
Department of Justice

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Coordinating Prevention, Outreach, and Enforcement Efforts

Vigorous enforcement of our federal consumer protection laws is a core function for the Department of Justice and for all of the United States Attorney's Offices throughout the country. Our consumer protection enforcement efforts take place in the nation's federal courts where our lawyers represent the United States in criminal and civil actions.

Protecting the consumer from fraud and deceit may begin with our work in our federal courts, but it does not end there. The educated consumer is really the best defense to fraud and effective consumer protection requires community outreach and education, in addition to enforcement, in order to help prevent the public from being victimized.

Indeed, enforcement is enhanced when it is conducted in coordination with prevention and outreach efforts. For the consumer, the most effective prevention and outreach efforts are those that combine local, state and federal resources, because the vast majority of consumer protection actions take place in state and local arenas.

Nowhere are these observations more true than with our military service members and their families. Military service involves deployments, rotations and relocations, as well as personal sacrifice for both the service member and his or her family. Service members and their families often don't have the time, the resources or the opportunity to take all the steps necessary to report and pursue an enforcement action.



The Central District of California is comprised of the seven counties of Los Angeles, San Bernardino, Riverside, Orange, Ventura, Santa Barbara and San Luis Obispo. The United States Attorney's Office is located in Los Angeles, San Bernardino, Riverside, Orange, Ventura, Santa Barbara and San Luis Obispo.

Outreach and prevention efforts can open the doors to enforcement and resolution by creating pathways for the proper referral of complaints and inquiries. The questions most frequently asked by service members, their families, and their advocates are how they can avoid being victims of fraud and deceit and where can they go, or whom they can contact, if they think they have been victimized.

To help answer those critical questions, and to extend a hand to our Armed Forces personnel and their families, the Consumer Protection Working Group of the Financial Fraud Enforcement Task Force is engaged in a series of steps in the Central District of California and elsewhere, many of which are outlined in this booklet. We hope that these initial steps open the doors to enforcement and resolution of our consumer protection laws for service members and their families and lay the groundwork for even longer strides to come.

Servicemember Consumer Outreach and Fraud Prevention

It is often said that the best way to fight crime is to prevent it. Nowhere is that adage more true than in the field of consumer protection. In the Central District, the United States Attorney's Office has worked with its partners at the federal, state and local level to convene events designed to reach out to service members and their families, veterans and seniors. Two of those events are detailed in the following pages.

In October 2012, the United States Attorney's Office partnered with the California Consumer Affairs Association (CCAA) to convene a two-day Consumer Protection conference in Long beach California on the campus of the California State University at Long Beach. United States Attorney Birotte participated along with AUSAs and staff from the District. The Conference was attended by over 200 professionals from across the state. The Conference kicked off with a special workshop aimed at the consumer protection problems faced by service members and their families, the first workshop of its kind in the District. The panel and workshop is described in the following pages. Established in 1974, CCAA is a non-profit association of federal, state and local government and non-profit consumer protection organizations whose primary mission is consumer protection.

On Saturday, September 22, 2012, we convened the District's first Consumer Education and Resource Fair, colloquially called "Scam Jam," to raise public awareness about common scams and frauds, and to help people avoid being victimized. The special focus of this event was outreach to the elderly and to service members and veterans who are often the target of scams and cons, but who may not be able to easily report such crimes. A panel of consumer protection experts, along with representatives of various agencies, including the FTC, the USCIS, and the California National Guard, addressed subjects ranging from mortgage fraud and identity theft to the illegal practice of immigration law and false advertisements. The event, organized and hosted by the U.S. Attorney's Office for the Central District of California and the Los Angeles County Department of Consumer Affairs, was attended by local community members, veterans and service members and ran from 8:30 a.m.-1 p.m. at the All Peoples Community Center at 822 E. 20th Street in Central Los Angeles. Subjects addressed during the fair included "notario" fraud, abusive debt collectors, fake lotteries and telemarketing scams. Federal, state and local agencies also provided on-site information, counseling and complaint intake. Services were provided in English and Spanish.

"heads of the household" could attend. The event was part of the national effort of the Department of Justice's Financial Fraud Enforcement Task Force (FFETF). For more information on the FFETF, please visit www.stopfraud.gov



Shown are participants at the 2012 Consumer Education and Resource Fair: Edwardo Martinez, Consuella Mackey, André Birotte Jr., Ricky Ricardo, Dr. Sandra Moor, Brian Stiger, Brigadier General Sylvia Crockett of the California National Guard, and Major Jay Coggan of the California National Guard.



CALIFORNIA CONSUMER AFFAIRS ASSOCIATION

P.O. Box 861112, Los Angeles, CA 90012 • Phone: 213-247-1365 • E-Mail: RReyes@DCA.LACounty.gov

CALIFORNIA CONSUMER AFFAIRS ASSOCIATION 37TH ANNUAL CONFERENCE

Monday & Tuesday, October 29 – 30, 2012

California State University Long Beach - The Pointe Conference Center
1250 Bellflower Boulevard, Long Beach, CA 90840

MONDAY, OCTOBER 29, 2012

Rigo Reyes
President

Bev Augustine
Vice-President
North

Paula Rockenstein
Vice-President
South

Michael Lafferty
Treasurer

Cory Finnegan
Secretary
North

Lisa Ledeboer
Secretary
South

Gil De Luna
Chair
Legislation

- 7:30 a.m. Registration, Continental Breakfast**
- 8:30 a.m. Welcome: Rigo Reyes, President, CCAA**
- 8:40 a.m. Opening Remarks: The role of higher learning institutions in advancing consumer protection**
Dr. Donald J. Para, Provost & Senior Vice President for Academic Affairs, California State University Long Beach
- 9:10 a.m. Consumer Financial Protection Bureau: Creating a consumer finance marketplace that works for American consumers, responsible providers, and the economy as a whole**
Edwin Chow, Western Regional Director, CFPB
- 9:40 a.m. Frauds and Scams Targeting Military Service Members and their Families**
Moderator*/Speakers:
- **Bruce Riordan***, Special Counsel, U.S. Attorney's Office, Central District of California
 - **Major Jay M. Coggan**, Command Judge Advocate, California Army National Guard
 - **Marshall W. Thomas, Ed.D.**, Director, Veterans Affairs Services, California State University, Long Beach
 - **Roland A. Arteaga**, President/CEO, Defense Credit Union Council
 - **Nicklas A. Akers**, Supervising Deputy Attorney General, California Attorney General's Office
- 10:55 a.m. Break**
- 11:00 a.m. Student Debt: Defaults, Collections, for-Profit Schools**
Moderator*/Speakers:
- **Pastor Herrera, Jr*.**, Adjunct Professor, Department of Family & Consumer Sciences, California State University Northridge
 - **Rohit Chopra**, Student Loan Ombudsman, Consumer Financial Protection Bureau
 - **Robyn Smith**, Attorney, National Consumer Law Center
 - **Wendy Reiboldt, Ph.D.**, Professor & Chair, Department of Family & Consumer Sciences, California State University Long Beach

- 12:00 p.m. *Lunch*
- 12:20 p.m. *Keynote Speaker: Consumer Protection in the 21st Century*
U.S. Attorney André Birotte Jr., United States Attorney's Office – Central District of California
- 1:00 p.m. *Keynote Speaker: License to Serve: Licensing as a Tool to Protect Consumers, Businesses and Communities*
Secretary Anna M. Caballero, California State & Consumer Services Agency
- 1:30 p.m. *Debt Collections: Abuse, Enforcement, Solutions*
Moderator*/Speakers:
- Ann Stahl*, Senior Investigator, Federal Trade Commission
 - Sen. Joe Dunn (Ret.), Executive Director/CEO, California State Bar
 - Christina Tusan, Attorney, Federal Trade Commission – Western Region
 - Michele Van Gelderen, Supervising Deputy Attorney General, California Attorney General's Office – Consumer Protection Unit
 - Rigo Reyes, Chief Investigator, County of Los Angeles Department of Consumer Affairs
- 2:30 p.m. *Consumer Privacy in an Open Digital World*
Moderator*/Speakers:
- Joanne McNabb*, Director of Privacy Education and Policy, California Attorney General's Office
 - Beth Givens, Executive Director, Privacy Rights Clearinghouse
 - Pam Dixon, Executive Director, World Privacy Forum
- 3:30 p.m. *Break*
- 3:40 p.m. *Consumers' Right to Choose*
Elizabeth Owen, Fan Freedom Project Foundation
- 3:55 p.m. *Scam-O-rama: Discussion of Current and Emerging Consumer Frauds and Issues*
Facilitators:
- David Ball, Senior Investigator, Marin County District Attorney's Office
 - Laurel Pallock, Senior Investigator, San Francisco District Attorney's Office
- 5:30 p.m. *Closing*
- 5:30 p.m. *Reception & CCAA Business Meeting*
- Networking
 - CCAA elections
 - Strategic planning

TUESDAY, OCTOBER 30, 2012

7:30 a.m. *Registration, Refreshments*

8:30 a.m. *Welcome:*

Kenneth I. Millar, Ph.D., Dean, College of Health and Human Services, California State University Long Beach

9:00 a.m. *Health Care Fraud and Issues*

Moderator*/Speakers:

- **Rosario Quintanilla Vior**, Public Affairs Specialist, U.S. Food and Drug Administration, Los Angeles District
- **Matthew McLaughlin**, Supervising Agent, FBI, Los Angeles
- **Gary Coody**, Consumer Safety Officer, U.S. Food and Drug Administration, Office of Enforcement
- **Glenn Ferry**, Special Agent in Charge, U.S. Department of Health & Human Services, Office of Inspector General, Office of Investigations.
- **Rita Singhal**, MD, MPH, Medical Director, Office of Women's Health – Los Angeles County Department of Public Health
- **Jen Flory**, Esq., Director, Cancer Legal Resource Center-Los Angeles

10:30 a.m. *Break*

10:45 a.m. *Investment Crimes: Securities, Ponzi Scams, Affinity Crimes*

Moderator*/Speakers:

- **Paula Rockenstein***, Consumer Affairs Specialist, Santa Monica City Attorney's Office
- **Andrew Brown**, Assistant U.S. Attorney, U.S. Attorney's Office – Central District of California
- **Mark Trachtenberg**, US Postal Inspector, U.S. Postal Inspection Service
- **Anne Crews**, Vice President, Government Relations, Mary Kay Inc.
- **Adam Radinsky**, Supervising Deputy City Attorney, Santa Monica City Attorney's Office – Consumer Protection Division

12:00 p.m. *Lunch*

12:20 p.m. *Featured Speaker: Local Consumer Protection: Serving consumers, businesses, and communities through education, advocacy, and complaint resolution*

Brian J. Stiger, Director, County of Los Angeles Dept. of Consumer Affairs

12:40 p.m. *Keynote Address: Role of the Legal Community in Protecting California Consumers*

Sen. Joe Dunn (ret.), Executive Director/CEO, California State Bar

1:00 p.m. ***Legal Aid for Low-income Consumers***

Moderator*/Speakers:

- **Magdalena Reyes Bordeaux***, Senior Staff Attorney, Public Counsel
- **Ted Mermin**, Executive Director, Public Good Law Center
- **Charles Evan**, Staff Attorney, Legal Aid Foundation of Los Angeles
- **Ashley Parris**, Staff Attorney, Inner City Law Center - Housing Litigation
- **Brian Bilford**, Staff Attorney, Neighborhood Legal Services
- **Gus May**, Staff Attorney, Bet Tzedek Legal Services

2:15 p.m. ***Break***

2:25 p.m. ***Mortgage Fraud: Where We Are, What We Can do Together***

Moderator*/Speakers:

- **Wayne Bell***, Chief Counsel, California Dept. of Real Estate
- **Evan Davis**, Assistant U.S. Attorney, United States Attorney's Office – Central District of California
- **Ben Diehl**, Supervising Deputy Attorney General, California Attorney General's Office - Mortgage Fraud Strike Force
- **Tom Layton**, Investigator, California State Bar
- **Dawnnesha Smith**, Supervising Investigator, County of Los Angeles Department of Consumer Affairs – Real Estate Fraud Investigations
- **Sgt. Dana McCants**, Los Angeles Sheriff's Dept. – Real Estate Fraud Unit
- **Lori R. Gay**, President/CEO, Neighborhood Housing Services of Los Angeles County

3:45 p.m. ***Immigration Fraud & the Unlawful Practice of Law: Strategies to Detect, Prevent and Combat this Crime***

Moderator*/Speakers:

Phyllis A. Coven*, District Director, U.S. Citizenship and Immigration Services

- **Rozella Oliver**, Assistant U.S. Attorney, U.S. Attorney's Office – Central District of California
- **Tom Syta**, Assistant Regional Director, Federal Trade Commission
- **Stanley P. Williams**, Head Deputy District Attorney, Los Angeles County District Attorney's Office – Consumer Protection Division
- **Maggie Becerra**, Supervising Investigator, County of Los Angeles Department of Consumer Affairs
- **Angela Sierra**, Supervising Deputy Attorney General, California Attorney General's Office – Civil Rights Division
- **Daniel Sharp**, **Legal Director, Central American Resource Center**; Co-Chair, Unauthorized Practice of Law Committee, Los Angeles County Bar Association & American Immigration Lawyers Association - Southern California Chapter

5:00 p.m. ***Closing: CCAA President Elect***

CCAA Workshop Report

Oct 29, 2012 CCAA Conference at California State University at Long Beach (CSULB): Consumer Protection for Military Servicemembers and their Families - Moderator*/Speakers:



- **Bruce Riordan***, Special Counsel, U.S. Attorney's Office, Central District of California
- **Major Jay M. Coggan**, Command Judge Advocate, California Army National Guard (CANG)
- **Marshall W. Thomas**, Ed.D., Director, Veterans Affairs Services, California State University, Long Beach
- **Roland A. Arteaga**, President/CEO, Defense Credit Union Council
- **Nicklas A. Akers**, Supervising Deputy Attorney General, California Attorney General's Office (Major in CANG Reserves)

The panel described above was convened by the CDCA and it kicked off the two-day California Consumer Affairs Association (CCAA) Conference at CSULB. Established in 1974, CCAA is a non-profit association of federal, state and local government and non-profit consumer protection organizations whose primary mission is consumer protection.



CDCA USA André Birotte Jr. followed the panel with a Keynote Speech describing the Department's enhanced and renewed efforts to protect consumers. USA Birotte was joined by Anna Caballero, California Secretary of Consumer Affairs; Brian Stiger, Director of the Los Angeles County Department of Consumer Affairs; Rigoberto Reyes, the President of CCAA; and Tom Syta, the Deputy Regional Director for the FTC, and Joe Dunn, Executive Director and CEO of the California State Bar, among others.

In summary, **USA Birotte** observed that this panel/workshop was an excellent "first step" and he noted that this panel needs to be a model for others like it and "the beginning of a much longer conversation."

The CDCA believes that the panel/workshop was a successful step forward and we received very positive feedback from the audience of over 250 registered Consumer Affairs professionals, both during the panel session and later during the afternoon "brainstorming session" that concluded the first day of the Conference.

It was noted that in California alone, we have over 120,000 active service members and almost 60,000 additional California National Guard personnel that are designated as "active." And those numbers don't include family members, estimated to bring the numbers closer to 400,000 persons impacted in this State alone. So the issue has great relevance in California, as in many other states.

Several recurring issues came up during the Conference and we wanted to circulate this report internally so we can consider them going forward:

A general consensus emerged that the first priority is the overall need and value of education for service members and their families – this includes the following priority areas:

1. Educating State and Local Bar Associations about legal issues affecting service members and their families so that local attorneys can assist in enforcing civil remedies designed to protect them.
2. Providing service members, reservists and their families with effective financial and credit education, including information about "predatory lending" and "fraudulent pay day lending practices," and banking and credit alternatives such as the 210 Credit Unions that operate on military installations worldwide.
3. Enhancing services to assist Veterans, both young and old, with understanding and responsibly using GI benefits such as the GI Bill. It was observed that use of the GI Bill is expected to rise dramatically over the next five years. Prof. Thomas noted that in California most veterans start at community colleges and then transfer to the "Cal- State" system where he works. He observed that the graduation rate is about 60 percent for non-military students in the Cal-State system but less than 30 per cent for veterans and reservists; a very noteworthy discrepancy. And the issue of fraud and deceit, or of less than fair dealing, by "for-profit colleges" was raised again and again as a major concern. (N.B., the Conference was held on the campus of a public not-for-profit college, and the CSULB faculty had a lot of direct experience with the rise of "for-profit education.")

Beyond education, other potential services discussed included:

1. "Licensing assistance" for returning veterans. The Secretary for Consumer Affairs for the State of California described how California is "streamlining" the process of translating the skills of returning veterans to stateside jobs and professions by assisting the veterans with special skillsets to obtain state professional licenses. For example, 300 veterans with military investigators backgrounds have been helped to obtain California investigators licenses so that they can lawfully work in the State.
2. Creative public relations efforts such as PSAs aimed at getting the message out about the dangers of "for profit schools" and "payday lenders." Other ideas such as "consumer alerts" for veterans and servicemembers were also raised.
3. Tool kits. We raised the "Tool kit" concept and it met with general approval from the audience - as did the creation of additional "literature" that people can use. People suggested anyone seeking to create a "took kit" should first try and find a good "exemplar" of a working tool kit to use as a model. People with direct experience with servicemembers suggested the key audience is not only servicemembers but also their families because servicemembers' households are often run by the family member while the servicemember is deployed.

Two additional "miscellaneous" issues were raised.

1. A recurring theme was a need to focus on access to Health Care Benefits for veterans and servicemembers and on Health Care Fraud involving veterans and servicemembers. This area was beyond the scope of our panel but that all agreed that issue was one to keep on the radar - in particular given that many returning veterans will have seen active service in a war zone over the past decade.
2. The "chronic issue of Homeless Veterans" also came up – a serious problem in parts of our District and we shared this point to make us keep it on the radar.

"Resources" discussed included:

1. The creation of dedicated websites for fraud on servicemembers. Along these lines, Roland Arteaga of the Defense Credit Union Council had suggestions for existing sources. He advised people to look at the BBB Military line at <http://www.bbb.org/us/military-line/> . And representatives of the FTC pointed people to the FTC Sentinel/Military website: <http://www.ftc.gov/sentinel/military/index.shtml>

2. Defense Credit Unions on military installations worldwide.
3. DCUss are also a resource for servicemembers. It was observed that the defense credit unions are “a trusted agent” for servicemembers and their families and that they are often the best sources of fair and honest credit for servicemembers and their families.

White papers and further research:

1. It was also recommended that CCAA commission a “white paper” to research:
 - Current services available to service members and their families.
 - Ways to “seamlessly connect” current services with service members and their families.
 - Unmet needs of service members and their families.
 - Recommendations on how to address unmet needs.

SCAM JAM 2012

*Consumer Assistance,
Education, and Resources Fair*

What is Scam Jam 2012?

This consumer protection fair is for consumers and military servicemembers to:

- Learn about common consumer frauds, avoid getting ripped off, and get help in resolving complaints, such us:
 - ◆ Foreclosures and real estate fraud
 - ◆ Abusive collection agencies
 - ◆ Identity theft crimes
 - ◆ Fraudulent immigration consultants, notarios, and paralegals
 - ◆ Phony diplomas, education scams, false scholarship promises
 - ◆ Phony investments and pyramid scams
 - ◆ Employment-related rip-offs
 - ◆ Bad car purchases, repairs, repossessions
 - ◆ Predatory payday lenders, car title loans
- Learn consumer protection rights and resources for military servicemembers and their families
- Get one-on-one assistance in resolving their consumer complaints

Information & Questions:

Gymeka Williams, US Attorney's Office
213-894-5202, Gymeka.Williams@usdoj.gov

Leticia Ortiz, All Peoples Community Center
213-747-6357, lortiz@allpeoplescc.org

SCAM JAM 2012

Brought to You by:



United States Department of Justice
Phone: 213-894-2400
Website: www.justice.gov



County of Los Angeles
Department of Consumer Affairs
Phone: 1-800-593-8222
Website: www.dca.lacounty.gov



All Peoples Community Center
Phone: (213) 747- 6357
Website: www.allpeoplescc.org



California National Guard
Phone: 916-854-3000
Website: www.calguard.ca.gov



Consumer Assistance, Education, and Resources Fair

- ◆ Spotting & Avoiding Common Consumer Scams
- ◆ Fighting and Preventing Scams Targeting Military Personnel
- ◆ Getting Help Resolving Complaints

Saturday, September 22, 2012
9 a.m.—1 p.m.

All Peoples Community Center
822 E. 20th Street
Los Angeles, CA 90011



Consumer Tip #1:

Always get, read and understand a contract before you sign it - ask questions and get answers in advance!

Consumer Tip #2:

If an offer sounds too good to be true, it is! Never rush into accepting a "must-sign-today-deal" - take your time to think it over!

Consumer Tip #3:

Always get promises in writing! Remember - if it isn't in writing, it doesn't exist!

SCAM JAM 2012

Consumer Assistance, Education, & Resources Fair

- 8:30 a.m. Registration
- 9:00 a.m. Welcome & Opening Remarks
- ◆ Sandra Bryant, Director, All Peoples Community Center
 - ◆ André Birotte Jr., US Attorney, Central District of California, U.S. Department of Justice
 - ◆ Brian J. Stiger, Director, County of Los Angeles Department of Consumer Affairs
 - ◆ Brigadier General Sylvia Crockett, California National Guard
 - ◆ Phyllis Coven, District Director, US Citizenship & Immigration Services
- 9:30 a.m. Scams and Issues Harming Consumers and Military Servicemembers and their Families
- Moderator/Panel: Rigo Reyes, Chief Investigator, LA County Dept. of Consumer Affairs
- ◆ Scams targeting military personnel: Bad for-profit schools, abusive debt collectors
 - ◆ Retail Sales: False advertising, refunds, door-to-door sales, warranties
 - ◆ Landlord & Tenant Disputes: Evictions, repairs, rent increases, tenants in foreclosure
 - ◆ Mortgage Fraud: Foreclosures, loan modifications, home stealing
 - ◆ Cars Purchases: Pricing, financing, repairs, insurance, repossessions
 - ◆ Identity Theft: Credit card fraud, government and health benefits, bank accounts
 - ◆ Immigration Fraud: Phony lawyers, notarios, consultants, paralegals
 - ◆ Employment Scams: Work-at-home scams, mystery shoppers
 - ◆ Abusive Debt Collectors: Harassment and threats, invalid accounts
- 10:30 a.m. One-on-one Consumer Assistance:
- ◆ Help for military servicemembers and their families
 - ◆ Immigration fraud and fraudulent "notarios," consultants, paralegals
 - ◆ Identity theft, credit card fraud, government/health benefits, bank accounts
 - ◆ Mortgage fraud, foreclosures, loan modifications
 - ◆ Contracts, false advertising, door-to-door sales, warranties
 - ◆ Abusive debt collectors, harassment and threats, invalid accounts
 - ◆ Evictions, repairs, rent increases, tenants in foreclosure
 - ◆ Car purchases, financing, repairs, insurance, repossessions
 - ◆ Telemarketing fraud, fake lotteries, work-at-home scams, phony prizes
 - ◆ All Peoples Community Center's services, resources
- 12:30 p.m. Awards and Closing Remarks
- ◆ USA André Birotte Jr.

"SCAM JAM 2012"

Sat., Sept. 22, 2012

8:30 a.m. – 1 p.m.

Hosted By:



United States Attorney's Office
Central District of California



All Peoples
Community Center



California
National Guard



County of Los Angeles
Dept. of Consumer Affairs

GET HELP WITH CONSUMER ISSUES, INCLUDING:

- Help for military personnel and their Families
- Immigration fraud and fraudulent "notarios," consultants, paralegals
- Identity theft, credit card fraud, government/health benefits, bank accounts
- Mortgage fraud, foreclosures, loan modifications
- Contracts, false ads, door-to-door sales, warranties
- Abusive debt collectors, threats, invalid accounts
- Evictions, repairs, rent increases
- Car purchases, financing, repairs, repossessions
- Telemarketing fraud, fake lotteries, work-at-home scams, phony prizes
- Legal aid help for low-income consumers

LOCATION:

All Peoples
Community Center
822 E. 20th Street
Los Angeles, CA 90011

INFORMATION:

213-747-6357

Day Care

Door Prizes

Spanish Translation

Refreshments

Resource Checklists for Consumer Issues Impacting Service Members

Working at the federal, state, and local level, we have identified some common consumer protection issues facing servicemembers, veterans, and their families today.

1. Debt Collection (i.e., credit card disputes, abusive debt collectors, credit reports, credit “repair”);
2. Landlord “Tenant (i.e., evictions, repairs, rent increases, utility shutoffs);
3. Student Loans (i.e. GI Bill funds, “for-profit” schools, student debt collections, useless education);
4. Car Purchases (i.e., repossessions, contract disputes, predatory financing, repairs, bogus add-on charges);
5. Home Ownership (i.e. foreclosure/loan modification disputes with lenders, foreclosure/loan modification rescue scams, “tenants in foreclosure”).

For each of these issues, we have attached a customized Resource Checklist designed to directly assist servicemembers, their families, and their advocates (complaint mediators, investigators, regulators) in handling a complaint related to that specific issue.

The Resource Checklists that follow were prepared with the assistance of the Los Angeles County Department of Consumer Affairs.

Top Consumer Frauds, Issues & Resources Checklist

DEBT COLLECTIONS & CREDIT

ALLEGATION:

ISSUES RAISED:

JURISDICTION & ASSISTANCE:

DEBT COLLECTION DISPUTES:

Debt collectors are required to follow certain federal and state rules when engaging in debt collections, even if the consumer owes the debt.

Any of the "Issues Raised" would be in violation of federal and state law.

- Invalid accounts
- Harassing phone calls
- Unlawful garnishments
- Time-barred accounts
- Unverified debt
- Reporting invalid info to credit reporting agencies
- Identity theft accounts
- Physical/legal threats
- Impersonating officials
- Lawsuit not served properly
- Discussing debt with employers, family members, friends

Consumers in Los Angeles County can contact the **County of Los Angeles Department of Consumer Affairs** for:

- One-on-one complaint resolution, counseling, information
- Investigation for possible civil or criminal prosecution
- Phone: 800-593-8222, www.dca.lacounty.gov**

Consumers outside Los Angeles County can contact the **Consumer Financial Protection Bureau** for:

- One-on-one complaint resolution, counseling, information
- Investigation for administrative/enforcement action
- Phone: 855 -411-2372, www.consumerfinance.gov/servicemembers**

Consumers outside Los Angeles County can also contact the **Federal Trade Commission** for:

- Possible administrative and enforcement action
- Information and referrals
- Phone: 877-382-4357, Website: www.ftc.gov**

CREDIT CARD DISPUTES:

Consumers have up to 60 days from the date they receive their statement to dispute charges they did not authorize.

- Unauthorized charges
- Missing payments
- Defective goods/services
- Disagree with an investigation
- Reporting wrong info to credit reporting agencies
- Identity theft accounts

DEBT NEGOTIATION & CREDIT REPAIR SCAMS:

- Charged fees upfront
- Failure to negotiate debt
- Didn't "repair" credit report
- Didn't credit payments
- Don't return phone calls

CREDIT REPORT DISPUTES:

Creditors and credit reporting agencies are required to report only accurate information on consumer credit reports.

- Credit reporting agency won't remove incorrect information from credit report
- Creditor reporting wrong information to credit report
- Information on credit report is due to identity theft
- Credit reporting agency won't provide free annual credit report

Fraud & Issues Impacting Military Service Members
FORECLOSURE/LOAN MODIFICATION

ALLEGATION:	ISSUES RAISED:	JURISDICTION & ASSISTANCE:
PREDATORY/ABUSIVE LOAN:	<input type="checkbox"/> Interest rate too high <input type="checkbox"/> Bad loan terms, but not illegal	Service members in Los Angeles County can contact the County of Los Angeles Department of Consumer Affairs for: <input type="checkbox"/> One-on-one complaint resolution, counseling, information <input type="checkbox"/> Complaint investigation for civil or criminal prosecution <input type="checkbox"/> Phone: 800-593-822, www.dca.lacounty.gov
LOAN MODIFICATION:	<input type="checkbox"/> Lost documents <input type="checkbox"/> Denied modification. <input type="checkbox"/> Can't get an answer	Service members outside Los Angeles County can contact the Consumer Financial Protection Bureau for: <input type="checkbox"/> One-on-one complaint resolution, counseling, information <input type="checkbox"/> Complaint investigation for administrative/enforcement action <input type="checkbox"/> Phone: 855-411-2372, www.consumerfinance.gov/servicemembers
FORECLOSURE DISPUTES:	<input type="checkbox"/> Didn't follow foreclosure process <input type="checkbox"/> Sold home illegally	Service members can also contact HUD for: <input type="checkbox"/> Referrals for approved loan modification services <input type="checkbox"/> Phone: (800) CALL-FHA or (800) 225-5342; www.hud.gov
MORTGAGE DISPUTES:	<input type="checkbox"/> Billing disputes <input type="checkbox"/> Failure to make proper disclosures <input type="checkbox"/> Misrepresentation	
RECORDED DOCUMENTS:	<input type="checkbox"/> "Robosigning." <input type="checkbox"/> Errors on documents <input type="checkbox"/> Inaccurate documents <input type="checkbox"/> Assignments/deed transfers done without proper recording	
DUAL TRACKING:	<input type="checkbox"/> No Single-Point-of-Contact <input type="checkbox"/> Home sold while negotiating loan modification	
MERS VIOLATIONS:	<input type="checkbox"/> Lender/servicer can't prove ownership <input type="checkbox"/> Lender is foreclosing without having proper ownership <input type="checkbox"/> Assignments/transfers done through MERS	

Top Consumer Frauds, Issues & Resources Checklist

LANDLORD-TENANT DISPUTES

ALLEGATION:	ISSUES RAISED:	JURISDICTION & ASSISTANCE:
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NOTICES: <ul style="list-style-type: none"> <input type="checkbox"/> Pay or Quit notice <input type="checkbox"/> Rent increase notice <input type="checkbox"/> Eviction notice <input type="checkbox"/> Change-of-terms to contract <input type="checkbox"/> Late fee notice <input type="checkbox"/> Notice to correct violation 	<ul style="list-style-type: none"> <input type="checkbox"/> One-on-one complaint resolution, counseling, information <input type="checkbox"/> Investigation for possible civil or criminal prosecution <input type="checkbox"/> Phone: 800-593-8222, www.dca.lacounty.gov 	If rental property is NOT RENT-CONTROLLED, Consumers IN Los Angeles County should contact the Los Angeles County Department of Consumer Affairs for:
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EVICCTIONS: <ul style="list-style-type: none"> <input type="checkbox"/> Unlawful Detainers <input type="checkbox"/> Notice to move out <input type="checkbox"/> Eviction due to unauthorized extra tenants <input type="checkbox"/> Evicting sub-tenants <input type="checkbox"/> Evicting guests, lodgers 	<ul style="list-style-type: none"> <input type="checkbox"/> One-on-one complaint resolution, counseling, information <input type="checkbox"/> Investigation for possible civil or criminal prosecution 	If rental property is NOT RENT-CONTROLLED, Consumers OUTSIDE Los Angeles County should contact their consumer protection agency for:
		If rental property is RENT-CONTROLLED, consumers should contact their local Rent Stabilization Department for:
		<ul style="list-style-type: none"> <input type="checkbox"/> One-on-one complaint resolution, counseling, information <input type="checkbox"/> Investigation for administrative/enforcement action

REPAIRS: <ul style="list-style-type: none"> <input type="checkbox"/> Major repairs that put the tenant's safety or health at risk: non-working toilets and bathrooms, exposed electrical wiring, leaking roofs, lack of hot water or heating, vermin. <input type="checkbox"/> Minor repairs: worn carpets, non-working fridges and other appliances provided by the landlord, and air-conditioners. 	<ul style="list-style-type: none"> <input type="checkbox"/> One-on-one complaint mediation, counseling, and appropriate referrals to the Department of Building & Safety and Department of Health <input type="checkbox"/> Phone: 800-593-8222, www.dca.lacounty.gov 	Consumers IN Los Angeles County should contact the Los Angeles County Department of Consumer Affairs for:
		Consumers OUTSIDE Los Angeles County should contact their consumer protection agency for:
		<ul style="list-style-type: none"> <input type="checkbox"/> One-on-one complaint mediation, counseling, and appropriate referrals to the Department of Building & Safety and Department of Health

SECURITY DEPOSITS: <ul style="list-style-type: none"> <input type="checkbox"/> Illegal amount charged <input type="checkbox"/> Failure to return deposit <input type="checkbox"/> Failure to provide itemized statement <input type="checkbox"/> Failure to offer tenant "Walk Through" option <input type="checkbox"/> Deposit used for unauthorized purposes 	<ul style="list-style-type: none"> <input type="checkbox"/> One-on-one complaint resolution, counseling, information <input type="checkbox"/> Investigation for possible civil or criminal prosecution <input type="checkbox"/> Phone: 800-593-8222, www.dca.lacounty.gov 	Consumers IN Los Angeles County should contact the Los Angeles County Department of Consumer Affairs for:
		Consumers who live OUTSIDE Los Angeles County should contact their consumer protection agency for:
		<ul style="list-style-type: none"> <input type="checkbox"/> One-on-one complaint resolution, counseling, information <input type="checkbox"/> Investigation for possible civil or criminal prosecution

"TENANTS IN FORECLOSURE": <ul style="list-style-type: none"> <input type="checkbox"/> Eviction violates local, state or federal protections 	
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RETALIATION & DISCRIMINATION ALLEGATIONS: <ul style="list-style-type: none"> <input type="checkbox"/> Retaliation because tenant reported problem. <input type="checkbox"/> Discrimination due to tenant's race, sex, age, immigration status, children, etc. 	
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Fraud & Issues Impacting Military Service Members & Their Families

CAR PURCHASES & OWNERSHIP

ALLEGATION:

FALSE ADVERTISING:

Dealers must sell the car for the advertised price, even if the consumer doesn't know/ask for it.

Dealers have to give buyers all rebates and incentives the buyer qualifies for.

And the dealer can't lie to consumer about the condition of the car.

ISSUES RAISED:

- Dealer refuses to sell car for advertised price.
- Dealer sells car to buyer for price higher than what was advertised.
- Dealer switches consumer to different or more expensive car.
- Dealer adds accessories to the contract without the consumer's consent.
- Dealer doesn't give the consumer rebates or incentives the consumer is entitled to.
- Dealer changes contract without consumer's consent.
- Dealer doesn't tell consumer that car is salvaged, flooded, "Lemon Law" buyback.
- Dealer doesn't give buyer credit for trade-in, payments made

JURISDICTION & ASSISTANCE:

Consumers in Los Angeles County can contact the **County of Los Angeles Department of Consumer Affairs** for:

- One-on-one complaint resolution, counseling, and information
- Complaint investigation for possible civil or criminal prosecution
- Phone: 800-593-8222, www.dca.lacounty.gov**

Consumers outside Los Angeles County can contact the **Consumer Financial Protection Bureau** for:

- One-on-one complaint resolution, counseling, and information
- Complaint investigation for possible administrative/enforcement action
- Phone: 855-411-2372, www.consumerfinance.gov/servicemembers**

Consumers outside Los Angeles County can also contact the **Federal Trade Commission** for:

- Possible administrative and enforcement action
- Information and referrals
- Phone: 877-382-4357, Website: www.ftc.gov**

FINANCING:

Dealers that help buyers finance their car purchases are required to get buyers the lowest interest they qualify for.

If the dealer can't get financing at the original terms, the buyer can cancel the contract without any penalty, and get back the down-payment and any trade-in.

- Dealer can't get financing, refuses to cancel contract.
- Dealer can't get financing, asks consumer to pay fee to cancel contract.
- Dealer can't get financing, requests that consumer sign new contract at higher rate.
- Dealer can't get financing, requests that consumer pay higher down-payment.
- Dealer can't get financing, requests that consumer get a co-signer.
- Dealer can't get financing, repossesses the car.
- Dealer can't get financing, cancels contract, refuses to give back down-payment/ trade-in.

Top Consumer Frauds, Issues & Resources Checklist

STUDENT DEBT & FOR PROFIT-SCHOOLS

ALLEGATION:

ISSUES RAISED:

JURISDICTION & ASSISTANCE:

FOR-PROFIT SCHOOL DISPUTES:

- School made promises that weren't kept
- School closed before completing education
- High-pressure recruiting practices
- Financial aid problems, misrepresentations

Consumers should contact the **Consumer Financial Protection Bureau** for:

- One-on-one complaint resolution, counseling, information
- Investigation for administrative and/or enforcement action
- Phone: (855) 411-2372
- Website: <https://help.consumerfinance.gov>

LOAN-RELATED DISPUTES:

Student debt is over \$1 trillion, greater than credit card debt.

The average student loan borrower owes \$25,000.

- Don't know or can't contact loan servicer
- Disputes repaying the loan: fees, billing, deferments, forbearances
- Unable to pay the loan: Payments are too high, defaults, collections, bankruptcy
- Interest rate is too high
- Debt collections fraud, abuse
- Credit reporting disputes
- Problem with a Federal loan (often named Stafford, Grad PLUS, Direct, or Perkins) or a private loan
- Problem with a private (non-federal) loans: Often issued by a bank, credit union, a school, or another lending institution; might use names like "private" or "alternative" loan.
- Problems getting a loan: Misleading terms, rates, denial, advertising, marketing, sales tactics
- Difficulty negotiating a repayment plan with their servicer during periods of unemployment, underemployment or financial hardship,

Ten Common Scams & How to Avoid Them

Beyond those “Top 5,” here are ten common scams that impact the broadest spectrum of consumers. Tips to avoid these scams are included. In our experience, veterans are especially receptive to outreach regarding prevention of these types of financial fraud.

1. **GRANDPARENT SCAM**

-- Someone calls and pretends to be your grandchild, in trouble usually in a foreign country and needing you to send them thousands of dollars, usually via Western Union or MoneyGram, in order to get out of it. In fact, your grandchild is safe and sound and these people having nothing to do with him or her and just want your money.

TIP: NEVER trust such calls and ALWAYS check with your grandchild by calling him or her and his or her parents.

2. **LOTTERY SCAM**

-- Someone calls or contacts you by mail or email and claims that you won a prize, lottery, or sweepstakes, (and often a car such as a Mercedes) but before you can get your money, you have to send in or wire money for taxes, cross-border fees, attorney’s fees, and other made-up expenses.

TIP: NEVER send money in advance for any prize you were told you have won. If you have really won money, you NEVER have to pay in advance to receive it. It is also illegal to participate in foreign lotteries.

3. **SECRET SHOPPER SCAM**

-- Someone calls or writes or e-mails, stating that you have been chosen to be a secret shopper – that is, to go into stores and evaluate their services by buying things and to evaluate MoneyGram or Western Union by sending money through these services.

With these last two scams, often The victim receives a check in his or her name to cover the costs of the lottery fee or the amount to be sent through MoneyGram or Western Union to evaluate these services.

Banks often accept these checks on their face, but they are fraudulent and will be returned and the victim is responsible to pay the bank back.

TIP: NEVER deposit a check from someone you do not know. If by chance you do, NEVER withdraw the money from your account until the check has fully cleared. This does not mean that the teller accepts it, because they have no way to know. Do not withdraw the money just because the funds are made available. A check being cleared can often take a month. Ask your bank to investigate any check without depositing it if you are unsure if it is real.

4. **ROMANCE SCAM**

-- You meet someone on a website who pretends to fall in love with you, but is located in a foreign country so can't meet you in person. Eventually, this person starts asking for money for his or her family or to help him or her pay immigration fees or other money to get into the US to meet you.

TIP: NEVER send money to someone who claims to have fallen in love with you but who you have never met in person.

5. **CHARITY SCAMS**

-- You are called (or receive mail or an email) and asked to give money to an appealing-sounding charity, like disabled veterans, homeless families, or the blind. This may or may not be connected to a recent tragedy, such as Hurricane Sandy. Often, you are told to leave your check under your doormat and a driver would come by to pick it up. However, 90% of the money goes to the telemarketer and the other 10% goes to an organization that is a charity in name only and the money goes into the pockets of the organizers. Sometimes it is not really a charity- and the scammer takes all the money.

TIPS: NEVER give money to charities you have not investigated. May we suggest the better business bureau's Wise Giving Alliance as a way to check and see how much any charity is using for actual programs rather than paying for-profit fundraisers.

Moreover, be extremely cautious when you give your money to organizations you think you know. Often, scammers will twist the name of a well-known charity just the slightest bit. Scammers will also simply use the name of a well-known charity and just have you send the check to a different address. Check with the official charity's website or your past records of giving to make sure you are giving to the organization you mean to give to.

6. **INVESTMENT SCAMS**

-- You are invited to invest in something that just can't lose. Lately in Los Angeles, we are seeing solicitations for investments in movies, gold, technology, oil and gas, and real estate. Instead of going into the investment, however, your money goes into commissions for the telemarketers and big salaries for the owners and you never actually see a return. A variety of this is the Ponzi scheme, like Bernie Madoff, where you THINK you are seeing a return, but actually you are just getting paid from money new investors are putting in.

TIP: If it sounds too good to be true, it is. ALWAYS consult a trusted licensed advisor on any major investments. Don't even trust your friends who are having great success with such an investment – their success could simply be from Ponzi-type payments, like some of the Madoff victims.

7. IDENTITY THEFT

-- Identity theft occurs when personal information - such as your name, Social Security number, Driver's License or Medicare number is wrongfully obtained by fraud or deception, usually for personal financial gain, such as the unauthorized use of credit cards or opening loans in your name. Seniors are especially harmed by medical identity theft -- when personal financial information is used to obtain medical care, medical equipment, purchase drugs or submit false claims to Medicare or a private health insurance company

TIP: Don't respond to email, text and phone messages that ask for personal information, even if they claim to be your bank or the government. The two best ways to mitigate against becoming an identity theft victim are to monitor credit reports by obtaining a free credit report at www.AnnualCreditReport.com or by calling 1-877-322-8228 at least once a year and to place a credit freeze on your credit reports. **DO NOT USE** advertised free credit report services, because they are scams themselves. They give you one free report and then charge you continuously for others and it's almost impossible to get them to stop.

8. CYBER FRAUD

--Cyber Fraud involves fraud crimes where a computer and the internet are used. Most computer scams are done using email or convincing you to go to fake websites, often using social media sites such as Facebook. It usually occurs in the form of deceitful solicitations, being tricked into accessing a website that you believe to be legitimate and isn't and fraudulent transactions. Some of the more common internet scams are similar to fraud scams already covered -- they just use the internet. Add in the "Nigerian" or '419' Email Advance Fee Scam usually telling you that you won an inheritance from an unknown relative, or your bank account is needed for a foreign business to use in America.

TIPS: Use security software that updates automatically. **NEVER** give out personal information – whether in a web form, an email, a text, or a phone message.

9. MORTGAGE FRAUD

-- Predatory mortgage lending and other mortgage fraud usually targets those with weak credit or in financial distress. Predatory practices can include pressuring a senior into signing a loan agreement that you cannot afford or convincing a senior to sign a loan agreement without reading it. It may also include undisclosed or excessive interest fees, prepayment penalties, balloon payments, bait and switch tactics and other frauds. One of the most common types of mortgage fraud that occur to seniors is known as a foreclosure rescue scam. It purports to allow the senior to stay in his or her home, but title to the home is given away to the fraudster and the fraudster sells the home out from under the senior.

TIPS: Don't take out a reverse mortgage to pay for other investments. Do not sign anything that you do not fully understand. Seek out your own free reverse mortgage

counselor, available through a HUD-approved reverse mortgage counselor by calling 888-466-3487 or checking www.makinghomeaffordable.gov.

10. **HEALTH CARE FRAUD**

--Senior citizens are frequent targets of Medicare and other health care schemes. Health care fraud schemes come in all forms—fraudulent billings, medically unnecessary services or prescriptions, kickbacks, duplicate claims, and others, and are committed by health care providers, owners of medical facilities and laboratories, suppliers of medical equipment, organized crime groups, corporations, and even by the beneficiaries, the seniors, themselves.

TIPS: Never sign blank insurance claim forms or give blanket authorization to a medical provider to bill for services rendered. Carefully review your insurer's explanation of the benefits statement. Call your insurer and provider if you have questions, or you did not receive your statement. Do not do business with door-to-door or telephone salespeople who tell you that services, tests or medical equipment are free. Give your insurance/Medicare identification only to those who have provided you with medical services.

ADDITIONAL TIPS

1. **Be suspicious.** Trust, but verify. Scammers use trust to their advantage.
2. **NOTHING** is urgent. Scammers will try to get you to act quickly to prevent you from using reason and common sense and from fully researching anyone or anything to which you are sending your money. If they are rushing you, chances are they are scamming you.
3. Listen to the inner voice. You have a lot of life experience. If your gut is smelling fish, it's because it's fishy!!
4. Guard your personal information – your address, your phone number, your e-mail, your bank account, your driver's license, your birth date. Never give these out to a stranger, **EVER**. Buy a shredder and shred your bank statements and such before you throw them out.
5. **JUST SAY NO.** Don't be afraid to hang up on someone. It's better to be rude than to be victimized. Scammers are the rudest people in the world and if you give them an inch, they will take a mile **AND** your money.
6. **REPORT** any fraud through the contact phone numbers and websites provided in your handouts.
7. **SHARE THIS INFORMATION WITH OTHERS-** you may help a friend or family member who is being defrauded and doesn't know where to turn.

Resources and Contacts for Servicemember Fraud Enforcement

Outreach and engagement open doors for consumers who may not otherwise know whom to contact or where to go with inquiries, claims, and complaints. Some inquiries and complaints can be resolved informally, and some can lead to, or provide the basis for, further investigation and enforcement. This Toolkit aims to increase and enhance those federal enforcement actions.

For those identifying potential fraud against servicemembers, veterans, and their families, this section provides the following enforcement resources:

1. Federal Consumer Protection Laws;
2. State Consumer Protection Laws (by State);
3. State Attorneys General Points of Contact for Servicemember Enforcement;
4. Federal Partners for Servicemember Enforcement (and Points of Contact); and
5. Uniformed Services Worldwide Legal Assistance Directory

In addition, the Civil Division's Consumer Protection Branch is a resource for sample complaints and pleadings relating to federal consumer law. For information, sample pleadings, or simply to discuss leads, please contact Rich Goldberg, Richard.Goldberg@usdoj.gov, 202.307.2532.

THE LAW

State and Federal law, and sometimes both, have provisions applicable to stop the bad practices by those that prey on service members and their families. Several provisions of law that may be applicable are summarized in this section.

FEDERAL LAW

There are several provisions of Federal law of which to be aware when dealing with a complaint from a service member. Below, points of contact are listed for Federal agencies that have authority for enforcing these areas of law.

SCRA

What is the SCRA? The SCRA is a federal law designed to promote and protect those who volunteer to serve our country during times of active duty service by providing a list of consumer law protections that shield them from undue legal and financial hardships. Protections of the Act that benefit RC SMs are summarized further below. The scope of the SCRA follows immediately.

In what types of proceedings is the SCRA enforceable? The SCRA is enforceable in federal and State court (including all political subdivisions and in all U.S. territories.), and it applies to civil and administrative actions, but not to criminal cases.

Who is covered under the SCRA? The SCRA applies to members of the Uniformed Services when on active duty, including the reserves of all five branches of the Armed Forces when on active duty (the SCRA is not applicable to inactive duty status, such as week-end drills). This coverage of the reserve component includes National Guardsmen only when on federal active duty status or when active under Title 32 for more than 30 days in response to a presidential declaration of national emergency. RC SMs are entitled to most of the Act's "rights and protections" on the date they receive AD orders. (Thus, the sooner SMs receive their orders in advance of actual mobilization, the better.) Coverage normally ends at REFRAD.

"Material effect" and "waiver" under the SCRA. Many of the provisions of the SCRA require a showing by the SM that there is a "material effect" on his/her ability to respond or act as normally required due to the active duty service. The rights of the SCRA can be individually waived if done so in a separate writing. A SM should always be counseled to seek legal advice before any such waiver.

Enforcement. The U.S. Attorney General has (1) civil enforcement rights under the Act where there is a pattern or practice of violations or where there is a significant public interest, and (2) criminal enforcement rights in certain instances. The SCRA also provides for a private right of action generally allowing for all legal remedies available in any civil lawsuit and the right to seek attorney's fees.

Provisions of the SCRA that commonly apply to mobilizing reserve component service members:

Default judgment protection. SM has the right (up to 90 days after REFRAD) to reopen a default judgment taken against him or her during AD or within 60 days after AD.

Stays of civil and administrative proceedings. An SM may ask for a postponement of any court action (lawsuit) or administrative proceeding for not less than 90 days if he/she is on AD or within 90 days after REFRAD. To exercise the right, the SM must send a 'letter or other communication' to the court/hearing officer asserting his/her military service materially affects his/her ability to appear. The SM must state when he/she would be available and must include a letter from his/her commander that confirms the SM's current military duty prevents making an appearance and that leave is not authorized.

Extensions on time limits for filing lawsuits (i.e., tolling of given statutes of limitations). An SM may obtain extensions, without showing material effect, for everything except federal revenue matters.

Eviction proceeding stays. The SCRA does not prohibit the eviction of an SM, but requires the landlord to obtain a court order (for rentals not exceeding \$2,975.54 monthly in January 2011, adjusted annually thereafter for inflation). The SM or SM's family member may seek a stay up to 90 days upon a showing of material effect.

Mortgage protections. If a SM breaks his/her mortgage agreement on real property purchased before entry on AD, the SCRA protects the SM by allowing foreclosure only by court order or waiver. This protection lasts during the time on AD plus 9 months. (The additional 9 months of protections will sunset on 31 Dec 12.) Alternatively, upon showing of material effect, a SM may seek a stay of foreclosure and/or equitable adjustment.

Residential lease termination rights. An SM may terminate real property leases (residential, professional, business, agricultural, etc.) if the given lease was executed before entry on AD, or if executed on AD, the SM then receives PCS orders or orders to deploy for 90 days or more. The SM must provide written notice of termination and a copy of his/her orders.

Automobile lease termination rights. An SM may terminate an automobile lease if the given lease was executed before entry on AD and he/she then receives orders to AD for 180 days or more, or if executed on AD, the SM then receives PCS orders from inside to outside CONUS or from Alaska or Hawaii to anywhere else. He/she may also end the lease executed on AD if he/she subsequently receives orders to deploy for 180 days or more. The SM must return the vehicle within 15 days of giving notice.

Cellular telephone contract termination rights. An SM may terminate or suspend a cellular telephone contract if the SM receives orders to relocate for 90 days or more to a place where there is no cell phone coverage under the contract. The SM must give written or electronic notice of termination with a copy of the SM's orders. Family plans may be cancelled if the family moves with the SM.

Six Percent Interest Cap on Consumer Debt During Active Duty. An SM may reduce interest on pre-AD debts to 6 percent. For mortgages, the protection lasts one year beyond REFRAD. The protection lasts only during AD itself for all other obligations (including, since 15 Aug 08, student loans). The interest above 6% is forgiven, not deferred, and periodic payments must be lowered to account for such forgiven interest. To exercise the right, the SM must provide written notice and a copy of his orders NLT 180 days after REFRAD.

FTC ACT

Federal Trade Commission Act (15 U.S.C. §§ 41-58)

15 U.S.C. § 45(a)(1): “Unfair methods of competition in or affecting commerce, and unfair or deceptive acts or practices in or affecting commerce, are hereby declared unlawful.”

Under this Act, the FTC is empowered, among other things, to (a) prevent unfair methods of competition, and unfair or deceptive acts or practices in or affecting commerce; (b) seek monetary redress and other relief for conduct injurious to consumers; (c) prescribe trade regulation rules defining with specificity acts or practices that are unfair or deceptive, and establishing requirements designed to prevent such acts or practices; (d) conduct investigations relating to the organization, business, practices, and management of entities engaged in commerce; and (e) make reports and legislative recommendations to Congress.

The Department of Justice Civil Division Consumer Protection Branch is responsible for civil and criminal actions brought under the FTC Act. These cases generally fall into three categories: 1) enforcement actions for civil penalties and injunctive relief based on violations of final orders issued by the FTC; 2) enforcement actions for civil penalties and injunctive relief based on violations of FTC trade regulation rules; and 3) prosecutions for criminal violations of the FTC Act, and for violations of district court orders obtained under the FTC Act.

FDCPA

Fair Debt Collection Practices Act (15 U.S.C. § 1692-1692p).

The Fair Debt Collection Practices Act (“FDCPA”) prohibits third-party debt collectors from employing deceptive or abusive conduct in the collection of consumer debts incurred for personal, family, or household purposes. (The term “debt collector” generally does not cover creditors collecting their own debts). Such collectors may not, for example, contact debtors at odd hours, subject them to repeated telephone calls, threaten legal action that is not actually contemplated, or reveal to other persons the existence of debts. The Department of Justice Civil Division Consumer Protection Branch enforces violations of the FDCPA, which are treated as unfair or deceptive acts or practices in violation of the FTC Act.

Among the Act’s provisions:

A debt collector may not contact a consumer at inconvenient times or places, such as before 8 in the morning or after 9 at night, unless the consumer agrees to it. And collectors may not contact consumers at work if they're told (orally or in writing) that the consumer is not allowed to get calls there.

Once a collector receives written notice, they may not contact the consumer again except to tell the consumer there will be no further contact or to let the consumer know that they or the creditor intend to take a specific action, like filing a lawsuit.

If an attorney represents a consumer with respect to a debt, the debt collector must contact the attorney, rather than the consumer. If the consumer does not have an attorney, a collector may contact other people – but only to find out the consumer's address, home phone number, and place of employment. Collectors usually are prohibited from contacting third parties more than once. Other than to obtain location information, a debt collector generally is not permitted to discuss a consumer's debt with anyone other than the consumer, their spouse, or their attorney.

Debt collectors may not:

- use threats of violence or harm;
- publish a list of names of people who refuse to pay their debts;
- use obscene or profane language;
- repeatedly use the phone to annoy someone;
- falsely claim that they are attorneys or government representatives;
- falsely claim that a consumer has committed a crime;
- falsely represent that they operate or work for a credit reporting company;
- misrepresent the amount owed;
- indicate that papers they send are legal forms if they aren't; or
- indicate that papers they send are not legal forms if they are.
- threaten a consumer with be arrest if he or she doesn't pay the debt;
- threaten to seize, garnish, attach, or sell a consumer's property or wages unless they are permitted by law to take the action and intend to do so;
- threaten legal action against the consumer, if doing so would be illegal or if they do not intend to take the action.
- give false credit information about the consumer to anyone, including a credit reporting company;
- send anything that looks like an official document from a court or government agency if it isn't;
- use a false company name;
- try to collect any interest, fee, or other charge on top of the amount owed unless the contract that created the debt – or state law – allows the charge.

Telemarketing

Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. §§ 6101 *et seq.*)

The Telemarketing and Consumer Fraud and Abuse Prevention Act directed the FTC to prescribe rules to prohibit abusive telemarketing practices. Violations of the ensuing Telemarketing Sales Rule (“TSR”), 16 C.F.R. Part 310, are treated as violations of the FTC Act.

The Consumer Protection Branch enforces the TSR, which contains an extensive array of consumer protection provisions, including the following:

The TSR established the National Do Not Call Registry, which telemarketers are required to search every 31 days and avoid calling any phone numbers that are on the registry. Calls from or on behalf of political organizations, charities and telephone surveyors are still permitted, as are calls from organizations with which a consumer has an established business relationship or to which a consumer has made an inquiry or submitted an application. A telemarketer who disregards the National Do Not Call Registry could be fined up to \$16,000 for each call.

Calling times are restricted to the hours between 8 a.m. and 9 p.m.

Telemarketers must promptly disclose the identity of the seller or charitable organization and that the call is a sales call or a charitable solicitation.

Telemarketers must disclose all material information about the goods or services they are offering and the terms of the sale and are prohibited from lying about any terms of their offer.

Before submitting a consumer’s billing information for payment, telemarketers must get their express informed consent to be charged — and to charge to a specific account.

Telemarketers must connect their call to a sales representative within two seconds of the consumer’s greeting and may not hang up on an unanswered call before 15 seconds or four rings. When the telemarketer doesn’t have a representative standing by, a recorded message must play to let the consumer know who is calling and the number they are calling from.

Telemarketers must transmit their telephone number and if possible, their name, to the consumer’s caller ID service.

Most businesses need written permission before they can call with prerecorded telemarketing messages, or robocalls. Businesses using robocalls have to disclose at the beginning of the message how consumers can stop future calls, and must provide an automated opt-out that can be activated by voice or keypress.

Credit

The *Truth in Lending Act* (15 U.S.C. §§ 1601-1667f) requires all creditors who deal with consumers to make certain written disclosures concerning finance charges and related aspects of credit transactions (including disclosing an annual percentage rate). The Act also establishes a three-day right of rescission in certain transactions involving the establishment of a security interest in the consumer's residence (with certain exclusions, such as interests taken in connection with the purchase or initial construction of a dwelling) and establishes certain requirements for advertisers of credit terms.

The *Fair Credit Billing Act* (15 U.S.C. §§ 1666-1666j), amends the Truth in Lending Act to require prompt written acknowledgment of consumer billing complaints and investigation of billing errors by creditors. The amendment prohibits creditors from taking actions that adversely affect the consumer's credit standing until an investigation is completed, and affords other protection during disputes. The amendment also requires that creditors promptly post payments to the consumer's account, and either refund overpayments or credit them to the consumer's account.

The *Equal Credit Opportunity Act* (15 USC §§ 1691-1691f) requires that financial institutions and other firms engaged in the extension of credit make that credit equally available to all credit-worthy customers, and prohibits discrimination on the basis of race, color, religion, national origin, sex, marital status, age, receipt of public assistance, or good faith exercise of any rights under pertinent consumer credit statutes. The Act also requires creditors to provide applicants, upon request, with the reasons underlying decisions to deny credit. A violation of any requirement of the ECOA is treated as a violation of the FTC Act, and enforced in the same manner as if the violation had been a violation of an FTC trade regulation rule.

The *Fair Credit Reporting Act* (15 U.S.C. §§ 1681-1681x) requires consumer reporting agencies to adopt certain procedures relating to consumer credit, personnel, insurance, and other information to ensure the confidentiality, accuracy, reliability and proper verification of the information. Information in a consumer report cannot be provided to anyone who does not have a purpose specified in the Act, and companies that provide information to consumer reporting agencies also have specific legal obligations, including the duty to investigate disputed information. In addition, users of the information for credit, insurance, or employment purposes must notify the consumer when an adverse action is taken on the basis of such reports and must identify the company that provided the report, so that the accuracy and completeness of the report may be verified or contested by the consumer. Subsequent amendments to the Act give consumers the right to one free credit report a year from the credit reporting agencies, the ability to purchase for a reasonable fee a credit score along with information about how the credit score is calculated, and the ability place fraud alerts in their credit files. A violation of any requirement or prohibition imposed under the FCRA is treated as a violation of the FTC Act.

Credit Repair

Credit Repair Organizations Act (15 U.S.C. § 1679 – 1679j)

The Credit Repair Organizations Act (“CROA”) prohibits untrue or misleading representations and requires certain affirmative disclosures in the offering or sale of "credit repair" services. The Act bars "credit repair" companies from demanding advance payment, requires that "credit repair" contracts be in writing, and gives consumers certain contract cancellation rights.

The statute is aimed at schemes that promise to “repair” the credit of consumers by employing the verification provisions of the Fair Credit Reporting Act (FCRA) and that misrepresent the services a credit repair organization can provide. Common misrepresentations include claims that such organizations can remove negative items from credit reports due to alleged difficulties in the verification process. However, verification is usually automated, and most debts may remain on a consumer's report for seven years, and bankruptcies for ten years. Thus, claims that most consumers can get such items removed from credit reports frequently violate CROA.

CROA also prohibits “file segregation” schemes, which are advertised as a way of creating a new credit identity. File segregation operators advise the consumer to apply to the IRS for an Employer Identification Number (“EIN”), and to use the EIN in lieu of their Social Security Number when applying for credit in order to create a completely new credit file in which the old debts will not appear. The scheme essentially involves an attempt to hide one’s identity from creditors and both the person selling such a scheme and consumers who follow the scheme are violating the law. CROA bars any person from making or counseling any consumer to make any untrue or misleading statement whose intended effect is to alter the consumer’s identification to hide accurate credit information.

A credit repair offer is likely a scam if those offering the services:

- insist on payment before they do any work on the consumer’s behalf;
- tell the consumer not to contact the credit reporting companies directly;
- tell the consumer to dispute accurate information in their credit report;
- tell the consumer to give false information on an applications for credit or a loan; or
- don’t explain the consumer’s legal rights when they tout their services.

STATE LAW (TABLES OF STATE STATUTES)

- Lemon Laws and Unfair & Deceptive Acts and Practices Statutes
- Lemon Buyback Laws and Salvage Vehicle Laws
- Telemarketing and Debt Collection Statutes

Lemon Laws and Unfair & Deceptive Acts and Practices Statutes.

<i>State Consumer Protection Laws Quick Reference I</i>		
STATE	LEMON LAW	UDAP STATUTE
Alabama	Ala. Code §§ 8-20A-1 to 8-20A-6	Ala. Code § 8-19-1 to 8-19-15
Alaska	Alaska Stat. §§ 45.45.300 to 45.45.360	Alaska Stat. § 45.50.471 to 45.50.561
Arizona	Ariz. Rev. Stat. Ann § 44-1261 to 44-1267	Ariz. Rev. Stat. Ann. § 44-1521 to 44-1534
Arkansas	Ark. Code Ann. §§ 4-90-401 to 4-90-417	Ark. Code Ann. § 4-88-101 to 4-88-207
California	Cal. Civ. Code §§ 1793.1 to 1795.7, 1793.22 to 1793.26	Cal. Civ. Code § 1750 to 1785 Cal. Bus. & Prof. Code §§ 17200 to 17594
Colorado	Colo. Rev. Stat. §§ 42-10-101 to §§ 42-10-107, 12-6-120(1)(a), 12-6-122(2)	Colo. Rev. Stat. § 6-1-101 to 6-1-115
Connecticut	Conn. Gen. Stat. Ann. §§ 42-179 to 42-184	Conn. Gen. Stat. § 42-110a to 42-110q
Delaware	Del. Code Ann. tit. 6 §§ 5001 to 5009	Del. Code Ann. tit. 6 § 2511 to 2527, 2580 to 2584, & 2531 to 2536
District of Columbia	D.C. Code Ann. §§ 50-501 to 50-510	D.C. Code Ann. § 28-3901 to §§ 28-3913
Florida	Fla. Stat. Ann. § 681.10 to 681.118	Fla. Stat. Ann. § 501.201 to 501.213
Georgia	Ga. Code Ann. §§ 10-1-780 to 10-1-794	Ga. Code Ann. § 10-1-370 to 10-1-375, 10-1-390 to 10-1-407

Guam		5 Guam Code Ann. §§ 32101 to 32603
Hawaii	Haw. Rev. Stat. § 481I-1 to 481I-4	Haw. Rev. Stat. § 480-1 to 480-24 & 481A-1 to 481A-5

State Consumer Protection Laws Quick Reference I

STATE	LEMON LAW	UDAP STATUTE
Idaho	Idaho Code §§ 48-901 to 48-913	Idaho Code § 48-601 to 48-619
Illinois	815 Ill. Comp. Stat. §§ 380/1 to 380/8	815 Ill. Comp. Stat. 505/1 to 505/12 & 510/1 to 510/7
Indiana	Ind. Code §§ 24-5-13-1 to 24-5-13-24	Ind. Code Ann. § 24-5-0.5-1 to 24-5-0.5-12
Iowa	Iowa Code Ann. §§ 322G.1 to 322G.15	Iowa Code Ann. § 714.16 to 714.16A
Kansas	Kan. Code Ann. §§ 50-645 to 50-646	Kan. Stat. Ann. § 50-623 to 50-640 & 50-675a to 50-679a
Kentucky	Ky. Rev. Stat. Ann. §§ 367.840 to 367.845; 367.860 to 387.870	Ky. Rev. Stat. § 367.110 to 367.990
Louisiana	La. Rev. Stat. Ann. §§ 51:1941 to 51:1948	La. Rev. Stat. Ann. § 51:1401 to 51:1420
Maine	Me. Rev. Stat. Ann. tit. 10 §§ 1161 to 1169	Me. Rev. Stat. Ann. tit. 5 § 205A to 214 & tit. 10 § 1211 to 1216
Maryland	Md. Code Ann. Com. Law §§ 14-1501 to 14-1504	Md. Code Ann. Com. Law §§ 13-101 to 13-501 & 14-101 to 14-3202
Massachusetts	Mass. Gen. Laws Ann. ch. 90 § 7N½	Mass. Gen. Laws Ann. ch. 93A §§ 1-11
Michigan	Mich. Comp. Laws §§ 257.1401 to 257.1410	Mich. Comp. Laws § 445.901 to 445.922

Minnesota	Minn. Stat. Ann. § 325F.665	Minn. Stat. Ann. §§ 8.31, 325D.43 to 325D.48, 325F.67, & 325F.68 to 325F.70 and others
Mississippi	Miss. Code Ann. §§ 63-17-151 to 63-17-165	Miss. Code Ann. § 75-24-1 to 75-24-27
Missouri	Mo. Stat. Ann. §§ 407.560 to	Mo. Rev. Stat. § 407.010 to 407.307

State Consumer Protection Laws Quick Reference I

STATE	LEMON LAW	UDAP STATUTE
	407.579	
Montana	Mont. Code Ann. §§ 61-4-501 to 61-4-533	Mont. Code Ann. § 30-14-101 to 30-14-142
Nebraska	Neb. Rev. Stat. §§ 60-2701 to 60-2709	Neb. Rev. Stat. § 59-1601 to 59-1623 & 87-301 to 87-306
Nevada	Nev. Rev. Stat. § 597.600 to 597.680	Nev. Rev. Stat. §§ 41.600 & 598.0903 to 598.0999
New Hampshire	N.H. Rev. Stat. Ann. §§ 357-D:1 to 357-D:12	N.H. Rev. Stat. Ann. § 358-A:1 to 358-A:13
New Jersey	N.J. Stat. Ann. §§ 56:12-29 to 56:12-49	N.J. Stat. Ann. § 56:8-1 to 56:8-91
New Mexico	N.M. Stat. Ann. §§ 57-16A-1 to 57-16A-9, 56-16-4, 56-16-13	N.M. Stat. Ann. § 57-12-1 to 57-12-22
New York	N.Y. Gen. Bus. Law § 198-a; N.Y. Veh. & Traf. Law § 417-a	N.Y. Exec. Law § 63(12); N.Y. Gen. Bus. Law §§ 349 & 350
North Carolina	N.C. Gen. Stat. §§ 20-351 to 20-351.10	N.C. Gen. Stat. § 75-1.1 to 75-35
North Dakota	N.D. Cent. Code §§ 51-07-16 to 51-07-22	N.D. Cent. Code §§ 51-15-01 to 51-15-11
Ohio	Ohio Rev. Code Ann. §§ 1345.71 to 1345.78	Ohio Rev. Code Ann. §§ 1345.01 to 1345.13 & 4165.01 to 4165.04

Oklahoma	Okla. Stat. Ann. tit. 15, § 901	Okla. Stat. Ann. tit. 15 § 751 to 763 & tit. 78 §§ 51 to 55
Oregon	Or. Rev. Stat. §§ 646.315 to 646.375	Or. Rev. Stat. § 646.605 to 646.656
Pennsylvania	73 Pa. Stat. Ann. § 1951 to 1963	Pa. Stat. Ann. Tit. 73 §§ 201-1 to 201-9.3

<i>State Consumer Protection Laws Quick Reference I</i>		
STATE	LEMON LAW	UDAP STATUTE
Puerto Rico		P.R. Laws Ann. tit.3 §§ 341 to 341w & tit. 10 §§ 257 to 273
Rhode Island	R.I. Gen. Laws §§ 31-5.2-1 to 31-5.2-12	R.I. Gen. Laws § 6-13.1-1 to 6-13.1-27
South Carolina	S.C. Code Ann. §§ 56-28-10 to 56-28-110, 56-15-40(1), 56-15-110	S.C. Code Ann. § 39-5-10 to 39-5-160
South Dakota	S.D. Codified Laws Ann §§ 32-6D-1 to 32-6D-11	S.D. Codified Laws Ann. § 37-24-1 to 37-24-35
Tennessee	Tenn. Code Ann. §§ 55-24-201 to 55-24-212	Tenn. Code Ann. § 47-18-101 to 47-18-125
Texas	Tex. Occ. Code Ann. §§ 2301.601 to 2301.613	Tex. Bus. & Com. Code Ann. §§ 17.41 to 17.63
Utah	Utah Code Ann. §§ 13-20-1 to 13-20-7, 41-3-406 to 41-3-414	Utah Code Ann. §§ 13-2-1 to 13-2-8, 13-5-1 to 13-5-18, & 13-11-1 to 13-11-23, & 13.11a-1 to 13.11a-5
Vermont	Vt. Stat. Ann. tit. 9 §§ 4170 to 4181	Vt. Stat. Ann. tit. 9 § 2451 to 2480g
Virginia	Va. Code §§ 59.1-207.9 to 207.16	Va. Code Ann. § 59.1-196 to 59.1-207
Virgin Islands		V.I. Code Ann. Tit. 12A §§ 101-123 & 180-185

Washington	Wash. Rev. Code §§ 19.118.005 to 19.118.904	Wash. Rev. Code Ann. §§ 19.86.010 to 19.86.920
West Virginia	W. Va. Code §§ 46A-6A-1 to 46-6A-9	W.Va. Code §§ 46A-6-101 to 46A-6-110
Wisconsin	Wis. Stat. Ann. § 218.0171. 218.0163(2)	Wis. Stat. Ann. §§ 100.18 & 100.20 to 100.264
Wyoming	Wyo. Stat. Ann. § 40-17-101	Wyo Stat. Ann. §§ 40-12-101 to 40-12-114

Lemon Buyback Laws and Salvage Vehicle Laws.

<i>State Consumer Protection Laws Quick Reference II</i>		
STATE	RESALE OF LEMON STATUTE (LEMON LAW BUYBACK / LEMON LAUNDERING) SALVAGE VEHICLE STATUTE)	UDAP STATUTE
Alabama	Ala. Code §§ 8-20A-3, 8-20A-4, 8-20A-5	Ala. Code § 32-8-87
Alaska	Alaska Stat. § 45.45.335	Alaska Stat. § 28-10-211
Arizona	Ariz. Rev. Stat. § 44-1266	Ariz. Rev. Stat. Ann. §§ 28-2091, 28-2095
Arkansas	Ark. Code Ann. § 4-90-412	Ark. Code Ann. § 27-14-2301 to 2307
California	Cal. Civ. Code §§ 1793.23, .24, .26, 11713.12 12	Cal. Veh. Code §§ 544, 5505, 6050, 11515-11515.2
Colorado	Colo. Rev. Stat. § 6-1-708(1)(b), 6-	Col. Rev. Stat. §§ 42-6-102, 42-6-136, 42-2 206
Connecticut	Conn. Gen. Stat. Ann. § 42-179(g), 42-179(i)	Conn. Gen. Stat. § 14-16c, 14-103a
Delaware	NA	Del. Code Ann. tit. 21 §§ 2512, 6716

District of Columbia	D.C. Code § 50-502(g)	D.C. Code Ann. § 50-505
Florida	Fla. Stat. Ann. §§ 681.111; 681.112; 681.114(2), 319.14 (West)	Fla. Stat. Ann. §§ 319.14, 319.30 (West)
Georgia	Ga. Code Ann. §§ 10-1-790	Ga. Code Ann. §§ 40-3-2, 40-3-36, 40-3-37
Hawaii	Haw. Rev. Stat. §§ 481I-3(I) , 481I-3(k), 481J	Haw. Rev. Stat. § 286-48
Idaho	Idaho Code § 48-905	Idaho Code § 49-524 & 525

<i>State Consumer Protection Laws Quick Reference II</i>		
STATE	RESALE OF LEMON STATUTE (LEMON LAW BUYBACK / LEMON LAUNDERING) SALVAGE VEHICLE STATUTE)	UDAP STATUTE
Illinois	625 Ill. Comp. Stat. §§ 5/5-104.2, 5/5-104.3 (West)	625 Ill. Comp. Stat. §§ 5/3-117.1, -118.1, 5/3-301 <i>et. seq.</i>
Indiana	Ind. Code Ann. §§ 24-5-13.5-1 to -24-5-13.5-14	Ind. Code Ann. §§ 9-22-3-3 to 9-22-3-5, 9-22-3-30
Iowa	Iowa Code Ann. § 322G.11 & .12	Iowa Code Ann. §§ 321.52, 321-69
Kansas	Kan. Stat. Ann. § 50-645, 50-659	Kan. Stat. Ann. §§ 8-135; 8-197 to 199
Kentucky	No specific lemon resale statute	Ky. Rev. Stat. § 186A.520, 186A.530
Louisiana	La. Rev. Stat. Ann. § 51:1945.1 & 1946	La. Rev. Stat. Ann. §§ 32:702, 32:706.32:707, 32.707.3
Maine	Me. Rev. Stat. Ann. tit. 10 §§ 1147, 1163(7) & (8), 1167, 1168, 1174(E), 1475(4), tit. 29-A, § 670	Me. Rev. Stat. Ann. tit. 29-A, §§ 602, 654, 667
Maryland	Md. Code Ann. Com. Law. § 14-	Md. Code Ann. Com. Law §§ 11-

	1502	152, 13-506, 13-507
Massachusetts	Mass. Gen. Laws ch. 90 § 7N 1/2(5)	Mass. Gen. Laws ch. 90D, §§ 1, 20B - 20F
Michigan	Mich. Comp. Laws §§ 257.4c, 257.235(5)	Mich. Comp. Laws Ann. § 257.217c
Minnesota	Minn. Stat. Ann. §§ 325F.655(13); 325F.665(5); 325F.665(9)	Minn. Stat. Ann. §§ 168A.01, 168A.151, 325F.664 to 325F.6644
Mississippi	No specific lemon resale statute	Miss. Code Ann. §§ 63-21-33, 63-21-39
Missouri	No specific lemon resale statute	Mo. Rev. Stat. §§ 301.010, 301.020, 301.190, 301.227, 301.573

<i>State Consumer Protection Laws Quick Reference II</i>		
STATE	RESALE OF LEMON STATUTE (LEMON LAW BUYBACK / LEMON LAUNDERING) SALVAGE VEHICLE STATUTE)	UDAP STATUTE
Montana	Mont. Code Ann. § 61-4-525	Mont. Code Ann. §§ 61-3-210 to 212
Nebraska	Neb. Rev. Stat. §§ 60-129, 6-130, 60-174	Neb. Rev. Stat. § 60-129, 60-130, 60-171 to 177
Nevada	Nev. Rev. Stat. §§ 597.620, 597.682 to .688	Nev. Rev. Stat. §§ 482.098, 482.245, 487.160, 487.710 to .890
New Hampshire	N.H. Rev. Stat. Ann. § 357-D:12	N.H. Rev. Stat. Ann. § 261.22
New Jersey	N.J. Stat. Ann. §§ 56:8-2, 56:12-39, 39:10-9.3	N.J. Stat. Ann. § 39-10-32 N.J. Admin Code 13:21-22.7
New Mexico	N.M. Stat. Ann. § 57-16A-7	N.M. Stat. Ann. § 66-1-4.12, 66-1-4.16, 66-3-4, 66-3-10.1
New York	N.Y. Veh. & Traf. Law § 417-a(2), 417-2(4)	N.Y. Veh. & Traf. Law §§ 429, 430
North Carolina	N.C. Gen. Stat. § 20-351.3(d)	N.C. Gen. Stat. §§ 20-4.01, 20-71.3,

		20-71.4, 20-109.1
North Dakota	N.D. Cent. Code § 51-07-22	N.D. Gen. Stat. § 39-05-20.1, 39-05-20.2
Ohio	Ohio Rev. Code Ann. § 1345.76(A), (B)(C)	Ohio Rev. Code Ann. §§ 4505.11 & 4505.181
Oklahoma	No specific lemon resale statute	Okla. Stat. Ann. tit. 47 § 591.8, 1111
Oregon	Or. Rev. Stat. § 646A.325, 646A.405	Or. Rev. Stat. §§ 803.015, 801.405, 801.405, 810.012, 819.014 to 819.016
Pennsylvania	Pa. Stat. Ann. tit. 73 §§ 1960(a) and (b), 1961, 1962	Pa. Stat. Ann. tit. 75 §§ 102, 1106, 1161, 1165

<i>State Consumer Protection Laws Quick Reference II</i>		
STATE	RESALE OF LEMON STATUTE (LEMON LAW BUYBACK / LEMON LAUNDERING) SALVAGE VEHICLE STATUTE)	UDAP STATUTE
Rhode Island	R.I. Gen. Laws § 31-5.2-9; -10, & -11	R.I. Gen. Laws § 31-46-4
South Carolina	S.C. Code Ann. § 56-28-100, 56-28-110	S.C. Code Ann. § 56-19-480 (Law. Co-op)
South Dakota	S.D. Codified Laws Ann § 32-6D-9, 32-6D-10	S.D. Codified Laws Ann. §§ 32-3-12, 32-3-51.5, 32-3-51.6, 32-3-53, 32-3-53.2 (as amended by 2005 S.D. Sess. Laws 155)
Tennessee	No specific lemon resale statute	Tenn. Code Ann. §§ 55-3-120, 55-3-201, 55-3-212
Texas	Tex. Occ. Code Ann. §2301.610	Tex. Transp. Code Ann. §§ 501.091 to 501.095, 501.097, 501.098, 501.100 to 501.103
Utah	Utah Code Ann. §§ 41-3-406 to -414, 41-1a-522	Utah Code Ann. §§ 41-1a-1001 to 1008
Vermont	Vt. Stat. Ann. tit. 9 §§ 4179, 4181	Vt. Stat. Ann. tit. 23 §§ 2001, 2091, 2093

Virginia	Va. Code §§ 59.1-207.15, 59.1-207.16:1, 18.2-11	Va. Code §§ 46.2-1600 to 1608
Washington	Wash. Rev. Code § 19.118.061	Wash. Rev. Code Ann. § 42.04.524, 46.12.560, 46.55.230
West Virginia	W. Va. Code § 46A-6A-7 & -9	W.Va. Code Ann. § 17A-4-10
Wisconsin	Wis. Stat. Ann. § 218.015(2)(d), 218.0170(2)(d), 342.10, 342.15.1	Wis. Stat. Ann. §§ 342.01, 342.07, 342.10, 342.065 (see also Wis. Admin. Code Trans. 139.04)
Wyoming	No specific lemon law resale statute	Wyo Stat. §§ 31-2-103 to 109

Telemarketing and Debt Collection Statutes.

<i>State Consumer Protection Laws Quick Reference III</i>		
STATE	TELEMARKETING	DEBT COLLECTION STATUTES
Alabama	Ala. Code §§ 8-19A-1 to 8-19A-24 (Telemarketing); §§ 8-19C-1 to 8-19C-12 (Do-Not Call List)	Ala. Code § 40-12-80
Alaska	Alaska Stat. §§ 45.63.010 to 45.63.100, 45.50.475	Alaska Stat. §§ 8.24.041 to 8.24.380, 45.50.471 to 45.50.561
Arizona	Ariz. Rev. Stat. Ann. §§ 44-1271 to 44-1282	Ariz. Rev. Stat. Ann. §§ 32-1001 to 32-1057
Arkansas	Ark. Stat. Ann. §§ 4-99-10 to 4-99-408	Ark. Stat. Ann. §§ 17-24-101 to 17-24-512
California	Cal. Bus. & Prof. Code §§ 17511 to 17513, 17591 to 17595	Cal. Civ. Code §§ 1788 to 1788.33, 1812.700 to 1812.702, Cal Family
Colorado	Colo. Rev. Stat. §§ 6-1-301 to 6-1-304, 6-1-901 to 6-1-908, 4 Colo. Code Regs § 723-22	Colo. Rev. Stat. §§ 5-1-101 to 5-12-1812.700 to 1812.702, Cal Family Code 5610-5616
Connecticut	Conn. Gen. Stat. §§ 42-284 to 42-289	Conn. Gen. Stat. §§ 36a-645 to 647, 36a-800 to 36a-810 ,
Delaware	Del Code Ann. tit. 6 § 2501A-2509A	Del. Code Ann. tit. 30 §2301(a)(12)

District of Columbia	D.C. Code § 22-3226.01 to 22-3226.15	D.C. Code Ann. §§ 22-3401 to 22-3403, 28-3814 to 28-3816, 28-3901 to 28-3909
Florida	Fla. Stat. Ann. §§ 501.059, 501.601 to 501.626	Fla. Stat. Ann. §§ 559.55 to 559.785
Georgia	Ga. Code Ann. §§ 10-5B-1 to 105B-8	Ga. Code Ann. §§ 7-3-1 to 7-3-29
Hawaii	Haw. Rev. Stat. §§ 481P-1 to 481P-8	Haw. Rev. Stat. §§ 443B-1 to 443B-21, 480D-1 to 480D-5
Idaho	Idaho Code §§ 48-1001 to 48-1108	Idaho Code §§ 26-2222 to 26-2251

<i>State Consumer Protection Laws Quick Reference III</i>		
STATE	TELEMARKETING	DEBT COLLECTION STATUTES
Illinois	815 Ill. Comp. Stat. Ann. §§ 413/1 to 413/27, 402/1 to 402/99, (Do-Not Call List), 505/2P.1	225 Ill. Comp. Stat. 425/1 to 425/9.7
Indiana	Ind. Code Ann. §§ 24-5-12-1 to 24-5-12-25, 24-4.7-1-1 to 24.4.7-5-6	Ind. Code Ann. §§ 25-11-1-1 to 25-11-13, 24-4.5-5-107
Iowa	Iowa Code §714.8(15)	Iowa Code Ann. §§ 537.7101 to 537.7103
Kansas	Kan. Stat. Ann. §§ 50-670 to 50.679a	Kan. Stat. Ann. § 16a-5-107
Kentucky	Ky. Rev. Stat. §§ 367.461 to 367.46999	None, <i>but see</i> Ky. Rev. Stat. Ann. §24A-240 (restrictions on small claims court suits by creditors and debt collectors)
Louisiana	La. Rev. Stat. Ann. §§ 45:821 to 45.833, 45:844.11 to 45:844.15	La. Rev. Stat. Ann. §§ 9:3552 and 9:3562, <i>see also</i> 9:3534
Maine	Me. Rev. Stat. Ann. tit. 10 §§ 1498, 1499, 1499A	Me. Rev. Stat. Ann. tit. 32 §§11,001 to 11054, 9A §§ 5-107, 5-116, 5-117, 5-201, 19A § 2109
Maryland	Md. Comm. Law Code § 14-2201 to 14-2205, 14-3201 to 14-3202, 8-204 to 8-205	Md. Ann. Code Bus. Reg. §§ 7-101 to 7-502, Md. Comm. Law Code §§14-201 to 14-204

Massachusetts	Mass. Gen. Laws Ann. ch. 159, 19E	Mass. Gen. Laws Ann. ch. 93 §§ 24 to 28, 49
Michigan	Mich. Comp. Laws §§ 445.111 to 445.111e, 445.113, 445.116	Mich. Comp. Laws Ann. §§339.901 to 339.920 & 445.251 to445.258
Minnesota	Minn. Stat. 325E.26 to 325E.31, 325E.395, 325E.311 to 325E.316 (Telephone Solicitation, expires on December 31, 2012), 325G.12 to 325G.14	Minn. Stat. Ann. §§ 332.31 to 332.45 and Minn. Stat. §§ 325F.91 – 325F.92 (restricting debt collection activities of rent-to-own companies)
Mississippi	Miss. Code Ann. §§ 77-3-601 to 77-3-619, (77-3-701 to 77-3-737 was scheduled for sunset on July 1, 2006)	None, <i>but see</i> Miss. Code Ann. §97-9-1 (criminal offense to simulate legal process to obtain collection of a debt)
Missouri	Mo. Rev. Stat. §§ 407.1070 to 407.1090 (Telemarketing), §§ 407.1095 to 407.1110 (Do-Not Call List)	Mo. Rev. Stat. §§ 425.300 and 287.140(13)

<i>State Consumer Protection Laws Quick Reference III</i>		
STATE	TELEMARKETING	DEBT COLLECTION STATUTES
Montana	Mont. Code Ann. §§ 30-14-1401 to 30-14-1406, § 30-14-501 to 30-14-508	None, <i>but see</i> Mont. Code Ann. §§3-1-602, 30-19-102 to 30-19-116 (rent-to-own regulations), 31-1-704 (payday lending regulations)
Nebraska	Neb. Rev. Stat. §§ 86-212 to 86-235, 86-236 to 86-257	Neb. Rev. Stat. §§ 45-601 to 45-623, 45-1043 to 45-1058
Nevada	Nev. Rev. Stat. §§ 597.814, 598.0918, 228.500 to 228.640, 599B005-599B.300	Nev. Rev. Stat. §§ 649.005 to 649.435
New Hampshire	N.H. Rev. Stat. Ann. §§ 359-E:1 to 359-E:11	N.H. Rev. Stat. Ann. §§ 358-C:1 to 358-C:4
New Jersey	N.J. Stat. Ann. §§ 56:8.119 to 56:8-135, 48:17-25; N.J. Admin. Code §13:45A-1.1	N.J. Stat. Ann. §§ 45:18-1 to 45:18-6.1
New Mexico	N.M. Stat. Ann. §§ 57-12-22 to 57-12-24	N.M. Stat. Ann. §§ 61-18A-1 to 61-18A-33
New York	N.Y. Gen. Bus. Law § 399-p, 399- pp, 399-z; N.Y. Pers. Prop. Law §§440 to 448, N.Y. Pub. Serv. Law §92-d	N.Y. Gen. Bus. Law §§ 600 to 604- b
North Carolina	N.C. Gen. Stat. §§ 66-260 to 66-266,	N.C. Gen. Stat. §§ 58-70-15, 58-70-90

	75-100 to 75-105	to 58-70-155, 75-50 to 75-56 (Prohibited Acts by Debt Collectors)
North Dakota	N.D. Cent. Code §§ 51-18-01 to 51-18-22	N.D. Cent. Code §§ 13-05-01 to 13-05-10
Ohio	Ohio Rev. Code Ann. 4719.01 to 4719.99	None, <i>but see</i> ORC Ann. § 1319.12
Oklahoma	Okla. Stat. Ann. Tit. 15 §§ 775A.1 to 775A.5	Okla. Stat. tit. 14A, § 5-107, <i>see also</i> tit. 12, § 1751 (prohibiting collection agency from bringing action in small claims court)
Oregon	Or. Rev. Stat. §§ 646.551 to 646.578	Or. Rev. Stat. §§ 646.639 to 646.643, 697.005 to 697.105
Pennsylvania	Pa. Stat. §§ 2241 to 2249	Pa. Cons. Stat. Ann. 18 § 7311 & 73 § 2270.1 to 2270.6

<i>State Consumer Protection Laws Quick Reference III</i>		
STATE	TELEMARKETING	DEBT COLLECTION STATUTES
Rhode Island	R.I. Gen. Laws §§ 5-61-1 to 5-61-6	R.I. Gen. Laws §§ 19-14.9-1 to 19-4.9-14
South Carolina	S.C. Code Ann. §§ 16-17-445 to 16-17-446	S.C. Code Ann. § 37-5-108
South Dakota	S.D. Codified Laws Ann §§ 37-30A-1 <i>et. seq.</i> , 49-31-101 to 49-31-108 (Do-Not Call Register)	None
Tennessee	Tenn. Code Ann. §§ 47-18-1501 to 47-18-1527, 65-4-401 to 65-4-408 (Telephone Solicitation)	Tenn. Code Ann. §§ 62-20-101 to 62-20-127
Texas	Tex. Bus. & Com. Code Ann. §§44.001 to 44.253 <i>et seq.</i> , 38.001 to 38.305, 55.121 to 55.138, 16 Tex. Admin. Code § 26.125	Tex. Fin. Code Ann. §§ 392.001 to 392.404, 396.001 to 396.353
Utah	Utah Code Ann. §§ 13-26-1 to 13-26-11, 13-25a-101 to 13-25-111	Utah Code Ann. §§12-1-1 to 12-1-11, 70C-&-105 to 106
Vermont	9 Vt Stat. Ann. § 2464 to 2464d	Vt. Stat. Ann. tit. 9 §§ 2451a to 2461
Virginia	Va. Code §§ 59.1-21.1 to 59.1-21.7, 59.1-510 to 59.1-518	Va. Code § 18.2-213
Washington	Wash. Rev. Code §§ 19.158.010 to 19.158.901	Wash. Rev. Code Ann. §§19.16.100 to 19.16.950

West Virginia	W. Va. Code § 46A-6F-101 to 46A-6F-703	W.Va. Code Ann. §§ 47-16-1 to 47-16-5, 46a-2-122 to 46a-2-129a, 48-1-307
Wisconsin	Wisc. Stat. §§ 423.201 to 423.205, 100-52	Wis. Stat. Ann. §§ 218.04
Wyoming	Wyo. Stat. Ann. §§ 40-12-301 to 40-12-305	Wyo. Stat. §§ 33-11-101 to 33-11-116, 40-14-507

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Department of Justice Civil Division, Consumer Protection Branch

The Consumer Protection Branch (“CPB”) of the Civil Division of the United States Department of Justice is a litigating office that brings civil and criminal enforcement actions in consumer-protection related areas.

CPB is responsible for litigation arising under a variety of federal statutes administered by federal regulatory agencies that protect public health and safety, and under general federal statutes that set forth penalties for activity that may harm consumers. The Branch’s broad mission is to safeguard consumers and to represent government agencies that serve consumers. CPB’s affirmative litigation involves areas such as adulterated and misbranded food, drugs, and devices; hazardous and unsafe consumer products; unfair and deceptive advertising and franchising practices; unfair consumer credit and debt collection practices; deceptive and fraudulent internet and mail order sales; all types of financial fraud; and unlawful practices that target vulnerable consumer populations.

The Branch receives case referrals from a number of agencies, including the Federal Trade Commission (“FTC”), the Food and Drug Administration (“FDA”), and the Consumer Product Safety Commission (“CPSC”). CPB also generates its own cases and becomes involved in consumer-related cases in which United States Attorneys’ Offices seek assistance, often acting as co-counsel with Assistant United States Attorneys. The Branch consists of approximately 40 attorneys litigating criminal and civil cases nationwide. Its work is aided by substantial litigation support resources, including a cadre of experienced paralegals and data management specialists.

CPB attorneys are experienced in litigating complex criminal and civil cases and have done so in federal judicial districts throughout the United States. Our attorneys have expertise in a wide variety of substantive areas, including the laws governing food, drugs and devices, consumer protection, and product safety. The Branch is responsible for enforcing such landmark public interest statutes as the Food, Drug, and Cosmetic Act, the Federal Trade Commission Act, and the Consumer Product Safety Act. And CPB attorneys also regularly prosecute criminal violations of the mail and wire fraud statutes and other provisions of the criminal code.

The Consumer Protection Branch’s criminal enforcement efforts have made impacts in reducing the vulnerability of consumers to fraud and abuse. Notable areas of success have included prosecutions of:

- fraudulent foreclosure rescue schemes
- the diversion and counterfeiting of prescription drugs;
- off-label promotion of prescription drugs;
- fraudulent and deceptive marketing and sale of dietary supplements;
- odometer tampering; and

- illegal distribution of fireworks and explosives.

Another realm in which CPB has been particularly successful in protecting consumers is in the area of business opportunities. The field of business opportunities, which offer consumers purported opportunities to run their own businesses and make substantial amounts of money, has been rife with fraud. Working with the FTC, Branch attorneys have brought countless civil actions against purveyors of fraudulent business opportunities, obtaining civil penalties and injunctive relief.

In recent years, CPB has amped up the pressure on fraudsters, bringing numerous criminal prosecutions against individuals engaged in business opportunity fraud. Working with the Postal Inspection Service, the Branch has devoted substantial resources to prosecuting “bizopp” fraud, particularly in southern Florida, where this industry has been concentrated. Prosecutions in this area have included charges involving mail and wire fraud, conspiracy, and, where a previous enforcement effort resulted in a judicial or administrative order governing a target’s conduct, criminal contempt. The prosecutions involved dozens of different business opportunities that, combined, victimized thousands of consumers of millions of dollars.

In addition to business opportunity fraud the Consumer Protection Branch has brought a number of civil and criminal enforcement actions related to consumer credit and debt matters as well as unlawful telemarketing practices. CPB attorneys are well-versed and highly experienced in the various consumer protection statutes and regulations that govern consumer credit and loans, debt collection, privacy, and identity. The enforcement of these laws, which largely fall under the FTC regulatory umbrella, make up a substantial portion of the Branch’s work and have a significant impact on the lives and livelihoods of consumers – including civilians and military alike.

Among the various statutes the Consumer Protection Branch enforces are:

- *The Telemarketing and Consumer Fraud and Abuse Prevention Act;*
- *The Telemarketing Sales Rule;*
- *The Truth in Lending Act;*
- *The Fair Credit Billing Act;*
- *The Equal Credit Opportunity Act;*
- *The Fair Credit Reporting Act;*
- *The Credit Repair Organizations Act;* and
- *The Fair Debt Collection Practices Act*

The Consumer Protection Branch stands ready, willing, and able to bring its expertise and resources to bear in the protection of service members from fraudulent and abusive practices – particularly in the areas of credit, debt, privacy, and identity. Consumer Protection attorneys have the experience, resources, and knowhow to spearhead enforcement in these areas and, together with the FTC, the United States Attorneys’ Offices, and law enforcement partners throughout the nation, help ensure that members of

our military are not victimized by unscrupulous or unlawful practices in their financial affairs and home lives.

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CONSUMER FINANCIAL PROTECTION BUREAU

In July, 2010, Congress passed the Dodd-Frank Wall Street Reform and Consumer Protection Act, which created the Consumer Financial Protection Bureau (the CFPB). The CFPB supervises financial institutions for compliance with over 19 federal consumer protection statutes as they pertain to financial products and services. The statutes range from the Fair Debt Collection Practices Act, to the Real Estate Settlement Procedures Act, to the Equal Credit Opportunity Act. In addition, we recently received authority to enforce the Military Lending Act.

For a list of regulations administered and enforced by the CFPB, including a link to the electronic code of each regulation, see <http://www.consumerfinance.gov/regulations/>.

If you have questions about the enforcement of one of these statutes, contact: Khalid Hargrove, Enforcement Attorney: Khalid.hargrove@cfpb.gov at 202-435-7817.

In addition to supervising and enforcing a wide-range of consumer protection statutes, the CFPB also accepts complaints on a variety of financial products, including: credit cards, mortgages, bank accounts, consumer loans, student loans, and credit reporting. : <http://www.consumerfinance.gov/complaint/>. See *infra*, “Where to Complain.”

Finally, the Dodd-Frank Act created a special office to address the financial concerns of Servicemembers, veterans, and their families. The Office of Servicemember Affairs is tasked with monitoring complaints and coordinating with other federal and state agencies in order to address the unique challenges faced by our community.

If you have questions or concerns you would like to discuss with members of the Office of Servicemember Affairs, please email us at: military@cfpb.gov

FEDERAL TRADE COMMISSION

Bureau of Consumer Protection

The FTC's Bureau of Consumer Protection stops unfair, deceptive or fraudulent practices in the marketplace. BCP conducts investigations, sues companies and people that violate the law, develops rules to ensure a vibrant marketplace, and educates consumers and businesses about their rights and responsibilities. They collect complaints about hundreds of issues from data security and deceptive advertising to identity theft and Do Not Call violations, and make them available to law enforcement agencies worldwide for follow-up.

BCP's experienced and motivated staff is nimble, using 21st century tools to anticipate – and respond to – changes in the marketplace. As we approach our 100th anniversary, BCP is proud to be the nation's cop on the consumer beat, prepared to meet current challenges – and those around the corner -- with expertise and excitement.

BCP has seven divisions:

1. Advertising Practices protects consumers by enforcing the nation's truth-in-advertising laws, with particular emphasis on claims for food, over-the-counter drugs, dietary supplements, alcohol and tobacco, and on conduct related to high-tech products and the Internet; and by enforcing the Children's Online Privacy Protection Act.
2. Consumer and Business Education plans, develops, and implements creative national campaigns in plain English and Spanish to alert consumers to their rights and to explain the science of compliance to industry.
3. Enforcement litigates civil contempt and civil penalty actions to enforce all FTC federal court injunctions and administrative orders that address consumer protection issues, including advertising and financial practices, data security, high-tech fraud, and telemarketing and other scams. The Division also coordinates FTC actions with criminal law enforcement agencies through its Criminal Liaison Unit; develops, reviews, and enforces a variety of consumer protection rules; and runs the Bureau's Hispanic initiative, bankruptcy program, and collections shop.
4. Financial Practices protects consumers from deceptive and unfair practices in the financial services industry, including protecting consumers from predatory or discriminatory lending practices, as well as deceptive or unfair loan servicing, debt collection, and credit counseling or other debt assistance practices.
5. Marketing Practices leads the Commission's response to Internet, telecommunications, and direct-mail fraud; deceptive spam; fraudulent business, investment, and work-at-home schemes; and violations of the Do Not Call provisions of the Telemarketing Sales Rule.

6. Planning & Information collects and analyzes complaints about consumer fraud, identity theft, and the National Do Not Call Registry, and makes them available to law enforcement; helps distribute redress to consumers; and provides cutting-edge technological investigative and litigation support.
7. Privacy and Identity Protection protects consumers' privacy; works to prevent identity theft and aids consumers whose identities have been stolen; and implements laws and regulations for the credit reporting industry, including the Fair Credit Reporting Act.

Point of Contact List at FTC Regional Offices Regarding Servicemember Issues

ECR-Cleveland (DC, DE, MD, MI, OH, PA, VA, WV)

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NER-New York (CT, MA, ME, NH, NJ, NY, PR, RI, VT, USVI)

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Uniformed Services Worldwide
Legal Assistance Office Directory

This directory is designed to be a quick reference for Service Legal Assistance Offices in the United States. There are also several links used by the Services that will help identify Legal Assistance Offices in various locations throughout the country.

The following link takes you to a consolidated list of Legal Assistance Offices throughout the Department of Defense and is a good resource regardless of your service:
<http://legalassistance.law.af.mil/content/locator.php>

The Air Force use a separate link: <https://aflegalassistance.law.af.mil/>

The Navy also uses a separate link:
http://www.jag.navy.mil/legal_services/legal_services_locator_rlsso.htm

The Coast uses the following link:
http://www.uscg.mil/legal/la/Legal_Assistance_Find_Lawyer.asp

Contacts

If you have any questions about this Toolkit, please contact:

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