



*Everything You Ever Wanted to Know
about **Consumer Protection** and
Scam Prevention but Were Afraid to Ask*

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OFFICE OF INDIANA
ATTORNEY GENERAL CURTIS HILL



Meet Curtis Hill – Indiana’s Attorney General



- Curtis Hill is the 43rd Attorney General of Indiana.
- Hill oversees a staff of more than 400 employees spread across multiple divisions.
- Hill was sworn in to office on Jan. 9, 2017.



Consumer Protection Division ("CPD")

1. Licensing
2. Consumer Mediation
3. Consumer Litigation
4. Senior Consumer Protection
5. Homeowner Protection
6. Identity Theft and Data Breach
7. Telephone Privacy
8. Other Scams



MEDICAL LICENSING

The Indiana Attorney General's Office investigates and prosecutes complaints against health care practitioners.

There are 20 boards and committees that regulate health care practitioners, including doctors, nurses, pharmacists, nursing home administrators, veterinarians or other health care practitioners.

Local News

Trafalgar pharmacist gets license suspended

By Staff Reports - 10/5/16 12:24 AM

Huntington physician accused of rape; has license pulled



By WANE Staff Reports

Published: September 22, 2016, 4:46 pm | Updated: September 22, 2016, 6:14 pm





Complaints are investigated to determine whether the licensee has violated any standards of practice or other rules and regulations of their particular profession.

There are 15 boards and commissions that regulate licensed professions, including real estate professionals, real estate appraisers, plumbers, cosmetologists and architects.

Real estate broker's license suspended three more months

By Stuart Hirsch | The Herald Bulletin Aug 29, 2016

Masseur accused of fondling clients loses license

[Justin L. Mack](#), justin.mack@Indystar.com 3:30 p.m. ET Aug. 8, 2016



Procedure for Filing a Licensing Complaint

Indiana Consumer.com

- Online Complaint
- 1-800-382-5516




Notification
letter sent
to licensee



Investigation

- Possible Board action

 **Online Consumer Complaint Form**

To prevent delay, please answer all of the following questions. DO NOT include your Social Security number, upload any signed contracts, written agreements, or other supporting documents related to this complaint.

1. Complainant Information

Are you with an agency or organization and filing on behalf of another individual?

Salutation

First Name

Middle Name

Last Name

Suffix

Address

City

State

Zip Code

Age

Phone (area code required)

Are you or your spouse active duty military?

Email

2. Who is your complaint against?

Name/Firm

Address

City

State

Zip

Phone (area code required)

Person you dealt with

Email (optional)



Consumer
Complaint

Letter to
Consumer



Letter to
Respondent

Consumer
Response to
Respondent

- A **consumer transaction** must have occurred before our office can investigate.
- If you have documents to support your claim, it is important that you send **copies** of them to us.

- Our office will contact you by **mail or email**.
- You may be referred to **another agency**.
- The Attorney General cannot act as your **private attorney**.





Procedure for Filing a Consumer Complaint

Indiana

Consumer.com

- Online Complaint Form
- Printable Complaint form
- Cannot take complaint over the phone



OAG Intake Process

- Attorney Review
- Mediator Assigned



Investigation





CONSUMER LITIGATION

The OAG is authorized by several statutes to protect consumers.



Deceptive Consumer Sales Act

Personal, familial, charitable, agricultural, or household

Unfair, Abusive, or Deceptive



Home Improvement Contracts Act

Home Improvement

Residential Property

Contract Requirements



CONSUMER LITIGATION

The OAG is authorized by several statutes to protect consumers.



Anti-Trust

No Soliciting

Home Solicitation
Sales Act

**Credit Service
Organizations**





CONSUMER LITIGATION

The OAG is authorized by several statutes to protect consumers.



Senior Consumer Protection Act

Persons 60 or over

Obtains control of senior's financial assets through deception or intimidation



GRANDPARENT SCAM





GRANDPARENT SCAM

How scammers succeed

- Impersonate loved ones convincingly
- They play on your emotions
- They swear you to secrecy
- They rush you





GRANDPARENT SCAM

Slow down, and verify

- Resist the urge to act immediately, no matter how dramatic the story is.
- Verify the person's identity by asking questions that a stranger couldn't possibly answer.
- Call a phone number for your family member or friend that you know to be genuine.
- Check the story out with someone else in your family or circle of friends, even if you've been told to keep it a secret.
- **Don't wire money** — or give gift card codes over the phone.



Mortgage Fraud



Foreclosure Prevention
Indiana Foreclosure
Prevention Network



Home Improvement Scams

When to be skeptical:

- The person at your door notices that your roof (or another area on your house that is hard to check) needs repair.
- He says he just finished work on your neighbor's house and has just enough materials to do repair work on yours.
- He might say he can give you a better bargain if you let him do the work today since he has the supplies now.
- The contractor is pressuring you to accept an offer.



Home Improvement Scams

Before Signing the Contract

- Get a written contract.
- Before signing the contract, make certain it includes:
 - The price of the job
 - Payment schedule
 - A detailed description of the work and materials (including colors, brand names and patterns)
 - Estimated start and completion dates
 - The contractor's name and address
 - A name and telephone number of the person to contact if problems arise
 - The contractor's signature
- Never pay for the entire project before the work begins.



Consumers' Rights

- The OAG's Identity Theft Unit was created in 2009 – Now Data Privacy included too
- Investigates consumer complaints on ID theft, ID deception, fraud, deception, and related matters.
- Assists victims with obtaining refunds, canceling accounts, and correcting false information in consumer, personnel, or court records.



Consumers' Rights

- Indiana Law prohibits:
 - Denying credit or public utility services or reducing the credit limit of a victim of ID theft.
 - Extending credit to a consumer without verifying his/her identity.
 - Performing unsolicited credit checks.



Identity Theft can be Low tech or High tech

- In 2015, the FTC received over 490,000 complaints about identity theft, an increase of 47% over the prior year.
- Low tech identity theft
 - Lost or Stolen Wallet or ID cards
 - Stolen Mail or Trash
- High tech identity theft
 - Data breach at a bank or business
 - Using insecure or duplicative passwords
 - Spoofed emails with malicious links or downloads





IDENTITY THEFT COMPLAINT
Office of the Indiana Attorney General
(R4-11-16)

INSTRUCTIONS: 1. To prevent delay, please be sure to complete both sides of this form in full. Please print clearly or type.

Section 1: Your Information

Salutation
 Mr. Mrs. Ms. Dr. Miss Rev.

Full Name _____ Email Address _____

Address _____ Driver's License Number _____

City _____ Date of Birth (mm/dd/yyyy) _____ Expiration Date _____

County _____ State _____ Social Security Number (SSN) _____

Daytime Phone _____ Zip Code _____

Evening Phone _____

You may refuse to provide your SSN and will not be penalized. However, disclosing your SSN will assist our Office in investigating your complaint and working with law enforcement.

If you do provide your SSN, by signing this form you expressly consent to the disclosure of your SSN for investigative purposes in accordance with Indiana Code § 4-1-10-5(2).

Section 2: Financial Information

Yes No 2-A. Have you contacted your financial institution(s) to report the alleged ID theft?

Yes No 2-B. If yes, which financial institutions have you contacted?

Yes No 2-C. Has your financial institution refunded your money for the fraudulent purchases?

Section 3: Law Enforcement Information

Yes No 3-A. Have you filed a police report?

Yes No 3-B. If yes, please complete information below.

Date Filed	Police Department	Report Number

Section 4: Crime Details

4-A. What date did you become aware of the crime?

Found fraudulent transaction(s) on my credit card(s). Which one(s)?

Contacted by creditor, or received bills for

- Shred personal papers
- Review your credit report
- Request a free credit freeze
- If your identity has been stolen:
 - File a Police Report
 - File an Identity Theft complaint with the OAG
 - Attach a copy of your credit report
 - Provide any other relevant documents including a police report



- Tax return filed under your SS# by someone else
 - Contact the IRS immediately. You may need to complete Form 14039 - Identity Theft Affidavit.
 - Obtain and review your credit report. www.annualcreditreport.com
- IRS scam – caller impersonates the IRS, and makes threats unless you pay usually with a prepaid gift card or money order
- Spoofed email address inquiry – Bad guys request private info and spoof the email address so it looks like its coming from headquarters
 - Scotty's Brewhouse sent employees' W-2 forms to scammers thinking they were corporate.
- Skimming - scammers obtain your credit card info with special equipment at a gas pump or elsewhere.



- By placing a credit or security freeze on your credit, you can BLOCK an identity thief from opening a new account or obtaining credit in your name. You can lift or remove the freeze when you need to and there are no fees. Just contact the three credit agencies:

Credit Report

Personal Information

Name:

Other Names:

Current Address

11 Oak Street

Date Reported

EMPLOYMENT DATA REPORTED

Employer Name:

Date Reported:

Position:

Employment Status:

Employment Type:

Employment Dates:

Employment Reason:

Employment Status:

Employment Type:

Employment Dates:

Employment Reason:

Employment Status:

Employment Type:

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Employment Status:

Employment Type:

Employment Dates:

Employment Reason:

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Employment Dates:

Employment Reason:

Employment Status:

Experian Security Freeze

P.O. Box 9554

Allen, TX 75013

www.Experian.com/freeze/center.html

Equifax Security Freeze
P.O. Box 105788
Atlanta, GA 30348
www.freeze.Equifax.com

TransUnion LLC Security Freeze

P.O. Box 2000

Chester, PA 19022-2000

www.freeze.transunion.com



Disclosure of Security Breach



Hundreds of Data Breaches are reported every year



- **DO NOT CALL & TEXT MESSAGES**
 - Indiana law – prohibits telephone sales calls – meaning calls to sell or obtain information to sell a *consumer good or service*.
- **ROBOCALL**
 - Indiana law – prohibits calls made with an automatic dialing announcing device.
- **UNSOLICITED FAXES**
 - Indiana law – prohibits sending of unsolicited advertisements by fax.





Do Not Call

Indiana Law prohibits a telephone solicitor from making a telephone sales call to a number on the Do Not Call list.

Exceptions to the Do Not Call law are calls:

- From a volunteer or employee of a charity or newspaper.
- From a licensed real estate or insurance agent.
- Made at the express request of the recipient.
- Concerning a debt or contract, the payment or performance of which has not been completed at the time of the call.
(For ex., a call that your order or prescription, etc., is ready.)



Text Spam

Since 2011, a text solicitation is included in the definition of a
“Telephone Sales Call.”

Year	# of Text Complaints
2014	185
2015	168
2016	160





Over **2.5 million** numbers on the Indiana Do Not Call list.*

In 2016, AG received over **15,000** complaints about unwanted calls.*

*These numbers are as of Feb. 2017.



- www.IndianaConsumer.com
- Or call 1-888-834-9969
- www.DoNotCall.gov for the Federal Registry



RoboCalls

Indiana law prohibits automatically dialed calls that deliver a prerecorded voice message.

- **Unless** a human operator obtains permission to play the message or if the recipient gives consent.
- **66%** of Indiana Do Not Call complaints involve robocalls.
- In December, 2016, there were **2.3 billion robocalls** nationwide.





What to do about RoboCalls

Don't
Answer



Hang Up



Consider
Blocking



Report



Unsolicited Fax Ads

- Since 2007, it has been a deceptive act to send a “**junk fax**” to a fax machine in Indiana.
- Also since 2007, fax complaints have decreased by over 90%.
- File a fax complaint by downloading the form at IndianaConsumer.com. We will need a copy of the unsolicited fax.





Signs of a Telemarketing Scam

You've been specially selected

Money Transfer or check-by-phone

Foreign Lottery

Low risk, high reward investment

Make up your mind right away

You trust me, right?

Won't provide contract

Says no need to research company

Not adequate time for note taking



Common Phone Scams

Prize Offers

- Usually required to buy something in order to get your prize.
- Sometimes they ask for credit card

Travel Packages

- Free or low cost vacations can end up costing a lot of money or may never happen

Health Products

- Often also include a prize to convince you to pay hundreds of dollars for something worth a much smaller value



Common Phone Scams

Charities

- Con artists may label phony charities with names that sound legitimate

Investments

- Likely a “get rich quick” scheme

Recovery Scams

- If you’ve fallen for another scam they will claim to be able to get your money back



Questions to ask to avoid Phone Scams

Who's calling...and why?

What's the hurry?

If it's free, why are they asking me to pay?

Why am I "confirming" my account info – or giving it out?

What time is it?

Do I want more calls like this one?



Other Scams

International scams

Check
Overpayment

“Nigerian” Foreign
Money Offers

Foreign Lotteries

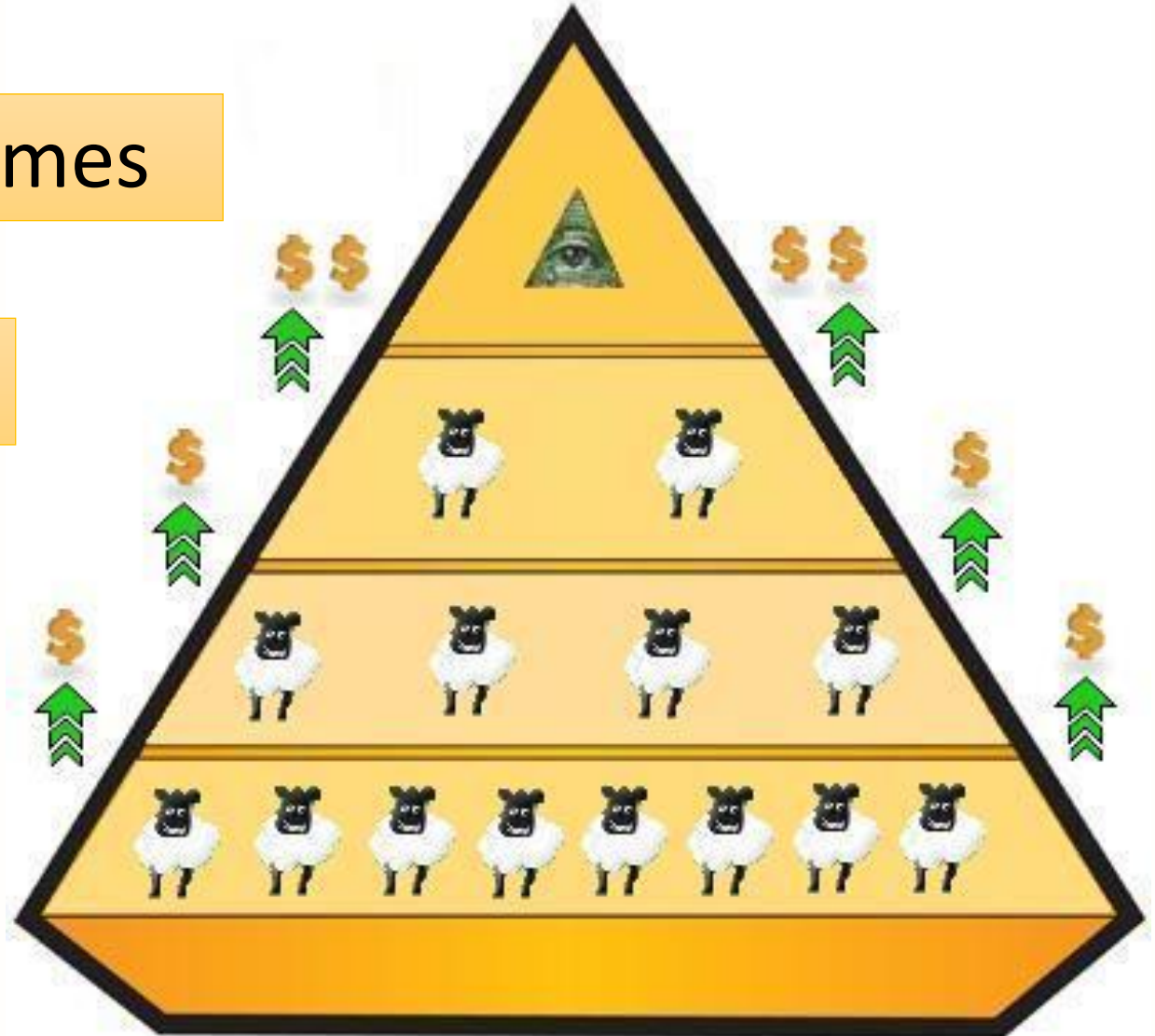


Other Scams

~~Pyramid schemes~~

~~Gifting Clubs~~

Multi-Level
Marketing

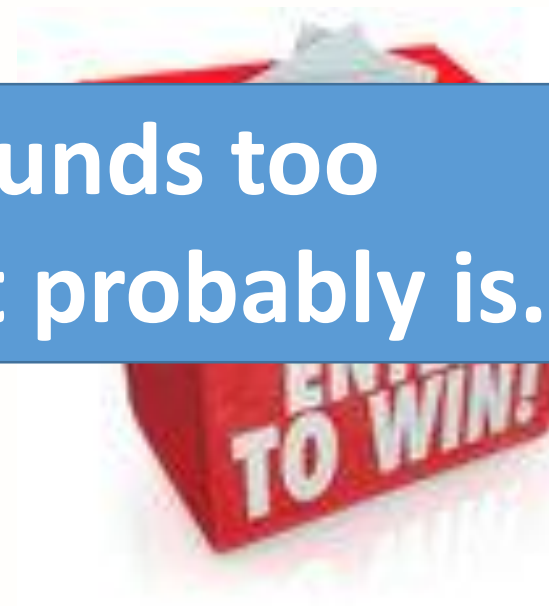




Other Scams

Sweepstakes promotions

Remember if it sounds too good to be true, it probably is.





Questions?



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