



# The Consumer Connection

A quarterly publication by the Orange County Consumer Fraud Unit

OCTOBER 22, 2009

VOLUME 1, NUMBER 4

*"Never let anyone into your home without first asking for identification. Always call the company to verify, using the telephone number listed in the local phone directory."*

*Be extremely cautious of anyone coming to your home uninvited and offering to do home repairs. It could be the beginning of a scam.*

## FROM THE DESK OF CARLOS MORALES

Consumer Investigator Supervisor

Door-to-door sales have become an excellent vehicle for those devoted to perpetrating fraud on unsuspecting consumers. While most companies that employ this marketing technique are legitimate, the general public should be aware that there are a large number of these businesses that seem to have no problem taking advantage of consumers. Any time a stranger knocks on your door and expects to be given access to your home, there is major risk involved.

This issue of the *Consumer Connection* is dedicated to protecting you from fraudulent door-to-door sales by giving you some crucial information about an area where scams have become all too commonplace. Whether it is a new scam or just a newer version of an older scam, remember... consumer education is the best defense against fraud and deception! The Orange County Consumer Fraud Unit is here for you.

We always seek to shed light on issues that affect you. If you have story suggestions for *The Consumer Connection*, please feel free to email us at [fraudhelp@sao9.org](mailto:fraudhelp@sao9.org). It is our goal to give you news you can use.

### The Pitch

Beware of an emotional sales pitch by someone selling door-to-door. They may claim to be a local student (usually untrue) trying to get their life back on track, or trying to raise money for a school trip. Others may say that they are raising money for a charity, to earn points for a scholarship, or to win a contest. Whatever the pitch, don't let yourself be hurried, intimidated, or coerced. Remember, the salesperson is at your doorstep uninvited and remains there only at your courtesy. Ask for proper identification and be careful about letting them into your home. And lastly, get everything in writing, especially the total price and all the conditions that apply.

### Can I Cancel?

Yes. In Florida, if you purchase goods or services during the course of a "home solicitation sale," you have a three-day right to cancel. A transaction is considered a "home solicitation sale" if it takes place in your home, or at a location which is not the main or permanent place of business for the seller, so long as the purchase price is more than \$25. Every home solicitation seller is also required to provide a written contract to the buyer which includes an explanation of the buyer's right to cancel. Buyers wishing to cancel a home solicitation sale must notify the seller in writing no later than midnight of the third business day after the day the buyer signed the contract. If the notice is sent by mail, it must be postmarked no later than midnight of the third business day after the contract date, and a refund must be mailed within 10 days after the sale has been cancelled.

### Home Solicitation Permits

It is unlawful for any person to conduct a home solicitation sale without first obtaining a valid Home Solicitation Permit issued by the Clerk of the Circuit Court. The permit holder must carry and display the permit to all prospective buyers.

### **Credit Cards:**

*Paying with cash, debit cards or electronic funds transfers offer less protection than using a credit card. If you use a credit card, you have the right to dispute the bill and have limited liability for fraudulent charges. Your card issuer may also provide additional warranty protection.*

**Orange County  
Consumer Fraud Unit  
P.O. Box 1673  
415 N Orange Ave  
Orlando, FL 32802**

**PH: 407-836-2490  
FAX: 407-836-1210  
[fraudhelp@sao9.org](mailto:fraudhelp@sao9.org)**

**We're on the Web!  
[www.orangecountyfl.net](http://www.orangecountyfl.net)**

## **Holiday Shopping Tips**

- 🕒 Plan ahead. Set a realistic budget and stick to it.
- 🕒 Shop around before you purchase; compare in-store and online prices.
- 🕒 If you use lay-a-way, know the store's policy and get it in writing.
- 🕒 Confirm an online seller's physical address and telephone number in case you have questions or problems.
- 🕒 Find out the refund policy before purchase.
- 🕒 Review the warranty before you buy the product.
- 🕒 Never let your credit card out of your sight while shopping.
- 🕒 Consider purchasing pre-loaded credit cards you can buy from many banks instead of store gift cards. The receiver can use these cards at many locations eliminating the risk of a store going out of business and the gift card becoming useless.

## **Did You Know?**

The **Consumer Federation of America** periodically conducts surveys in cooperation with the National Association of Consumer Agency Administrators and the North American Consumer Protection Investigators. It provides a national snapshot of the challenges faced by consumer and government consumer protectors in 2008. The agencies that responded to the survey handled more than a quarter million complaints and obtained nearly \$250 million in restitution or savings for consumers last year. Take a moment and visit the following link; you'll be amazed about what is going on: [www.consumerfed.org/pdfs/consumer\\_complaints\\_report\\_09.pdf](http://www.consumerfed.org/pdfs/consumer_complaints_report_09.pdf).

**On October 15, 2009**, the U.S. Food and Drug Administration and the Federal Trade Commission issued a joint warning letter to a Web site marketing fraudulent supplements that claim to help prevent the spread of the 2009 H1N1 influenza virus. [www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm187142.htm](http://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm187142.htm)

## **Recent Cases**

In March 2007, a consumer needed some home repairs and contacted a handyman that had advertised in her employer's newsletter. He requested a \$3,000 deposit so he could begin the job. After several missed appointments, he finally did a little work but soon abandoned the project. The consumer contacted our office and on three occasions the handyman promised to return the funds but the money was never returned. After a thorough investigation, we submitted charges of unlicensed contracting and grand theft to the Office of the State Attorney. In July 2009 the unlicensed contractor was sentenced to three years probation, 100 hours of community service and ordered to pay \$3,000 restitution.

In July 2009 a local businessman received a FAX advertising a roofing company. He responded to the FAX and three individuals came and provided an estimate. They requested a \$500 deposit and after working only a short time presented a final bill of \$1,750. After payment, the consumer inspected the work, became suspicious and contacted a local certified licensed contractor who determined that NONE of the work, as listed on the proposal, was performed; only a thin application of silver paint had been sprayed on the roof. A few weeks later the same men returned to offer additional services. The businessman contacted us and the Orange County Sheriff's Office (OCSO). Upon our and the OCSO's arrival two men fled and the third was arrested and charged with contracting without a license, cheating and grand theft. The case is pending.

## **Report a Rip-Off**

If you have a complaint regarding the purchase of goods or services, and the transaction occurred in Orange County, contact us. We will receive and investigate your complaint and attempt to secure a resolution to the problem. If you are in doubt as to which agency would be best to handle your complaint, contact our Unit and we will either direct you to the proper office or accept your complaint. You may call the Consumer Fraud Unit at 407-836-2490 or email us at [fraudhelp@sao9.org](mailto:fraudhelp@sao9.org).