

Consumer Protection for Military Personnel

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I. Introduction

According to N.C.G.S. § 75-9, the Attorney General “shall have power, and it shall be his duty, to investigate, from time to time, the affairs of all . . . corporations or persons in North Carolina doing business in violation of law.” The purpose of these investigations is to obtain information needed to support the criminal or civil prosecution of such individuals and businesses. *Id.*

The Consumer Protection Division is charged with exercising the Attorney General’s statutory and common law authority in the areas of consumer protection, antitrust, nonprofits, utilities, and managed care. The Division’s core mission is to protect consumers from fraud, deception, price fixing, price gouging, restraint of trade, commercial invasions of privacy, and other unfair or deceptive trade practices. The Division also represents the using and consuming public in matters before the North Carolina Utilities Commission; reviews nonprofit conversions into (and sales of assets to) for-profit entities; and operates the State’s Managed Care Patient Assistance Program, which advises patients experiencing difficulties with their managed care companies.

The primary responsibilities of the Consumer Protection Division are (1) handling consumer complaints; (2) investigating and prosecuting violations of the antitrust and consumer protection laws; (3) educating North Carolinians about their rights as consumers; (4) providing information during policy debates on matters affecting North Carolina consumers, both at the state and federal levels; and (5) representing the consuming public before the Utilities Commission.

The Division currently consists of 16 attorneys who specialize in different areas of the law, 15 consumer specialists and investigators, 12 support staff, and three receptionists. Since 2001, the Division has handled an average of 17,150 written consumer complaints per year. In 2004, the Division handled 22,683 formal complaints – a 19 percent increase from 2003 and a 58% increase since 2000. Division personnel also answer approximately 100,000 telephone inquiries and thousands of e-mails each year.

Since 2001, the Attorney General and his consumer protection team have secured over \$60 million in restitution for consumers through settlements, judgments and complaint mediation. These funds have been distributed to approximately 95,000 individuals and nonprofit groups (which in turn serve many thousands more North Carolinians). During this same period, the Attorney General has transferred more than \$770,000 to the State's general fund for attorneys' fees and has provided the public schools' technology fund more than \$696,000 in civil penalties.

II. Consumer Complaint Mediation

Much of the Consumer Protection Division's day-to-day work consists of answering telephone and e-mail inquiries and responding to written complaints alleging that individuals and businesses have engaged in unfair or deceptive trade practices. The bulk of this work is carried out by the Division's consumer specialists, working either independently or in consultation with the attorneys responsible for their subject areas.

When a written complaint is received,¹ the consumer specialist assigned to the subject area generally will send a letter to the company or individual named in the complaint (with a copy to the complaining consumer), asking for a response. These letters from the Attorney General's office usually elicit a timely response, especially when directed to a legitimate business. Once a response has been received (or not), any number of scenarios may play out.

In many cases, the business and the consumer, with help from the specialist, will quickly compromise or otherwise resolve the matter. All of the Division's consumer specialists have considerable experience in mediating disputes, and all of them are quite knowledgeable about standard business practices in their subject areas as well as the laws governing those businesses. Their goal is always to facilitate the resolution of complaints as quickly and painlessly as possible, and their knowledge base often enables them to nudge parties in that direction. The specialists' ability to advocate for consumers, and at the same time understand the legitimate needs of the business community, has in many cases prevented disputes from escalating to the point that they become legal headaches for both consumers and businesses.

Of course, not every dispute can be resolved by the Division's consumer specialists. For example, if there is a fundamental dispute of fact between the parties, or if one or both parties is unwilling to compromise, the specialist may have to refer the complaining consumer to private counsel or small claims court. The Consumer Protection Division can advocate compromise

¹

A complaint form is attached to the back of this document.

between disputing parties, but it cannot function as private counsel for either consumers or businesses.

III. Investigations and Enforcement Actions

Occasionally, consumer complaints lead to action by the Division's lawyers to enforce the antitrust and unfair trade provisions of Chapter 75. Enforcement proceedings also may be initiated independent of any consumer complaints, based on information received from a variety of sources, including local law enforcement officials, consumer advocacy groups, and other states' consumer protection agencies. These enforcement actions may range from informal requests for information to formal investigative demands, civil actions and even criminal prosecutions.

Numerous factors enter into every decision regarding whether to take enforcement action against a company or individual. Most people would be surprised by how much blatant and obvious fraud comes to the Division's attention. There are a lot of scam artists out there, usually operating as individuals or in small groups, often perpetrating the same frauds (or variations on the same frauds) over and over again. The propriety of enforcement action in these cases usually is not a difficult question; the real question is whether the magnitude of the scam (*i.e.*, the potential for consumer harm) justifies the expenditure of public resources needed to shut it down.

Sometimes, however, the situation is more complex. As everyone who practices in this area knows, legitimate businesses, consumers and government regulators do not always agree about what constitutes fair, ethical and non-deceptive conduct in the marketplace. The Attorney

General (and by extension, the Consumer Protection Division) has a great deal of discretion when it comes to taking enforcement action under Chapter 75, and that discretion is not exercised lightly. Division lawyers and their supervisors often spend significant amounts of time investigating and evaluating commercial practices before deciding whether or what type of enforcement action is warranted. The details of investigations are kept strictly confidential, but input from reputable members of the business community as well as consumer advocates frequently is sought before enforcement decisions are made.

Even when the Division's lawyers and their supervisors have decided that a particular practice is unfair or deceptive, a host of factors may influence whether or in what form enforcement action is taken. These factors may include, but are not limited to:

- the number of consumer complaints the Division has received;
- the number of victims;
- consumer harm, both per victim and in the aggregate;
- the likelihood of continued or repeated violations;
- the past history of the violator;
- the likelihood of success;
- the violator's intent;
- the value of the case as precedent; and
- the likelihood and effectiveness of a private remedy, or of enforcement action by other state or federal agencies.

There is no ironclad formula governing the application of these factors. Some may carry more weight than others. Every Chapter 75 case – or potential Chapter 75 case – is considered on its own particular facts.

A. Informal Investigations

Many of the Consumer Protection Division's enforcement actions begin (and many end) with an informal request for information. These usually are requests for documents related to a transaction or business practice that the Division is investigating and is still evaluating with respect to whether any further action is warranted. A Division lawyer or investigator also may ask to interview someone from the business who is knowledgeable about the matter. The recipient of such a request may comply with it or not, but cooperation generally will be the wiser course. The more transparent a business is willing to be regarding a particular transaction or practice, the more likely the business will be able to satisfy the Division's concerns. Moreover, refusal to provide information informally is not likely to deter a serious investigation in light of the Attorney General's other enforcement tools.

B. Investigative Demands

The Attorney General – at the beginning of an investigation, after less formal efforts have proved unsatisfactory, or when it is otherwise deemed advisable – may issue a demand for information pursuant to N.C.G.S. § 75-10. Investigative demands issued under this statute are the functional equivalent of subpoenas. As provided in the statute, the Attorney General has the power to “require the officers, agents or employees of any corporation or business, and all other persons having knowledge with respect to the matters and affairs of such corporations or

businesses, to submit themselves to examination by him, and produce for his inspection any of the books and papers of any such corporations or businesses.”

If anyone refuses to appear and answer questions or produce documents after the receipt of such a demand, the Attorney General can apply for a court order requiring compliance. Disobedience of such an order is punishable by contempt. *Id.* Refusal to provide the information requested also may be prosecuted as a misdemeanor under some circumstances, and false swearing in response to an investigative demand is a felony. *Id.* § 75-12.

C. Civil Litigation

Chapter 75 violations deemed serious enough to warrant court action brought by the Attorney General usually are prosecuted civilly. These cases typically are handled by the Division attorney who specializes in the particular area of law involved, with help from other Division lawyers as needed. Chapter 75 expressly allows the Attorney General to obtain injunctive relief, cancellation of contracts obtained in violation of section 75-1.1, consumer restitution, civil penalties, and attorney fees. *Id.* §§ 75-14, -15.1, -15.2, -16.1. Defendants named in these actions may include individuals, corporations, and the owners or managing agents of corporations. Temporary restraining orders and preliminary injunctions frequently are sought and obtained.

Litigation of Chapter 75 enforcement actions brought by the Attorney General generally proceeds like any other civil case, once any temporary relief is in place. Every case is unique, of course, but the Division’s priorities in a typical case will be putting a stop to the unlawful conduct at issue and obtaining restitution for consumers who have been harmed, assessment of

civil penalties where appropriate, and recovery of attorney fees – usually but not always in that order.

D. Criminal Referrals

Chapter 75 violations typically are not prosecuted criminally, but sometimes they involve criminal conduct. In appropriate cases, Consumer Protection Division lawyers work with district attorneys and federal prosecutors to facilitate prosecutions for criminal fraud and antitrust violations, obtaining property by false pretenses, identity theft, and other crimes. In addition, N.C.G.S. § 75-13 provides:

The Attorney General in carrying out the provisions of this Chapter shall have a right to send bills of indictment before any grand jury in any county in which it is alleged this Chapter has been violated or in any adjoining county, and may take charge of and prosecute all cases coming within the purview of this Chapter, and shall have the power to call to his assistance . . . any of the district attorneys in the State, who shall, upon being required to do so by the Attorney General, send bills of indictment and assist him in the performance of the duties of his office.

IV. Multistate Investigations and Prosecutions

Quite frequently, the perpetrators of consumer scams and illegal business practices operate in more than one state. This is particularly true when the vehicle for the illegal activity is the internet, telephone solicitations, or mass media advertising. Regardless of whether the perpetrator is based in North Carolina or operating out of some remote location, it is often the case that more than one jurisdiction will be interested in legal action aimed at halting the practice and obtaining restitution.

Consumer Protection Division lawyers actively participate in a variety of multistate groups organized and assisted by the National Association of Attorneys General, which is based

in Washington, D.C. These groups, which are organized around subject areas or types of scams, regularly meet by telephone conference and monitor business activities occurring nationwide. Members of these multistate groups conduct joint investigations and, when the scope of a particular problem calls for it, coordinate parallel enforcement actions in as many as all 50 states at once.

Once the need for multistate investigation or litigation of a matter has been determined by representatives from more than one state, other states' consumer protection offices often will be invited to join the group. When the full membership of the group has been determined (or sometimes before that), the multistate group will select an executive committee to take the lead in the investigation or prosecution. Litigation may focus on a single case in a particular state or federal court, but more often involves multiple cases on parallel tracks in a number of states at the same time. States in a multistate group are always free to go their own way in response to local conditions, but the groups tend to be very cohesive and well-coordinated. Particularly when the target of an investigation or prosecution is a well-funded entity engaged in an unfair or deceptive trade practice nationwide, multistate groups can be a very effective tool for correcting the practice quickly and efficiently. In addition, this mechanism often is efficient for businesses that want a complete resolution to a national issue.

North Carolina Department of Justice
Consumer Protection Division
9001 Mail Service Center
Raleigh, North Carolina 27699-9001
(919) 716-6000
(877) 566-7226 (toll free within N.C.)
www.ncdoj.com



Attorney General Roy Cooper

Top 10 Consumer Tips

1. If it sounds too good to be true, it probably is.
2. Stop telemarketing calls. Add your phone number to the Do Not Call Registry at www.nocallsNC.com or call 1-888-382-1222 from the phone you wish to register.
3. Stop pre-approved credit offers from filling your mailbox by calling 1-888-5 OPT OUT (1-888-567-8688).
4. Review your credit report to see if you are a victim of identity theft. You are entitled to a free credit report each year from each national credit bureau. To get your free reports, go to www.annualcreditreport.com or call 1-877-322-8228.
5. Never share your Social Security number, credit card or bank account number or other personal information with someone who calls or emails you.
6. Walk away from high-pressure, act now or never sales tactics. Hang up on any telemarketer who won't take "NO" for an answer.
7. Read and understand all contracts before you sign them. Consult with a trusted family member, friend or lawyer if you have any questions.
8. Use a credit card when possible to pay for orders in advance. Using a credit card gives you some protection if your order doesn't arrive.
9. Don't pay money in advance for a loan or a prize. It's against the law for someone to charge an upfront fee on loans and prizes.
10. Check out a company with Attorney General Roy Cooper's Consumer Protection Division before you do business. You can also contact us for help if you've been the victim of a scam or bad deal. Call 1-877-5-NO-SCAM toll free within North Carolina.

WWW.NCDOJ.GOV

NORTH CAROLINA DEPARTMENT OF JUSTICE · 1-877-566-7226 · 9001 MAIL SERVICE CENTER · RALEIGH, NC 27699-9001

Top 10 Consumer Myths

- MYTH:** You have a three-day right to cancel any purchase, including cars.

FACT: The three-day right to cancel applies only to certain products, like gym memberships or dance lessons, or to certain kinds of sales, such as door-to-door sales or off-premise sales. Generally, your right to cancel is up to the company.
- MYTH:** Stores must give you a refund and must sell you an item for the advertised or posted price, even if it was a mistake.

FACT: Some stores accept returns but they are not required to, so ask at the time of sale. Some will sell the item at the advertised price, but they aren't required to by law.
- MYTH:** Receiving an "Awards Notification" letter or call guarantees you've won a prize.

FACT: Scammers use the promise of prizes to steal your money and personal information.
- MYTH:** The "Lemon Law" protects you on all big-ticket items, including used cars.

FACT: North Carolina's lemon law only applies to new motor vehicles.
- MYTH:** Most of the money you give to a charity telemarketer is used for a charitable purpose.

FACT: Some charities pay telemarketers as much as 90 cents of every dollar – so ask what percentage of your donation will benefit the worthy cause.
- MYTH:** Providing your credit card or Social Security number for identification or verification is OK if they say they are the government or your bank.

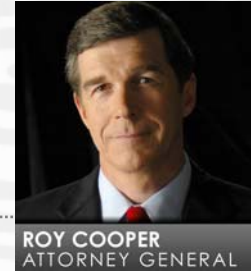
FACT: Never share personal information when someone you don't know contacts you by phone or email. Instead, hang up and call the company or government agency at a number you know to be valid.
- MYTH:** You have a better chance of winning a publisher's sweepstakes if you buy magazines.

FACT: Making a purchase isn't required and won't increase your odds of winning.
- MYTH:** People cannot take money out of your bank account without your written authorization.

FACT: Keep your bank account and other personal information private to keep criminals from stealing your name and your money.
- MYTH:** Your credit report is private unless you authorize someone to see it.

FACT: Creditors, such as banks and credit card companies, can check your credit report.
- MYTH:** Advertisements on the radio, TV, or in newspapers and magazines must be true.

FACT: Ads are not always accurate. Read the fine print on ads and make sure a company has a good reputation before doing business with them.



Protect Your Good Name

Guard Your Personal Information

PROTECT YOUR SOCIAL SECURITY NUMBER

- Don't carry your Social Security card in your wallet.
- Give your Social Security Number (SSN) only when absolutely necessary.
- Ask why a SSN is needed, who has access to it, and how it is kept confidential.
- Don't print your SSN or driver's license number on your checks.
- Shred old bank statements, insurance forms, credit applications, etc.

FINANCES

- Limit the number of credit cards you carry.
- Watch billing cycles for missing bills and review monthly statements for odd charges. Contact your creditors if a bill doesn't arrive when expected or includes charges you don't recognize.
- Use automatic deposit for payroll, social security or other federal benefit checks. To sign up for automatic deposit of social security checks and other federal benefit payments, call (800) 333-1795.
- Keep copied credit cards (front and back) in a safe place in case a card is lost or stolen.
- Destroy receipts that show your entire credit card number. It's illegal for a business to print the full credit card number on the electronically generated customer's receipt.
- Review your Social Security Earnings and Benefits Statement for errors in your yearly salary. To order a statement, call (800) 772-1213.
- "Opt out" of sharing your nonpublic personal information or credit report information with other businesses.

PROTECT PASSWORDS

- Don't carry your personal identification numbers (PIN) in your wallet or purse.
- Don't share PINs or passwords, even with close friends or relatives.
- Avoid using easily available information for your PINs or passwords such as your mother's maiden name, your or your family members' birth dates, your SSN, phone number or a series of consecutive numbers (i.e., 1, 2, 3, 4).
- Choose a different PIN for each account.

PROTECT YOUR MAIL

- Call 1 (888) 5-OPT-OUT to stop pre-approved credit card applications.
- Place outgoing mail into a locked mailbox such as a blue postal service box.
- Don't leave incoming mail sitting in an unlocked mailbox.
- Cut down on junk mail by sending a letter or postcard with your first and last name, home address and signature to Mail Preference Service, Direct Marketing Association, PO Box 643, Carmel, NY 10512. (www.dmaconsumers.org)

Check Your Credit Report

FREE YEARLY CREDIT REPORT

You are entitled to one free credit report each year from each nationwide credit bureau. To get your free report, go to www.annualcreditreport.com or call **1-877-322-8228**. To keep track of your credit during the year, request a free report from a different credit bureau every four months. You can purchase additional copies of your credit report directly from the credit bureaus at any time by calling:
Equifax at 1-800-685-1111, Experian at 1-888-397-3742 and Transunion at 1-800-916-8800.

SECURITY FREEZE

Stop identity thieves from getting new credit in your name. A security freeze prohibits credit reporting agencies from releasing any information about you to new creditors without your approval, making it difficult for an identity thief to use your information to open an account or obtain credit. A security freeze costs \$10 per credit bureau but is free for identity theft victims. (For instructions on how to request a security freeze see our tip sheet, "Freeze Your Credit," at www.noscamnc.gov)

Equifax Security Freeze
PO Box 105788
Atlanta, GA 30348

Experian Security Freeze
PO Box 9554
Allen, TX 75013

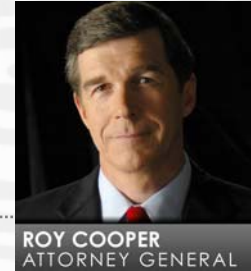
TransUnion Security Freeze
PO Box 6790
Fullerton, CA 92834

Protect Your Information Online

- Beware of emails that claim to come from a bank, Internet Service Provider, business or charity and ask you to confirm your personal information or account number, or if they offer to transfer a large sum of money. Forward the email to spam@uce.gov.
- Never send your SSN or financial account numbers by e-mail or transmit these numbers online unless using a secure website or encryption software.
- Keep spyware and virus protection software up-to-date and install a firewall.
- Secure websites often have an icon in the shape of a lock in the lower right-hand corner. A secure website's address will change from http to https.
- Read privacy policies and inquire how your personal information will be used.
- Use one low-limit credit card for all online purchases or request a one-time-use number from your credit card company each time you want to make a purchase online.

Beware of Scams and Frauds

- Never give personal information to telemarketers who call you on the phone. To cut down on unwanted telemarketing calls, sign up for the national Do Not Call registry at (888) 382 1222 or www.nocallsnc.com.
- Double-check references for door-to-door sales, home repair offers and other products.
- Verify that charities, businesses and others who contact you are who they claim to be before you provide any personal information. If you think the request for information is legitimate, hang up and contact the company at a number you know is valid to verify the request.



Freeze Access to Your Credit

What Is a Security Freeze

A 'security freeze' is a new consumer right provided by North Carolina law, enacted as part of the Identity Theft Protection Act of 2005 pushed by Attorney General Roy Cooper. Placing a security freeze on your credit reports can block an identity thief from opening a new account or obtaining credit in your name. A security freeze, also known as a credit or a file freeze, keeps new creditors from accessing your credit report without your say so. If you activate a security freeze, an identity thief cannot take out new credit in your name, even if the thief has your Social Security number or other personal information, because creditors cannot access your credit report.

How to Place a Security Freeze

Any consumer can request a security freeze. They are free to identity theft victims who have filed a police report. Other consumers may pay \$10 to each of the four credit bureaus for a total cost of \$40 per person to freeze their credit reports for an unlimited time.

To place a freeze, send a letter by certified mail to each of the four credit bureaus that includes the following information along with payment:

- Full name including middle initial and any suffix (such as Jr.)
- Home addresses for the last five years
- Social Security Number and date of birth
- Two proofs of residence (examples: copy of driver's license, utility bill, insurance statement, bank statement)
- Police or DMV report if you're a victim of identity theft
- \$10 payment by check, money order, or credit card* (Visa, Master Card, American Express or Discover accepted. Must include card name, account number and expiration date and 3 or 4 digit card identification number on back of card)
TransUnion accepts payment by credit card only.

**Equifax
Security Freeze**
PO Box 105788
Atlanta, GA 30348

**Experian
Security Freeze**
PO Box 9554
Allen, TX 75013

**Innovis
Security Freeze**
P.O. Box 725
Columbus, Ohio 43216
** not a nationwide credit
reporting agency*

**TransUnion Security
Freeze**
PO Box 6790
Fullerton, CA 92834

A sample letter is available at www.noscamnc.gov that you can modify and send to all four credit bureaus.

How to Remove a Security Freeze

Within ten days of a credit bureau placing a security freeze on your credit, the bureau will send you a unique PIN number and instructions on how to lift the freeze temporarily or to remove it permanently.

If you want to take out a loan, get a new credit card or apply for a job or certain services, you can lift the security freeze for a certain period of time by notifying the credit bureau according to its procedures. The credit bureau should “thaw” your freeze within three business days of receiving the request.

The credit bureaus can charge you as much as \$10 for temporarily lifting or permanently removing the freeze, unless you are a victim of identity theft and have provided a valid police report or complaint.

More Information about a Security Freeze

Credit bureaus must place a freeze on your credit within five business days of receiving your written request.

A creditor who requests your file will see a message or code indicating that the report is frozen and may treat your application as incomplete not rejected. The creditor will not see your credit score.

Certain entities can continue to access your credit despite the freeze, such as government agencies for purposes of collecting child support payments or taxes and your existing creditors or collection agencies acting on their behalf.

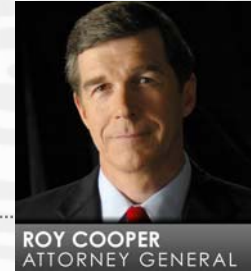
Other creditors may also use your information to offer you pre-approved credit. You can stop most pre-approved credit offers by calling (888) 5-OPT-OUT or by going online at www.optoutprescreen.com.

You will still be able to get a free copy of your credit report annually from each credit bureau by visiting www.annualcreditreport.com.

LEGISLATIVE HISTORY

A Security Freeze is available for all North Carolinians as part of the [Identity Theft Protection Act of 2005 \(N.C.G.S. § 75-63\)](#), which was pushed through by Attorney General Roy Cooper and became law on December 1, 2005.

Attorney General Cooper also won additional help for North Carolina military personnel, veterans and other consumers affected by the recent Veterans Affairs security breach. People affected by that breach have at least until January 1, 2007 to secure a free credit freeze. For more information, see our tip sheet “Free Security Freeze for Veterans and Military Personnel,” available online at www.noscamnc.gov.



Protect Your ID Online

SECURE YOUR COMPUTER

- Keep virus protection software up to date.
- Install a firewall.
- Check your computer for “spyware” and install software that will protect against unwanted spyware downloads such as “key-logging” spyware.
- Use a password to protect your computer.

GUARD YOUR EMAIL

- To prevent spam and other unwanted email, be careful with whom you share your email address. You may want to create an alternate email account to use when you make online purchases or register for Internet sites.
- Never send your Social Security Number (SSN) or bank account or credit card numbers by email.
- Delete emails that contain confidential information.
- Check with your internet service provider about how to block spam and about other security features.
- If you suspect hacking or email tampering, report it to your local law enforcement.
- Choose an alias as a user name and use an alternate email address for online shopping and business transactions.

BE WARY OF EMAIL AND WEBSITE SCAMS

- Watch out for emails, that appear to come from companies you do business with, asking you to confirm your personal information, credit card or bank account numbers. This is called “phishing” and is a scam to steal your personal information. Forward spam and phishing emails to spam@uce.gov.
- Be wary of websites that ask personal questions or require a credit card number to enter the site.
- Never give anyone your bank account number or SSN when responding to an email.
- Do not follow links provided in an email from someone you don’t know. Instead, research the company yourself to locate its legitimate website.
- Before you do business with a company, check them out with our office by calling 1-877-5-NO-SCAM or check with the Better Business Bureau.
- Before you donate to a charity that contacts you, check them out with the Secretary of State’s Office at 1-888-830-4989 or the Better Business Bureau.

GUARD YOUR PERSONAL INFORMATION

- Be cautious before providing your driver's license number, date of birth, or mother's maiden name online. Some government sites and the credit bureaus require such information.
- Do not post personal information (i.e., full name, phone numbers, or address) on social networking websites such as MySpace or Xanga or in chat rooms because they are public forums. Consider making the site private with limited access.
- Be wary of posting photographs on these sites as someone can steal the photographs and use them as their own.

INTERNET BUYING AND SELLING

- Read privacy policies and inquire about how your personal information may be used.
- Use one low-limit credit card for all online purchases or request a one-time-use number from your credit card company each time you want to make a purchase online.
- Look for the lock symbol in the lower right corner when in a secure area, although it is not a guarantee that the site is safe.
- Secure websites will change their internet address from "http" to "https" when you visit a secure page.
- Keep a copy of any financial transactions and confirmation numbers until the products arrive and you've had a chance to review the credit card charge.
- Shop with companies that you already know.
- Pay with a credit card or take advantage of an escrow service. Do not buy from sellers that only take cash or require you to wire funds.
- On auction websites such as Ebay, review the seller's feedback and number of transactions before placing a bid.
- Never accept payment from a buyer for more than the purchase and shipping price. Don't do business with someone who wants to overpay you and then have you wire the extra funds back to them.
- If you choose to accept checks for items advertised in a classified ad, contact the issuing bank yourself or have your bank contact the issuing bank to verify that the account number and name on the check are valid. Never call the issuing bank using the phone number printed on the check to ask for verification. Look up the bank and find its phone number independently.
- Send items you are selling to the address associated with the credit card because the buyer could be trying to keep the merchandise from being sent to the actual credit card holder.

KEEP PINS AND PASSWORDS SECRET

- Don't store Personal Identification Numbers (PINs) or account numbers on a computer that is accessible to the web.
- Avoid using easily available information for your PIN or password such as your mother's maiden name, your birth date or other family members', your SSN or phone number, or a series of consecutive numbers (i.e., 1234).
- Don't use the same PINs or passwords for multiple accounts.
- Don't share passwords or PINs with other people.
- Ask banks, insurance companies, credit card companies and other firms that you do business with online to keep your information private. Ask them to change passwords from your SSN.
- Do not store financial account information on your computer.

ROY COOPER
ATTORNEY GENERAL

STATE OF NORTH CAROLINA

Department of Justice
9001 Mail Service Center
Raleigh, NC 27699-9001

CONSUMER PROTECTION
(919) 716-6000
(877) 566-7226
TOLL FREE IN NC

CONSUMER COMPLAINT FORM

About the Consumer Protection Division of Attorney General Roy Cooper

- The Consumer Protection Division of the Attorney General's Office enforces North Carolina's consumer protection laws, which are aimed at preventing unfair or deceptive trade practices.
- One means we use to learn about such practices is through "consumer complaints" filed with the office. Thank you for taking the time to complete the complaint form.

What Happens to Your Complaint Once We Receive It?

- Once we receive the complaint form along with supporting documents, it will be reviewed and in most cases forwarded to the business complained about for response. You will receive copies of all correspondence. We will work with you and the business to try to reach a voluntary resolution of your dispute.
- If the complaint falls within the jurisdiction of another local, state or federal agency, we may refer your complaint to that agency.
- If we handle your complaint and are not successful in negotiating a mutually satisfactory resolution, then we may suggest that you consider filing an action in Small Claims Court or consulting with a private attorney. Certain complaints that involve contractual disputes or disputes of the facts can only be resolved by the courts.
- Although we try to assist all consumers, the fact that we may not be able to directly assist you does not reflect on the validity of your complaint. Each complaint, however, remains a part of our cumulative files and may be useful to other consumers. It will help us to monitor questionable business practices and to determine priorities in our enforcement efforts and legislative recommendations.

Important Information

- This office does not have the authority to give private legal advice or provide private legal representation to individual consumers.
- This office generally does not become involved in matters that are scheduled or have already been heard in a court of law or have already been closed by the agency with proper jurisdiction.
- When you submit your complaint, please ensure that you include legible **COPIES** of supporting documents you may have. Such documents include contracts, invoices, receipts, correspondence, etc. Please do **NOT** send originals. If you fail to send existing supporting documents it may delay processing of your complaint. Faxing your complaint may also delay processing if the paperwork you send is illegible.
- Documents provided to this office may be public record.

**STATE OF NORTH CAROLINA
CONSUMER
COMPLAINT**

MAIL TO: CONSUMER PROTECTION
ATTORNEY GENERAL'S OFFICE
9001 MAIL SERVICE CENTER
RALEIGH, NC 27699-9001
TELEPHONE: (919) 716-6000
TOLL-FREE IN NC: (877) 566-7226


SECTION 1: Your Information

Mr. Ms. Mrs.	Last name	First name	MI
Mailing address			
City	State	Zip code	Country, if not US
Day phone number, including area code ()	Evening phone number, including area code ()	Fax number, including area code ()	
County of residence	E-mail address	Cell phone, including area code ()	

SECTION 2: Information About Company Against Which You Are Complaining

Full name of company			
Mailing address			
City	State	Zip code	Country, if not US
Company's internet address (URL)			
Telephone number, including area code ()	Fax number, including area code ()		

SECTION 3: Complaint Information (complete any blocks which apply to your complaint)

Product, item, or service involved		Date of purchase, service, contract	
Manufacturer or brand		Model	
Account number		Serial number	
Did you sign a contract or a lease? Yes [] No []	If yes, please give the following 	Starting date	Expiration date
Total amount paid	Amount in dispute	How was payment made: [] Cash [] Check [] Credit card [] Debit card [] Money order [] Wire transfer [] Finance agreement [] Other _____	
Did you buy an extended service contract? Yes [] No []	If yes, name of company responsible for extended service contract or warranty		

SECTION 4: Information About the Transaction

<p>How was initial contact made between you and the business?</p> <p>[] Person came to my home [] I went to company's place of business [] I received a telephone call from business [] I telephoned the business [] I received information in the mail [] I responded to radio/television ad [] I responded to printed advertisement [] I responded to a Website or e-mail solicitation [] I received a fax solicitation [] I attended a trade show or convention [] Other _____</p>	<p>Where did the transaction take place?</p> <p>[] At my home [] At company's place of business [] By mail [] Over the phone [] Via computer (website or e-mail) [] Trade show or hotel [] Other _____</p>
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**TELEMARKETING
COMPLAINT**

MAIL TO: CONSUMER PROTECTION
ATTORNEY GENERAL'S OFFICE
9001 MAIL SERVICE CENTER
RALEIGH, NC 27699-9001
TELEPHONE: (919) 716-6000
FAX: (919) 716-6050

YOUR INFORMATION

Your Name ___ Mr. ___ Mrs. ___ Ms. _____

Address _____

City _____ State _____ Zip _____

Phone: Home (____) _____ Business (____) _____

Email: _____

Age*: _____ (*not required)

SPOUSAL INFORMATION (if filing the complaint jointly)

Spouse's Name ___ Mr. ___ Mrs. _____

Phone: Home (____) _____ Business (____) _____

**COMPANY OR PERSON YOU ARE COMPLAINING ABOUT
(provide as much information as you have)**

Name _____

Address _____

City (or Canadian Province) _____

State (or Postal Code) _____ Zip _____

Country _____

Phone Number _____ Fax Number _____

Contact Person or Representative _____

TELL US ABOUT YOUR COMPLAINT

Date of the Call _____

What was the product or service offered (if appropriate)? _____

Did the telemarketer say you had won money or a prize? ___ Yes ___ No

How much did the telemarketer ask you to pay? _____

Did you give the telemarketer money or authorize payment? ___ Yes ___ No

7. Had you previously provided express permission for or invited the telemarketer to call you? ____ Yes ____ No
8. Have you had a business relationship with this company within the past eighteen months? ____ Yes ____ No
9. Have you submitted an application to or made an inquiry of this company in the last three months? ____ Yes ____ No
10. If this company has called you in the past, did you at that time advise them not to call you again? ____ Yes ____ No

If yes, state the date you told them not to call. _____

11. Do you have an existing debt or contract with the telemarketer? ____ Yes ____ No
12. Was the call made by or on behalf of a charitable or nonprofit organization? __ Yes __ No

If yes, check the appropriate box or boxes. The person that called you:

- was an employee or volunteer of the charity
- worked for a third party telemarketing firm
- stated his or her name. If so, the name was _____.
- don't know

13. Was the call for the sole purpose of conducting a survey? ____ Yes ____ No
14. What was the product or service offered during the call? _____
15. Did the telemarketer say you had won money or a prize? ____ Yes ____ No
16. Amount paid or lost (if applicable)? \$ _____
17. How would you like your complaint resolved? _____

PLEASE SUMMARIZE THE CALL: (Attach a copy of all papers involved, including correspondence, if any)

(attach additional sheets as needed)

The Attorney General's Consumer Protection Division acts to protect the public from unlawful business practices. We encourage citizens to file complaints with our office about suspect business practices so we can try to help resolve the dispute, as well as to help us identify areas for enforcement. While we can enforce the law against unfair and deceptive business practices on behalf of the general public, we do not have the authority or resources to act as a lawyer for consumers in individual disputes.

The information I have provided is true and accurate to the best of my knowledge.

YOUR SIGNATURE _____ **DATE** _____