



Alameda County Consumer Affairs Commission Newsletter

THIRD QUARTER 2012

VOLUME 2, NUMBER 3

Basic Facts About Telemarketing

Telemarketers are people who sell things over the telephone. Although many telemarketers sell legitimate products from lawful companies, disreputable telemarketers using false and deceptive sales practices cost American consumers \$40 billion a year.

A Louis Harris Survey conducted for the National Consumers League found that 92 percent of adults in the United States reported receiving fraudulent telephone offers. Consumers aged 60 or older are often popular targets of disreputable telemarketers.

"PHONE-IES"

Some Typical Telemarketing Scams

How can you recognize a telemarketing scam when you answer your telephone? First of all, watch out for high-pressure sales tactics. Legitimate businesses will usually recognize the fact that you're not interested. Also, it helps to know about some of the scams that are going on right now. Here are some examples:

Credit Card Scams

- **Phony credit card offers** are among the most frequent telemarketing scams. The callers target consumers with financial problems, typically asking for payment up front by arranging to transfer funds directly out of the consumer's account. Beware! Most legitimate credit card issuers do not charge in advance. Never give out your bank account or debit card number to someone who calls you on the phone.
- **Telemarketers may ask** you for your credit card number because they have a "free gift for credit card holders." They may tell you that, after your number is verified, you'll be sent a gift. In reality, they may use your credit card to purchase the "gift" or to make other charges to your account. In most instances, California law prohibits a telemarketer from telling you that you have won a prize and then requiring you to pay any money to receive it.
- **Another common pitch** involves an offer for credit card "loss protection" insurance. Don't buy it. Such protection plans offered to consumers are generally useless. Beside, by law you are only liable, at most, for \$50 worth of unauthorized charges to your credit card.

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"Consumers who know their rights in the marketplace are better able to protect themselves and avoid losing money."

California Department of
Consumer Affairs Acting
Director Brian Stiger



The Law Is On Your Side!

Most consumers don't know about the Federal Trade Commission's "Telemarketing Sales Rules," which give consumers important protections:

- Before the sales pitch even begins, the telemarketer must tell you that the call is a sales call. The telemarketer must tell you his or her name, the name of the company and the name of the product.
- Telemarketers must be truthful about the product or service. They cannot lie to get you to pay - no matter what method of payment you use.
- You must be fully informed about any restrictions associated with the sale, including finality of the sale, whether the product or service is non-refundable, and any risks involved. If the pitch is for a prize, you should be told the odds of winning, that no purchase or payment is necessary to win, and any restrictions or conditions for receiving the prize.
- In the event of a dispute with your credit card company or with someone you have paid by credit card, you can require the credit card company to investigate the dispute and correct any billing errors by making a written request to do so. If you purchase something by credit card and the seller goes out of business or simply does not send you what you purchased, you can withhold payment from the card issuer by giving them proper legal notice.

Get Off the Marketing Lists

You can get your name removed from many telemarketing lists through a free service offered by the Federal Trade Commission. Simply register at the Commission's Web site, www.donotcall.gov or call 1-888-382-1222 from the number you wish to add to the Do Not Call database. Here are some important things to know about the National Do Not Call Registry:

- **Once you register**, telemarketers covered by the National Do Not Call Registry have three months from the time you register to get you off of their lists. After three months, they're not allowed to call you!
- **Registering on this list** will not stop all telemarketers. You may still receive calls from political organizations, charities, telephone surveyors or companies with which you have an existing business relationship.
- **Once you have been** on the Do Not Call list for three months, if you receive calls from a telemarketer that you believe is covered by the National Do Not Call Registry, you can file a complaint online at www.donotcall.gov or by calling 1-888-382-1222. (You must know the name or phone number of the company that called you.)

Don't Get Scammed!

- **Don't buy** or make any commitments during the call. If a product, service, or investment piques your interest, ask the telemarketer to send you written information about the offer. Verify the claims made in the written material and check out the company's reputation.
- **Don't give out** your credit card number to someone who calls you unless you have checked out the company and its claims or have had satisfactory business experience with it before.
- **Never give out** your bank account or debit card number to anyone who calls you on the telephone. Once you decide to purchase something over the phone, it's much safer to pay by credit card than by any other means.

- **Be wary about** promotions that require you to call a "900" or "976" number. You may run up a large telephone bill and get little in return. If you do use such a number, you can hang up without charge right after you hear the cost disclosure at the beginning of the call.
- **Many people**, especially senior citizens, don't want to be rude to a telemarketer. If you're not interested, it's OK to say so and hang up.

Consider Getting Caller I.D. and Call Blocking

Most phone companies now offer a caller I.D. feature that gives you the phone number of those who call you. If someone blocks their phone number, Call Blocking stops the call before it gets to you. These features cost a few dollars a month.

Take Control

If you feel you have been victimized by a telemarketing scam, here is some contact information that can help you:

For Information and/or To File Complaints

- **Your local district attorney**
look in the white pages of your phone book under county government)
- **California Department of Justice**
[Office of the Attorney General](#)
Public Inquiry Unit, 1515 K Street
P.O. Box 944255, Sacramento, CA 94244
916-322-3360, 1-800-952-5225
- [Federal Trade Commission](#)
415-356-5270 (No. California)
310-824-4300 (So. California)

For Information on Investments

- [California Department of Corporations](#)
1-866-275-2677
- [Commodity Futures Trading Commission](#)
310-235-6783
- **Securities and Exchange Commission**
1-800-732-0330, www.sec.gov

For General Information

- [California Department of Consumer Affairs](#)
1-800-952-5210
- [Better Business Bureau](#)
- [United States Postal Service](#)
1-800-275-8777

Source: California Department of Consumer Affairs Website www.dca.ca.gov

The Best No Cost or Low Cost Tips to Prepare Your Home For Hot Weather

- Setting your air conditioner 5° higher will save up to 20% on cooling costs.¹
- Use fans to make indoor temperatures feel cooler, most ceiling fans use less energy than a light bulb.
- Have your air conditioning unit serviced to cut 15% of cooling costs.²
- Don't try to cool the great outdoors — Seal cracks, gaps, leaks and add insulation to save up to 20% on home cooling costs.²
- Keep windows and doors shut and shades closed during the day, to keep your house cool and reduce air conditioning needs.

» [Get more energy-saving tips.](#)

The Best Investments for Summer Energy Savings

- Have your heating and cooling ducts professionally sealed to save up to \$190 per year.³
- Install a programmable thermostat and only cool the house when you're home — It can save up to \$160 per year and pays for itself in 6-9 months.³
- Replace incandescent light bulbs with CFLs to save on lighting AND cooling bills. 90% of the energy used by old incandescent bulbs produces heat, not light.
- If your old air conditioner breaks down, consider a high efficiency replacement. Replacing a 10-year-old central AC unit with an ENERGY STAR qualified model can cut 20-40% off your cooling costs.



Footnotes

¹ Based on PG&E 3-5% per degree

² ENERGY STAR

³ Based on ENERGY STAR calculator for Stockton, CA at \$0.14 per kWh

For more tips on keeping cool this summer see Flex Your Power's [air conditioning tips](#).

<http://www.fypower.org/res/summersavings/>

Online Pharmacies: The Good, The Bad and the Ugly

Buying drugs on the Internet is not illegal, but you could be taking a risk when you do it. Even some trusted Canadian pharmacies have been found to be shipping unregulated drugs made in third-world countries and passing them off as legitimate.

There are lots of illegal pharmacies online, but there are legitimate ones as well. DCA's State Board of Pharmacy reminds consumers to look for the Verified Internet Pharmacy Site, or VIPPS seal, which is issued by the National Association of Boards of Pharmacy when you shop online for prescription drugs. You can also check the safety and price of a pharmacy Web site on the physician-run ***www.PharmacyChecker.com***.

The DEA has also reported that some consumers have been receiving fraudulent charges on the credit card they used to buy the drugs online. Remember to check your monthly credit card bills for any unauthorized charges.

"Consumer Connection" magazine - [California Department of Consumer Affairs](#)



Coming Soon.... [More Consumer Tips and Updates in our next issue.](#)

Alameda County Consumer Affairs Commission **Mission Statement**

The purpose of the commission is to promote and protect the best interests of the consumer public, to encourage the highest standards in the business community and to develop a higher level of consumer awareness.

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Check Out our Website: <http://www.acgov.org/bc/cac>

Alameda County
Consumer Affairs
Commission

Referral
Assistance:

510-208-9672

[E-mail Us](#)

Referral Assistance

(510) 208-9672

Whether you are a consumer of products or services, or a business providing products or services, the Alameda County Consumer Affairs Commission can provide you with information, education and community outreach.

What To Do...

If you have a problem or complaint against a business or person providing a product or service, please direct your complaint to the business or person directly. Here are some helpful tips to assist you:

1. Avoid arguing or being confrontational. Though you may be angry and have a valid complaint, you will be better served if you remain calm.
2. You may send a letter or email detailing your complaint. Be sure to keep a copy for your records.
3. Stick to the facts – Be sure to include what you purchased, when, where, and why you are dissatisfied.
4. Be specific about what your expectations are regarding your complaint and be sure to give a date that you would like them to provide a solution.
5. Be sure to keep all letters and other correspondence from them and keep a log of all phone calls.

View the Alameda County Consumer Affairs Brochure online at:

<http://www.acgov.org/bc/cac/documents/CACBrochure.pdf>

Disclaimer: This newsletter is for informational purposes only and is only intended to be a tool to inform you and help you understand the resources available to you. It does not include a comprehensive listing of all possible resources. It is not intended to substitute for informed professional advice (such as, for example, medical, legal, financial, etc.), and does not establish a professional-client relationship (such as, for example, an attorney client relationship). You should always seek the advice of a qualified attorney licensed in the appropriate jurisdiction before taking any course of action that may affect your legal rights. Because laws and resources change often, Alameda County and the Alameda County Consumer Affairs Commission do not guarantee or warrant the accuracy of the information contained herein and shall not be responsible for any losses resulting from your reliance on any content herein