



Alameda County Consumer Affairs Commission Newsletter

APRIL – MAY 2012

VOLUME 2, NUMBER 2

Learn what you can do to resolve complaints

Self-Help for Consumers

The best way to protect yourself from fraud, scams, or problems is to be aware of potential pitfalls ahead of time. If that isn't enough, you should also know what you can do to resolve complaints. Here are some tips for both:

Before You Buy

- Make sure any professional you hire has the required license:
 - For professionals licensed by the Department of Consumer Affairs (health care providers, accountants, security guards, cosmetologist, auto repair shops, contractors and more), visit www.dca.ca.gov/ or call 800.952.5210.
 - For other types of California professional licenses, visit www.consumers.ca.gov/. Click the "license verification" tab.
- Get a written copy of guarantees and warranties.
- Ask about the refund, return and exchange policy.
- Don't sign any contract or legal document until you read and understand it. Insist that any extras you are promised are put in writing.

After You Buy

- Save the paperwork: contracts, sales receipts, cancelled checks, owner's manuals, warranty documents, etc.
- Be sure to follow the service and use instructions in the owner's manual. The way you use or take care of a product could affect your warranty.

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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



Solving a Problem

- Check with your credit card company. You may have the right to withhold payment if the product or service is unsatisfactory.
- Complain as soon as possible. A letter to the manager of the business that sold the product or performed the service is usually effective. Keep copies of all correspondence.

Filing a Complaint

If a letter to the manager does not resolve the problem, you may want to file a complaint with the following:

- Department of Consumer Affairs. File a complaint online at www.dca.ca.gov/ or call 800.952.5210 to have a complaint form mailed to you.
- California Attorney General's Office. File a complaint online at <http://oag.ca.gov/>.
- The Better Business Bureau. Go to www.bbb.org/, or consult your phone directory for a local office.
- The District Attorney's Office in your county. Consult your phone directory under "county offices."

Other Options

A neutral third party may be able to help resolve a dispute between a consumer and a business. For more information about complaint resolution services, visit www.dca.ca.gov/ or call 800.952.5210.



Small Claims Court

If other attempts to resolve your dispute have failed, you may be able to file a claim in Small Claims Court. Consult DCA's publication *The Small Claims Court: A Guide to Its Practical Use*. Find it online at www.dca.ca.gov/, or call 800.952.5210 to have a printed copy mailed to you.

The online California Courts Self-Help Center, sponsored by the Judicial Council, also has information on Small Claims Courts at www.courtinfo.ca.gov/selfhelp/.

California Department of Consumer Affairs Consumer Information Center

1625 North Market Blvd., Suite N-112
Sacramento, California 95834
800.952.5210 | 800.326.2297 TDD
www.dca.ca.gov/ | dca@dca.ca.gov

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



Watch Out for Door-to-Door Scams!

While many companies that solicit sales at people's homes are legitimate, some are not.

Home Security Rip-Offs: A scam often starts with a door-to-door sales pitch for a home security system by an unlicensed operator. At best, you may get little or no protection, and at worst, the operator may come back and break into your home while you're away.

Contractor Capers: You are falsely told that your roof needs replacing at a cost of thousands of dollars. Or the solicitor "just happens to be in your area and has some leftover paving material from a job down the street," or offers to clear your gutters or trim your trees. These scams can result in substandard work by unlicensed contractors (of which there are many) that you are unable to locate after the work is done.

Pesky Pests: An unlicensed pest control operator states that the person "works in the neighborhood and that your house may be infested." It's better to deal only with licensed pest control operators. In that way, you will lessen your chances of being 'bugged' by unscrupulous operators.

Charitable Hucksters: Many cities and counties have laws that try to protect the public against fraudulent charitable solicitations. Do not be fooled by names that sound impressive, or that closely resemble the name of a familiar organization. Do not give into pressure to donate on the spot. Legitimate organizations will not pressure you into giving money immediately. Just ask the solicitor to leave written materials, which you can read and think about later.

Where to Go for Help

- Alameda County Consumer Affairs Commission Referral Assistance (510) 208-9672 or visit our website: <http://www.acgov.org/bc/cac>
- The California Department of Consumer Affairs
Consumer Information Center
1625 North Market Blvd., Suite N-112, Sacramento, CA 95834
1-800-952-5210 • TDD (916) 322-1700 • www.dca.ca.gov
- If the company that the salesperson represents is located outside of California, call the Office of the Attorney General.

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



Veterans: When Payments Cannot Be Made on Due Date

Even the most reliable borrowers sometimes fail to meet every payment on its due date, and it is possible that there is good reason for the failure, such as a reduction of earnings or illness in the family.

If you find that you will be unable to make your payment when it is due, by all means let your lender know and try to work out a satisfactory plan to make up the payments missed.

The lender's friendly advice may be most helpful when you are in a tight spot. Try to call the lender before it is necessary that the lender write to you, but never fail to answer notices or letters you may receive.

In emergencies, the first impulse sometimes is to borrow money in order to keep the mortgage payments current. However, any new loan must be paid off in a short time through burdensome installments, and the extra strain often leads to more serious financial trouble.

It is far better to call the holder of your mortgage and frankly explain your trouble. Put "all your cards on the table." If you can, offer some plan for catching up on your payments and request advice and guidance not to ask for sympathy but to let the lender know that you are anxious to keep your home, and sincere in your desire to find a way out of your trouble. If you are willing to cooperate, your sincerity will be appreciated. If possible, the lender will help you develop a plan that will enable you to keep your home.

Failure to cooperate with your lender may result in the loss of your home by foreclosure of the mortgage. Besides causing the loss of your home, this would naturally have a very bad effect on your credit standing, and may even leave you with a debt. You can, and should, avoid this.

U.S. Department of Veterans Affairs - 810 Vermont Avenue, NW - Washington, DC 20420

Contact Information: Toll Free (800) 827-1000 or <http://www.va.gov/>

Source: <http://www.benefits.va.gov/homeloans/paytrbl.asp>

Highlights of new consumer laws for 2012

Here is a sampling of some of the new State laws that were enacted in 2011. The list includes the bill number (AB means the bill originated in the Assembly; SB means the bill originated in the Senate) and the last name of the legislator who sponsored it.

AB 588 (Perez) Tenancy and victims of domestic violence

Amends existing law so that a tenant who is a victim of domestic violence, sexual assault, or stalking has more time (180 days instead of 60 days) to provide notice of intent to terminate a lease early.

AB 1219 (Perea) Credit cards: personal information

Creates an exemption for retail motor fuel dispensers from the Song-Beverly Credit Card Act of 1971. Specifically, this bill allows gas stations to ask consumers for ZIP codes at gas pumps as a means of completing a transaction and ensuring a measure of fraud protection.

SB 332 (Padilla) Rental dwellings: smoking

Codifies the existing ability of landlords to prohibit smoking in leased residential premises and specifies applicable notice and lease agreement requirements.

DCA's full 2011 Legislative Digest can be viewed online at www.dca.ca.gov/publications/leg_digest/index.shtml.

The full text of each bill is available at the Legislative Counsel's Web site, www.leginfo.ca.gov

Source: DCA *Consumer Connection* Spring 2012 vol.8, edition 1

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.

Alameda County Consumer Affairs Commission
Alameda County Administration Building
1221 Oak Street, Suite 536
Oakland, CA 94612

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

Don't Forget ! Income Taxes Due Tuesday April 17, 2012

Information on Extensions for IncomeTax Returns for Individuals Links:

<http://www.irs.gov/formspubs/article/0,,id=98155,00.html>

<https://www.ftb.ca.gov/individuals/fag/ivr/201.shtml>

Alameda County
Consumer Affairs
Commission

Referral Assistance

(510) 208-9672

Referral
Assistance:

510-208-9672

[E-mail Us](#)

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.

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