
CONSUMER GUIDE FOR MARYLANDERS



CONSUMER PROTECTION DIVISION
MARYLAND OFFICE OF THE ATTORNEY GENERAL

REVISED APRIL 2017

DEAR MARYLANDER

It's an alarming thought, but routine activities like picking up the phone, paying for an item at the store or checking email can make us vulnerable to scammers, hackers or identity thieves. I know how easily this can happen; I've been a victim myself.

This kind of criminal activity takes many forms. A convincing telemarketer tries to get you to pay for something you don't need or provide personal information that you should never give out. A home repair contractor tells you something is broken when it runs fine. An email from an unknown address says you have won a lottery in a foreign country you have never visited.

The good news is the Office of the Attorney General can help. We help consumers resolve complaints against businesses and help you understand complicated health insurance claims and medical billing disputes. We provide information and speak to community groups across the state about scam prevention, identity theft awareness, landlord/tenant disagreements, deceptive auto repairs and much more. In short, we work to safeguard your hard-earned money and to keep your personal information from falling into the wrong hands.

This publication is our most comprehensive guide for Marylanders of all ages, highlighting common scams and providing helpful tips and resources that will help protect you and your loved ones from becoming victims.

Should you need further assistance, our office has a dedicated team of more than 800 attorneys, support staff and volunteers who are able to help. Please call 410-576-6300 or 888-743-0023. You can also find more information on our website at www.marylandattorneygeneral.gov.

I hope you find this guide useful.



Sincerely,

A handwritten signature in blue ink that reads "Brian E. Frosh". The signature is fluid and cursive, with the first name "Brian" being the most prominent.

Brian E. Frosh

TABLE OF CONTENTS

CONSUMER SCAMS

Common Scams	2
Sweepstakes	4
Charities	5
Identity Theft	6
Home Improvement Scams	8
Travel Scams	10
How to Stop Telemarketing Calls and Junk Mail	12

HEALTH ISSUES

Help with Medical Billing Problems	14
Home Medical Equipment Scams	15
Hearing Aids	16
Miracle Cures	19

FINANCIAL MATTERS

Investment Fraud	20
Common Investment Scams	22
Financial Exploitation	24
Home Equity Fraud	26
Predatory Lending	28
Living Trusts	29
Pre-Need Burial and Funeral Contracts	30

HELPFUL RESOURCES	32
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COMMON SCAMS

Florence got a phone call from a man who said he was an officer of her bank. He said he needed to verify her account information in order to install new security measures. Florence got her checkbook and read her account number to him. A few days later, she discovered money was missing from her checking account. The man who had called was not with her bank at all, and that bank said it would never call customers over the phone and ask them to “verify” account numbers.

Florence fell for one of the oldest scams around. Con artists are always developing new ways to get your money – but some play the same old scams year after year, successfully. Here are some of the scams that have been around awhile and still trick new victims. Don't fall for them.

THE BANK “INVESTIGATION”

In this scam, a caller poses as a bank examiner, FBI agent or police detective who needs your help with an investigation. The caller asks you to go to the bank and withdraw some money and give it to the phony official. The scammer promises to redeposit the money but you will never see the money, or the con artist, again.

WORK-AT-HOME OFFERS

Companies advertise a way to make hundreds of dollars a week working at home. The task may be stuffing envelopes, preparing mailing lists, making craft projects, or preparing doctor's bills. They require a fee in advance for an instructional kit, supplies or software.

You'll receive worthless information and realize it would be impossible to make any money. Research any potential business opportunities thoroughly before investing. Always try to personally meet with representatives at the physical company location and verify the promised earning potential.

CREDIT CARD FRAUD PROTECTION SCAMS

A telephone caller pretending to represent your credit card company tells you that you need to buy credit card fraud protection. The caller says that computer hackers could access your credit card number and make thousands of dollars of charges, which you would be liable. This is not true. Under federal law, consumers who report unauthorized charges on their credit cards are not liable for more than \$50.

ADVANCE-FEE LOAN AND CREDIT CARD SCAMS

A newspaper or TV advertisement seems to offer a guaranteed loan or a credit card for anyone, no matter how bad their credit. When you call the number, you are told to pay a fee first, perhaps as much as \$200. However, the company later notifies you that you didn't qualify for the loan or credit card after all. When you try to get in touch with the company, you are unable to do so and are out the money you paid.

COMMON SCAMS

INTERNATIONAL LOTTERY SCAMS

You receive a phone call, letter, or email saying you won the lottery in another country and in order to collect your winnings, you must pay taxes or other fees. Of course, you never purchased tickets for another country's lottery and there is no jackpot.

FOREIGN DIGNITARY SCHEMES

A letter, fax or email arrives from someone who claims to be a foreign government executive, prince or doctor. This person says he needs to transfer a large amount of money, perhaps millions of dollars, to the United States. The message proposes that you allow the money to be transferred to your account in exchange for keeping a percentage of the money.

You are at risk of losing all your funds if you give the con artist your bank account information. If you receive such an offer, report it immediately to law enforcement authorities.

PHISHING

You receive an email or phone call that appears to be from your bank, government agency, credit card company or website asking for personal information such as your Social Security number, bank account number, password and/or Personal Identification Number or credit card number. This form of identification theft is known as phishing (pronounced “fishing”), and can lead to substantial financial loss, ruined credit, prevention of account access and the unauthorized creation of accounts in your name. To prevent this from happening to you, make sure to read the “Identity Theft” chapter of this guide.

KEEP IN MIND THESE THREE KEY SIGNS OF A POTENTIAL FRAUD:

- You are contacted by a stranger.
- You are offered a “great” deal.
- You must act right away.

When you are contacted under these circumstances, the best advice is to just say no.

SWEEPSTAKES

Soon after Irvin sent in a sweepstakes entry, he began to receive many other sweepstakes mailings that implied he was close to being a grand prize winner. Thinking he could increase his odds of winning, he began buying books, magazines and other products through these sweepstakes. He spent \$1,500, but never won anything.

Before you respond to a sweepstakes mailing or telephone call that says you are their “guaranteed winner,” ask yourself, “What’s in it for them?”

The truth is, sweepstakes are not trying to award you money – they’re trying to get your money. The only aim of their mailings and telephone calls is to get you to buy products. Fraudulent prize promotions want to trick you into paying for a “processing fee” or to pay by calling a “900” number. Too often, Marylanders on fixed incomes are lured by the prospect of winning a sweepstakes by buying products they don’t need or paying “entry” fees. These fees can range from \$5-\$20, but over time add up to an excessive amount. Some people even lose their life savings because they become addicted to entering sweepstakes, ordering merchandise in the mistaken belief that it will increase their chances of winning. They can’t stop because they don’t want to lose what they’ve “invested.” They continue to receive mailings and phone calls that suggest they are close to winning.

In reality, their chances of winning a legitimate sweepstakes are very small, and there are many fraudulent sweepstakes that either don’t award any prizes, or offer gifts that turn out to be almost worthless.

- Don’t be pressured into buying anything through a sweepstakes. A sweepstakes must state that “No purchase is necessary.” By law, you can enter and have an equal chance of winning without buying anything.
- Be skeptical if a caller or letter tells you that you are almost “surely the winner” or that you are “very close to winning.” The truth is that thousands of other people are getting the same phone calls and mailings. Your chances of winning are very small.
- Never send money to pay for “taxes,” “shipping costs” or “processing fees.” Prize winners pay taxes to the Internal Revenue Service, not to sweepstakes promoters.
- Be aware that a request to send money by courier or overnight delivery is a sign of a scam.
- Be wary of sweepstakes that have a name similar to, but not quite the same, as a well-known national charity.

CHARITIES

Esther received a phone call from a charity that had a name similar to a national cystic fibrosis organization. Touched by the thought of helping children, she agreed to make a donation. Later, she saw a news report that the organization was not the charity she thought it was, but a scam operation.

The generosity of many Marylanders, especially seniors, make them a favorite target of charity scams. To make the best use of your charitable dollars, always follow these three rules:

- Never agree to give money over the phone. Never give credit card or other personal information to a telephone solicitor. Ask the caller to send written information about the charity and read it before making your decision.
- Call the Maryland Secretary of State's Office at 800-825-4510 to find out if the charity is registered in Maryland, as required.
- Find out what percentage of your donation goes to the charity's mission. You can also ask the Maryland Secretary of State's Office for this information. Some charities use paid fundraisers to make their phone calls, and the fundraisers can keep a portion of your gift as their fee. You might choose instead to send your check directly to the charity.

Don't be pressured into giving. Unscrupulous callers want to get your money fast. They often ask for a credit card number or offer to send a courier to pick up your check before you can change your mind. When solicited by phone, always ask the caller to send you written material about the charity.

Even if the charity has an urgent need for money, the need will still exist after you read what they've sent.

Never give cash. Make out the check or money order to the organization, not an individual.

Warning signs of a charity scam:

- The organization refuses to send you written material or financial information.
- The solicitor offers to send a courier to collect your contribution.
- You receive an invoice or bill for a pledge you never made.
- The organization's name and logo closely resemble another charity with a similar purpose. Bogus charities frequently use names that resemble those of well-known, legitimate organizations. Fake charities frequently surface after national emergencies or natural disasters. The only way to be sure a charity is legitimate is to do some research before you give.

You have the right to ask as many questions as necessary to make an informed decision about whether or not to donate. If the charity you are considering resists answering your questions, don't give.

IDENTITY THEFT

Walter received a phone call from an auto financing company that said it was going to repossess his truck. Walter did not own a truck. He found out that someone using his name and Social Security number had applied for a car loan and had never made the payments. He also found out this same stranger had opened up two credit accounts in Walter's name and charged thousands of dollars.

When someone else uses your name, Social Security number, bank account number, credit card number or other personal identifying information to commit fraud, it's called identity theft. The imposter may open credit accounts, get a driver's license or rent an apartment in your name, and create havoc with your finances. An identity thief may even rack up criminal charges or declare bankruptcy in your name.

You should suspect identity theft if:

- You get a letter from a bank or creditor confirming your recent change of address – and you haven't moved;
- You get a call or letter stating that you have been approved or denied credit for which you never applied; or
- A collection agency says it is trying to collect on an account that you didn't open. Legitimate financial institutions will not use email to ask for sensitive financial information.

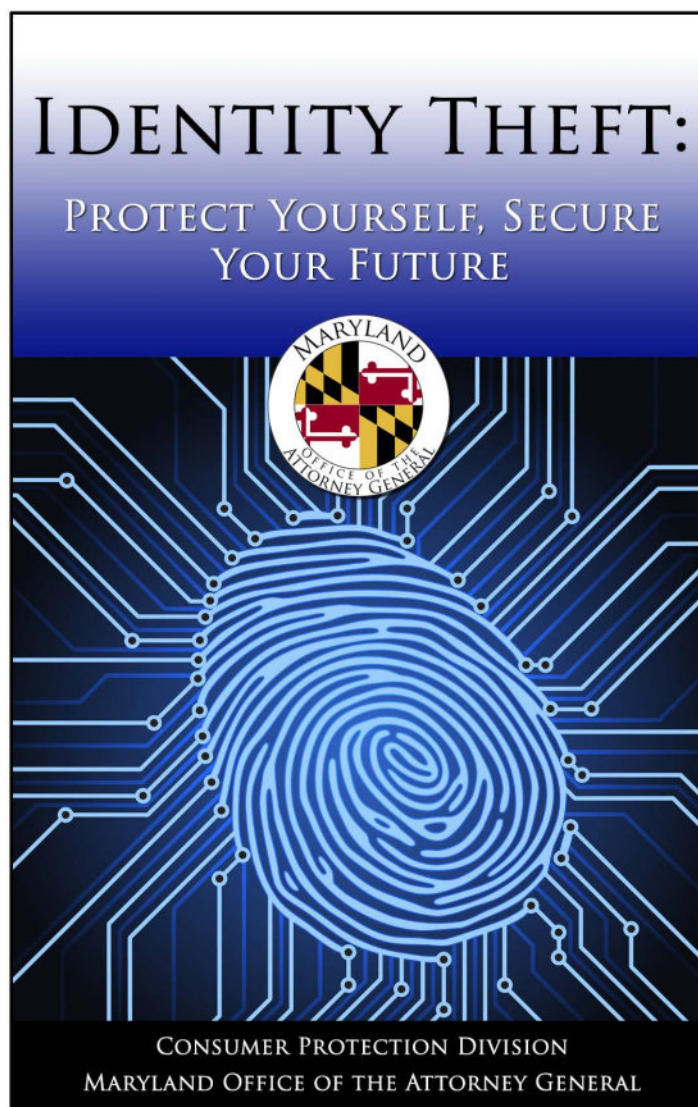
TO REDUCE YOUR VULNERABILITY TO IDENTITY THEFT:

- Don't carry your Social Security card in your wallet, and don't print the number on your checks. Give your Social Security number only when absolutely necessary; ask to use other types of identification when possible.
- Don't leave personal information where others can see it, particularly if you have roommates, employees in the home, or are having service work done to your home.
- Be careful with your mail. If you're expecting new checks, call the bank if they don't arrive.
- Mailbox thieves can also steal credit card offers mailed to you. Consider getting a locking mailbox. Thieves can also steal mail you leave for the postal carrier, in order to find out your Social Security number or other personal information that may be on bill payments. Consider putting your outgoing mail into a U.S. Mail box or taking it to the post office.
- Tear up or shred credit card receipts, bank statements or credit card offers that you are throwing away. Identity thieves go through trash to find personal information.
- Never disclose any information about yourself to strangers on the phone.
- When receiving emails from unknown senders, do not download attachments. If you're not familiar with computers, ask someone to download anti-spyware software to further protect you.
- Check credit card statements and bills for unauthorized charges.
- Obtain a copy of your credit report each year to be sure it is accurate and reflects only

IDENTITY THEFT

credit actions you've authorized. Call the three major credit reporting agencies: Equifax at 800-685-1111; Experian at 888-397-3742; and Trans Union at 800-888-4213. Maryland residents are entitled to one free copy of their report each year from each of the three credit reporting agencies. If you discover that someone is using your identity fraudulently, immediately report it to the fraud units of the credit bureaus (Equifax: 800-525-6285; Experian: 888-397-3742; and TransUnion: 800-680-7289), all creditors with whom your name has been used fraudulently, and your local police or sheriff's department.

For more steps you should take, request a copy of the Attorney General's pamphlet Identity Theft: Protect Yourself, Secure Your Future by calling 410-576-6550. Also, visit the Website of the Privacy Rights Clearinghouse, www.privacyrights.org and the Federal Trade Commission's Identity Theft Website: www.consumer.gov/idtheft.



HOME IMPROVEMENT SCAMS

Harriet noticed a leak in her living room ceiling and called a plumber. The plumber told her that all her bathroom pipes were broken and needed to be replaced, at a cost of \$1,500. He said she risked an electrical fire if she didn't have the work done. She sought a second opinion. The other plumber found that the problem was only some failed caulking around the bathtub.

Home repair fraud is often aimed at senior citizens. Unscrupulous repairpersons sometimes use scare tactics to pressure people to have unnecessary, expensive repairs made. They overcharge for shoddy work, or take money and then never show up to do the work.

One of the most common kinds of home repair fraud involves offers from transient work crews. Strangers knock on your door and say they've been working in your neighborhood and have some extra material left over. They offer to seal your driveway or fix your roof for a discount, but they take your money and then disappear.

Another scam involves strangers who knock on your door and offer to do a free inspection of your furnace, chimney or drinking water. Once inside, they pretend to find a serious health or safety problem requiring expensive repairs. Even worse, they may only be trying to get inside your home to steal money or valuables from you.

Be cautious when they demand cash payment and the offer is only good for that day. Don't let yourself be pressured.

It's best to say no thanks to these unsolicited offers, and not to open your door to strangers. Instead, get recommendations for home improvement companies from satisfied friends and neighbors.

Shop around for a contractor, getting price estimates from several. When requesting an estimate, ask if there is a charge. A smart shopper would also get two or more references on each contractor. Get references to see if the work was done properly, on schedule, and at the agreed price.

Always ask to see the worker's Maryland Home Improvement Commission (MHIC) license, and get the license number and expiration date. Call the Commission at 410-230-6309 to verify the license and to ask if any complaints have been filed against the contractor or company. If a licensed contractor you hire fails to do the job, or does it poorly, you may be able to recover your losses through the Commission's Guaranty Fund.

Insist on a detailed contract. The contract should include: a specific description of the work to be done, materials, labor cost, timetable, payment schedule, start/ending completion dates, names of sub-contractors, warranty agreements, clean-up and financing arrangements.

HOME IMPROVEMENT SCAMS

Never pay more than one-third of the total contract price in advance. In Maryland, it's against the law for a contractor to accept more than one-third in advance. Don't sign a certificate of completion or release final payment until you have proof that the subcontractors have been paid and all the work in the contract is completed to your satisfaction.

Because most home improvement contracts are signed in the home, you are protected by the Door-to-Door Sales Act, which gives you five (5) business days to cancel the contract. If you are a senior, aged 65 years or older, you have seven (7) days to cancel the contract. The contract should advise you of this right. However, it's always best not to sign a contract until you are sure about your decision.

REMEMBER:

Always check a home improvement contractor's license and complaint history by calling the Maryland Home Improvement Commission (MHIC) at 410-230-6309 or toll-free at 888-218-5925.



TRAVEL SCAMS

Hector and Sonia signed up to win a “free trip” at a fair. A short time later, they received a phone call saying they had won the trip. To claim it, they had to attend a presentation about a travel club. The salesman said the club would let them stay at nice resorts year after year at very little cost, after they paid the initial membership fee. After a long, high-pressure sales talk, they agreed to join and wrote a check for \$2,500. They quickly regretted it. Their “free trip” was a weekend stay at a run-down hotel in Atlantic City. They tried to use their membership to arrange a stay in Mexico, but the club never had availability there. A few months later, the club went out of business, taking all of Hector’s and Sonia’s money with it.

“FREE TRIP” OFFERS ARE ONE OF THE MOST COMMON CONSUMER SCAMS.

The free trip is usually just a bait to get consumers to buy memberships in expensive timeshares or travel clubs (which do not always deliver what they promise) or the trip isn’t really free – you have to pay a lot of fees and extra costs.

IF YOU GET A PHONE CALL OR POSTCARD SAYING YOU’VE WON A VACATION, BEWARE.

You’ll probably have to attend a sales presentation or tour a campground or timeshare facility to receive your free trip. The salespeople will use high-pressure tactics to get you to purchase a membership or a timeshare.

YOU MAY ALSO RECEIVE OFFERS FROM “CARD MILL” COMPANIES.

They tell consumers that the cards may get them free or reduced-fee travel.

MANY CONSUMERS WHO SIGN CONTRACTS AT THESE PRESENTATIONS LATER REGRET THEIR DECISION.

They find out too late that the club is more expensive than they thought, because of added fees, dues and costs. Some consumers can’t get the dates or locations they requested. Others find the accommodations to be of poor quality. Worst of all, some of these companies go out of business, taking all their customers’ pre-paid membership money with them.

BE SKEPTICAL OF “FREE TRIP” OFFERS.

Go to a sales presentation only if you are interested in what the company is selling, and:

- Never make a decision on the spot. Insist on taking the contract home to study. If the business won’t allow this, leave.
- Understand all the costs. What is and isn’t included? Are there extra fees for maintenance, processing, dues, peak season, upgrades, hotels, airlines, port taxes and meals?
- Know your cancellation rights. You have 10 days to cancel a timeshare, vacation or campground membership sold in Maryland. However, using your right to cancel isn’t always easy, so don’t sign a contract unless you’re sure about your decision.

TRAVEL SCAMS

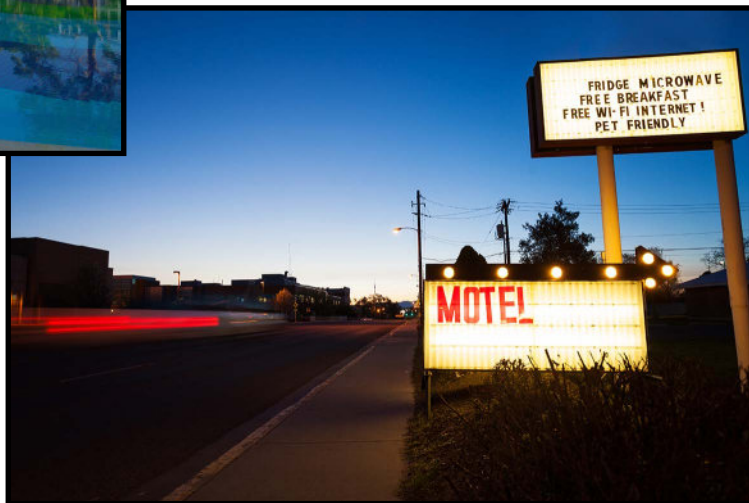
- Always think twice before paying a lot of money in advance for a future benefit. What if you invest thousands of dollars and the travel club goes out of business? It's happened to many Marylanders.

As a general rule, research any travel service to make sure the company is established and reliable, before paying any costs or signing documents.

INCREDIBLE PRICES THAT AREN'T

A different kind of travel scam offers you an “unbelievable” price on a vacation. You have to give your credit card number to hold a reservation. Later, you find out that in order to take the vacation you have to pay a lot more for all sorts of fees, upgrades, hotel taxes and service charges. In fact, the whole package becomes so expensive that you don't want to even take the trip. If you do, the “deluxe” accommodations turn out to be a pretty ordinary motel.

Before you agree to pay any money for a bargain travel package, ask to have written material that describes all the terms and conditions sent to you. If they won't send it, turn it down.



HOW TO STOP TELEMARKETING CALLS AND JUNK MAIL

Tired of annoying telemarketing calls and junk mail filling your mailbox? There are steps you can take to get off the lists for these calls and mailings. You won't be able to stop all of them, but you will be able to reduce the number you receive.

TO REDUCE TELEMARKETING CALLS:

- The Federal Trade Commission (FTC) has made it easier for consumers to block telemarketers with the National Do Not Call Registry. This program allows consumers to register their landline and mobile phone numbers and be placed on a national list of numbers telemarketing companies are not allowed to call. To register by phone call 888-382-1222 or online at www.donotcall.gov. If a company tries to contact you after the initial 31-day registration period, consumers may file a complaint at 888-382-1222 and help the FTC in their investigations.
- When you get a telemarketing call, say, "Put me on your 'do not call' list." The federal Telephone Consumer Protection Act of 1991 requires companies to keep this list. Your request must be honored for 10 years. Exception: nonprofit organizations do not have to comply with this law.
- Get an unlisted number.



HOW TO STOP TELEMARKETING CALLS AND JUNK MAIL

TO REDUCE JUNK MAIL:

- Register with the Direct Marketing Association's Mail Preference Service known as "DMA-Choice." You can get off many national mailing lists this way. You may register your name and address two ways, by signing up online at www.DMAchoice.org or sending a letter. If you choose to mail your name and address in, you will be charged \$1. Send your name and address to:
DMAChoice
Direct Marketing Association
P.O. Box 643
Carmel, NY 10512
- Tell the credit reporting agencies that you don't want to receive pre-approved offers of credit. Those credit card offers that come in the mail are from companies who get your name and address from one of the credit reporting agencies. Call toll-free: 888-5-OPT-OUT. Your request will be honored for five years or permanently.
- Tell magazines to which you subscribe, and charities to which you donate, that you don't want them to share your name with other businesses or charities. Request the same from mail-order companies.
- Read the privacy policies of your credit cards and banks. The policies must give you an "opt-out" provision, by which you can tell the bank not to share your personal information with other companies. The bank may still be allowed to share your information with its "affiliate" companies.
- Don't enter sweepstakes and drawings. The main purpose of many contests is to compile mailing lists. If you enter one contest, you are likely to receive mailings from other contests.

The FTC's Telemarketing Sales Rule helps protect you from abusive and deceptive telephone sales practices. The Rule restricts calling times to the hours between 8 a.m. and 9 p.m., and puts other limits on telemarketers, too. For example:

- Telemarketers must tell you it's a sales call, the name of the seller and what they're selling before they make their pitch.
- It's illegal for telemarketers to lie about their goods or services, earnings potential, profitability, risk, or liquidity of an investment; or the nature of a prize in a prize-promotion scheme.
- Before you pay, telemarketers must tell you the total cost of the goods they're selling, any restrictions on getting or using them, and if the sale is final or non-refundable. In a prize promotion, they must tell you the odds of winning, that no purchase or payment is necessary to win, and any restrictions or conditions upon receipt of the prize.
- It's illegal for a telemarketer to withdraw money from your checking account without your express, verifiable authorization.
- It's illegal for a telemarketer to call you if you have asked not to be called.

HELP WITH MEDICAL BILLING PROBLEMS

Sylvia needed to have gall bladder surgery. Prior to her surgery, the insurance company did not clearly say whether Sylvia's doctor would be reimbursed. After the procedure was done, Sylvia received bills totaling more than \$20,000. Sylvia contacted the Attorney General's Health Education and Advocacy Unit (HEAU) for help. The HEAU found that the insurance company mistakenly told Sylvia to pay out of pocket instead of covering the cost of the procedure. Upon appeal, the insurance company paid Sylvia's claims.

If your private health plan refuses to pay for care that it says is not medically necessary or because it says that the care is not included in your plan contract, the Health Education and Advocacy Unit (HEAU) of the Attorney General's Office may be able to help. The HEAU is often successful in getting the consumer's private health plan to pay for treatment that was originally denied. This is done by using a mediation process and getting additional information from the patient's healthcare provider about the treatment.

THE HEAU ALSO HELPS CONSUMERS:

- Resolve billing disputes with hospitals, doctors, dentists, nursing homes, counselors or other health care providers.
- Get refunds of money paid for health care goods or services.
- Get copies of their medical records.
- Resolve warranty problems with hearing aids, eyeglasses, wheelchairs or other medical equipment that is defective or was never delivered.
- Establish payment plans or qualify for charity care.

To reach the HEAU, call 410-528-1840 or toll-free in Maryland 877-261-8807

Fax: 410-576-6571. You can also email beau@oag.state.md.us or visit www.MarylandCares.org.

IN EMERGENCY SITUATIONS

If you or your doctor believe that you need urgent care, but your health plan does not agree, you should call the Maryland Insurance Administration's toll-free number (800-492-6116). That agency will render a decision within 24 hours and, under certain circumstances, can order a private plan to pay for the treatment.

HOME MEDICAL EQUIPMENT SCAMS

Howard was having difficulty climbing the stairs in his house, so he called a company that advertised stairlifts. A salesman came to his house and promised to install the stairlift within two weeks, and took a payment of \$2,000 from Howard. Months passed and the company didn't deliver the stairlift, but kept coming up with excuses. Howard finally sued and got some of his money back.

There are many reputable and reliable home medical equipment suppliers, but unfortunately there are also those that charge for equipment they never deliver or that sell unneeded and expensive equipment. They sometimes imply or promise that Medicare will pay for the equipment when that may not be true. Some examples of tactics the salespeople use are staying in your home for a lengthy period of time, preventing you from asking others for advice, and setting up equipment that is hard to move.

BEFORE BUYING HOME MEDICAL EQUIPMENT:

- Get advice from your doctor, hospital discharge planner, physical therapist or other health professionals, NOT from a salesperson. They know what your needs are better than a salesperson, and they can likely direct you to honest, reputable sellers of home equipment.
- Check the company's reputation with your health care specialist. Call the Attorney General's office to see if complaints have been filed against the company.
- Be suspicious if the company does not have a store, showroom or office you can visit.
- Beware when equipment is marketed as a "breakthrough" answer to a common medical condition. Do your own research.
- Beware of companies that promote themselves as representatives of Medicare, or send literature with Medicare emblems, leading you to believe Medicare endorses their product or service. Medicare does not solicit by telephone or mail and does not authorize anyone to do so. Medicare does not supply equipment, recommend specific suppliers, or provide beneficiary names to suppliers.
- If the medical equipment is something that needs to be installed in the home, call the Maryland Home Improvement Commission, 410-230-6309, to see if the company is licensed, as required.

THE "WHEELCHAIR LEMON LAW"

If you buy or lease a motorized wheelchair, you are protected by the Maryland Motorized Wheelchair Warranty Enforcement Act. This law requires the manufacturer of a motorized wheelchair to give the consumer a warranty that covers parts and performance for at least one year. If you report a problem with the wheelchair within that year, the manufacturer must pay to fix the problem. If the problem cannot be fixed, the manufacturer must replace the wheelchair or give you a refund, less a reasonable amount for use.

HEARING AIDS

Evelyn spent \$2,300 for hearing aids, but found them to be useless. Although she informed the seller, he repeatedly insisted she simply needed more time to get used to them. The sales contract didn't include the 30-day notice of cancellation as required by law. After contacting the Attorney General's Health Education and Advocacy Unit, she was able to get a refund.

Hearing aids can be expensive. It's important to know your rights in a hearing aid purchase and how to choose a reputable seller. Otherwise, you could end up with a costly device that doesn't work properly for you, or that you might not even need. Some Marylanders have been cheated out of thousands of dollars by dishonest hearing aid sellers.

The first step in buying a hearing aid is making sure your problem is diagnosed properly, since hearing loss may be a symptom of a more serious medical condition.

A hearing aid seller is required by federal law to inform you that it is in your best interest to have a medical exam by a licensed physician. In fact, your hearing must be evaluated by a doctor before you buy a hearing aid, unless you sign a statement saying you've waived that protection. Don't sign it. It's always wise to have a doctor test your hearing so you can find out what's causing your hearing loss and exactly what your hearing needs are.

WHAT TYPE OF DOCTOR SHOULD PERFORM YOUR MEDICAL EXAMINATION?

The U.S. Food and Drug Administration recommends an ear, nose and throat specialist (otolaryngologist), an ear specialist (otologist), or any licensed physician.

LOOK FOR THE RIGHT SELLER

Once your doctor confirms you need a hearing aid, you'll need a fitting. Hearing aids can be difficult to fit, often requiring several adjustments. Fitting involves careful testing of hearing loss and selecting the right aid.

That's why it's important to find a seller who will promptly respond to your concerns and work with you to resolve fitting and volume adjustment problems. Also look for a seller who will teach you how to use the device and will be available to service it. Get a referral from your doctor or friends who were happy with the services they received.

GET IT IN WRITING

Find out exactly what's included in the price of the hearing aid, and get it in writing. Are there extra charges for molds, accessories or adjustments? Does the purchase price include maintenance service, follow-up checks and free hearing aid inspections?

HEARING AIDS

Under Maryland law, audiologists, hearing aid dispensers and physicians may fit hearing aids.

Audiologists hold a master's or doctoral degree in audiology from an accredited educational institution. They must have completed a period of supervised clinical practice, according to state requirements and pass a national examination.

Hearing aid dispensers must be high school graduates who have completed at least six months of training under a licensed hearing aid dispenser. They must pass both written and practical state examinations.

Medical doctors, especially otologists and otolaryngologists, may fit hearing aids. These professionals are licensed by the state. Contact the Board of Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists (410-764-4725) to verify a seller's license. You may contact the Maryland Board of Physicians (410-764-4777 or 800-492-6836) to confirm that a doctor is licensed to practice medicine in Maryland.

As with any consumer purchase, beware of extraordinary claims. The FDA has warned several hearing aid manufacturers to discontinue assertions that their hearing aids reduce background noise and improve speech recognition in noisy environments.



HEARING AIDS

KNOW YOUR CANCELLATION AND REFUND RIGHTS.

Under Maryland law, consumers who purchase hearing aids may cancel their purchase for any reason within 30 days of delivery and receive a full refund, less 10% for services. In situations where sellers document expenses greater than 10%, they may withhold their actual expenses up to 20% of the sales price. Sellers may, however, retain fees for diagnostic tests that are billed separately from the hearing aid.

If the seller is unable to resolve problems in the first 30 days, it's best to cancel the sale. If the seller agrees to extend your return privilege to continue adjustments beyond the 30 days, get the extension in writing.

If the sale was in your home, the seller is responsible for picking up the device and providing the refund. However, you are responsible for the return if the sale took place at a business.

It is illegal in Maryland for a seller to come to your home to sell hearing aids without an appointment. If you or a relative purchase a hearing aid from a seller who comes to your home with an appointment, you have three days from the date of the sale to cancel the purchase and get a full refund.

DON'T BE FOOLED.

Some Marylanders have been cheated out of thousands of dollars by dishonest hearing aid sellers. One seller, using phony free hearing tests, persuaded low-income, elderly consumers to buy hearing aids they didn't need, at an average cost of \$2,000 a pair. Protect yourself:

- Call the Board of Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists (410-764-4725) to verify that the seller is licensed. You may also file a complaint with the Board against an audiologist or hearing aid dispenser.
- Contact the Health Education and Advocacy Unit to see if any complaints have been filed against the hearing aid seller.
- Never pay cash. Use a check (payable to the company, not a salesperson) or credit card so you can stop payment if necessary.
- Pay as small a deposit as possible, and get a receipt.
- Get a second opinion on any recommended repair not covered by your warranty.

MIRACLE CURES

Several Marylanders who had life-threatening illnesses bought a product that was marketed as a “miracle cure” in radio commercials and online. The treatments cost thousands of dollars and did not appear to help anyone. The Attorney General’s Office found that the developer of the product had lied about his medical background and had no valid scientific proof that his product worked. The Office sued the company and ordered its principal owners to pay fines and penalties and return money to consumers.

According to the Federal Trade Commission, consumers waste billions of dollars on unproven, sometimes useless health care treatments. Seniors are often targets of this type of fraud. Unfortunately, “miracle cures” are often useless. Victims who fall prey to these scams waste their money, endure painful treatments, and forgo valid and necessary medical treatments.

BE SKEPTICAL IF A PRODUCT IS ADVERTISED WITH THESE KINDS OF CLAIMS:

- It’s a “scientific breakthrough” or has a new, secret ingredient that can cure a wide range of ailments.
- The promoter claims the medical establishment or the government has a conspiracy to suppress the product.
- The promoter uses “testimonials” from people who say they experienced amazing results using the product.
- “Natural” or “herbal” does not equal “safe.” Many herbal ingredients are toxic in certain doses, cause allergic reactions, or react with prescription or over-the-counter medications.

If you have a serious illness or condition, the best advice is to always see a doctor. Discuss any products you are considering taking with your doctor. Be suspicious of taking health advice from an advertisement or stranger.

CONTACTING THE HEALTH EDUCATION AND ADVOCACY UNIT

Phone: 410-528-1840; 877-261-8807 (toll-free)

Fax: 410-576-6571

200 St. Paul Place, 16th Floor, Baltimore, MD 21202

Website: www.MarylandCares.org

Email: beau@oag.state.md.us

INVESTMENT FRAUD

Robert's insurance agent told him about a unique investment opportunity: Nine-month promissory notes that would yield an 18% annual rate of return. The notes were supposed to be secured by automobile titles. Robert agreed to invest \$20,000. When it was time for the note to mature, Robert found out that all the money was gone. The agent had used the money for his personal expenses and to pay back other investors. It turned out that the agent was not even registered to sell securities in Maryland.

A fast-talking “financial adviser” can swindle an unsuspecting investor out of his or her life savings in a few minutes. Seniors are often the primary target of investment con artists.

BEWARE OF STRANGERS TOUTING STRANGE DEALS.

Trusting strangers is a mistake anyone can make when it comes to their personal finances. Almost anyone can sound nice or honest on the telephone. Say “no” to any investment professional who presses you to make an immediate decision, giving you no opportunity to check out the salesperson, firm and the investment opportunity itself. Beware of anyone who suggests investing your money into something you don't understand or who urges that you leave everything in his or her hands. Extensive background information on investment salespeople and firms is available from the Attorney General's Securities Division (410-576-6360).

DO NOT FEEL INDEBTED TO SOMEONE WHO GIVES YOU “UNSOLICITED” FINANCIAL ADVICE.

This person may be trying to gain your trust so he or she can earn fees and commissions by investing your money, sometimes in unsuitable investments. When a stranger describes a promising investment, always ask yourself: “If this investment opportunity is as good as the salesman says, why is he calling me instead of keeping it for himself and his friends?”

IF AN INVESTMENT SOUNDS TOO GOOD TO BE TRUE, IT PROBABLY IS.

Some unscrupulous companies try to entice investors with promises of returns as high as 25%, 50% or even 500%. Such claims are usually fraudulent. All investments involve risk. Con artists know that you worry about either outliving your savings or seeing all of your financial resources vanish overnight as a result of a catastrophic event, such as costly hospitalization. Fear can cloud your good judgment.

KEEP PERSONAL INFORMATION PRIVATE.

Never give out personal financial information such as credit card or bank account numbers or balances over the telephone unless you are absolutely certain that the caller is legitimate. Con artists sell information to other con artists, subjecting yourself to more credit card scams.

TAKE YOUR TIME – DON'T BE RUSHED INTO INVESTMENT DECISIONS.

Salespersons who use high-pressure tactics to force an investor into an immediate decision are almost always pitching frauds. They don't want you to think too carefully or find out too much because you may figure out the scam.

INVESTMENT FRAUD

Insist on receiving a prospectus or printed offering materials. **READ THEM.** Any investment worth making will still be available after you have had time to read about it. Don't believe the age-old lie that you will lose money if you don't get in right away. The truth about such claims almost always turns out to be that you will lose money if you do get in. If you have questions, ask your attorney, accountant and/or financial adviser to explain the investment. The death or hospitalization of a spouse has many sad consequences; financial fraud shouldn't be one of them. If you find yourself suddenly in charge of your own finances, get the facts before you make any decisions.

DON'T THROW GOOD MONEY AFTER BAD.

Beware of "reload" scams. Con artists know the panic people feel after a sudden financial loss. They know that it's the best time to promise to recover the original funds in another "sure thing" scheme. Don't fall for the same (or a similar) scheme twice.

CHECK OUT YOUR BROKER OR ADVISER.

Confirm that your broker and financial adviser are registered and in good standing. The Securities Division maintains and has access to databases with information about brokers, investment advisers and specific securities. Keep tabs on your investments.

- Be wary when a financial planner says, "Leave everything to me," or "The plan is too complicated to tell you." Everything should be clear and explainable to you.
- Monitor the activity on your account. Insist on receiving regular statements.
- Never be embarrassed or apologetic about asking questions about trading activity that looks excessive or unauthorized. It's your money, not your broker's.
- Keep all records relating to your investments, including notes of conversations you have with brokers, salespeople, financial advisers and others.
- Don't compound the mistake of trusting an unscrupulous investment professional by failing to keep an eye on the progress of your investment. Insist on regular written reports. Look for signs of excessive or unauthorized trading of your funds.

DON'T BE AFRAID TO COMPLAIN.

If your broker or adviser stalls or hesitates when you want all or part of the principal of, or profits from, your investment, ask the reason for the delay. You may have uncovered a questionable practice. If you suspect that something is wrong and the explanations you receive are not satisfactory, call the Securities Division and file a complaint. Don't let embarrassment or fear keep you from reporting investment fraud or abuse.

SECURITIES DIVISION: 410-576-6360

COMMON INVESTMENT SCAMS

HERE IS A LIST OF THE TOP 10 INVESTMENT SCAMS, FROM THE SECURITIES DIVISION:

1. “FREE LUNCH” SEMINARS. Often, the people getting rich are those running the seminar, making money from the high commission products they sell to attendees. These seminars are marketed through newspaper, radio and TV ads, mass-mailed invitations and mass emails. There’s a certain consistency to the invitations for these events: a free gourmet meal, tips on how to earn excellent returns on your investments, eliminate market risks, grow your retirement funds and spouses are encouraged to attend.

The bait for many of these seminars is that “income” will be “guaranteed” and substantially higher than the returns someone on a fixed income can expect to get from certificates of deposit, money market investments or other traditional financial products. Often, the speakers at these events use captivating, but highly misleading titles and professional designations. Investors should be extremely skeptical about any investments promising low-risk, guaranteed investments and should check with their regulators about the product and the selling agent.

2. UNLICENSED INDIVIDUALS, SUCH AS LIFE INSURANCE AGENTS, SELLING SECURITIES. The Securities Division has brought dozens of cases against unregistered life insurance agents selling unlicensed securities in the form of anything from promissory notes to real estate investments and viatical investments. In virtually all of the cases, the investors lost the money they invested. To verify that a person is licensed or registered to sell securities, call the Securities Division. If the person is not registered, don’t invest.

3. AFFINITY GROUP FRAUD. Many scammers use their victims’ religious or ethnic identity to gain their trust and then steal their life savings. From automated teller machine programs to “gift-ing” programs at some churches to foreign exchange scams targeted at particular immigrant groups, the Securities Division has pursued numerous cases involving affinity frauds against both religious and ethnic groups.

4. PONZI/PYRAMID SCHEMES. Always in style, these swindles promise high returns to investors, but the only people who consistently make money are the promoters who set them in motion, using money from new investors to pay previous investors. Inevitably, the schemes collapse. They’re called pyramid schemes because the people on top need to recruit an impossible number of people on the bottom to continually generate profits for everyone. Thus, only the top people profit, while the remaining pyramid population lose money. Ponzi schemes are the legacy of Italian immigrant Charles Ponzi. In the early 1900s, he took investors for \$10 million by promising 40% returns from arbitrage profits on International Postal Reply Coupons.

COMMON INVESTMENT SCAMS

5. PROMISSORY NOTES. Promissory notes are short-term debt instruments issued by little-known or sometimes nonexistent companies that promise high returns – upwards of 15% monthly – with little or no risk. These notes are often sold to investors by independent life insurance agents. The Securities Division participated in an enforcement sweep during which more than 30 actions were brought against the companies and selling agents involved in these fraudulent schemes.

6. INTERNET FRAUD. Scammers use the wide reach and supposed anonymity of the Internet to sell thinly traded stocks, bogus offshore “prime bank” investments and pyramid schemes. Investors should ignore anonymous financial advice on the Internet and in chat rooms.

7. PAYPHONE AND ATM SALES. Twenty-five states including Maryland and the District of Columbia took actions against companies and individuals that took roughly 4,500 people for \$76 million selling coin-operated customer-owned telephones. Investors leased payphones for between \$5,000 and \$7,000 and were promised annual returns of up to 15%. Regulators say the largest of these investments appeared to be nothing but Ponzi schemes.

8. “CALLABLE” CDS. These higher-yielding certificates of deposit won’t mature for 10 to 20 years, unless the bank, not the investor, “calls” or redeems them. Redeeming the CD early may result in large losses – upwards of 25% of the original investment. In Iowa, for example, a retiree in her 70s invested over \$100,000 of her 97-year-old mother’s money in three “callable” CDs with 20-year maturities. Her intention, she told her broker, was to use the money to pay her mother’s nursing home bills. Regulators say sellers of callable CDs often don’t adequately disclose the risks and restrictions.

9. VIATICAL SETTLEMENTS. Originated as a way to help the gravely ill pay their bills, these interests in the death benefits of terminally-ill patients are always risky and sometimes fraudulent. In a legitimate investment, the insured is paid a percentage of the death benefit in cash in exchange for the investor getting a share of the death benefit when the insured dies. Because of uncertainties predicting when someone will die, these investments are extremely speculative. In a more recent twist, the Securities Division says “senior settlements” – interests in the death benefits of healthy older people – are now being offered to investors.

10. PRIME BANK SCHEMES. Scammers promise investors triple-digit returns through access to the investment portfolios of the world’s elite banks. Purveyors of these schemes often target conspiracy theorists, promising access to the “secret” investments used by the Rothschilds or Saudi royalty. The investment may sound good when they tell you it’s guaranteed to reap large financial rewards. However, be suspicious when the offer is said to be limited to only a few people and is only good for an immediate response.

FINANCIAL EXPLOITATION

Margaret, who was getting frail, allowed a woman to move into a room in her home in exchange for helping her with some light errands. Several months later, Margaret's daughter discovered that the woman had stolen thousands of dollars from Margaret's account using her ATM card. The woman had also taken Margaret to a lawyer and obtained "power of attorney" for herself.

Financial exploitation is the misuse of someone else's money, without their consent. Many people are swindled by people they know – caregivers, neighbors, even relatives.

Examples of financial exploitation include: threatening someone into giving away money; tricking a person with a memory problem into turning over money; forging signatures on checks or withdrawal slips; making unauthorized withdrawals from bank accounts; charging excessive fees for rent or caregiver services, and committing person-to-person, mail or telephone fraud scams.

WHAT YOU CAN DO TO PROTECT YOUR MONEY:

- Put all financial instructions in writing. This protects you and reduces the likelihood of any misunderstanding. Keep records of all transactions.
- Understand any lifelong care agreements you are entering into. Document the agreement and specify the compensation, if there is any, to be paid to the caregiver.
- Ask someone to review your financial agreements. Your attorney, accountant or a bank employee can detect changes in your financial activity that may signal a problem. You can also ask a trusted friend or relative to review your monthly statements.
- Be cautious of joint accounts. Both parties are equal owners of the account and both have equal access to the money.
- Before you assign a power of attorney, be sure you understand the authority you are giving to your agent. Know the person to whom you are giving this authority. Write in the agreement whether the agent will be paid or not, and if so, how much.
- Ask a bank employee, a trusted family member or a social worker or other professional for help when you are unsure about financial matters.
- Stay connected to your community. Social isolation increases your risk of becoming a victim of abuse. Find out about community programs or social activities in your neighborhood.

OTHER TIPS TO HELP YOU PROTECT YOUR MONEY:

- Use a direct deposit service for your checks.
- Don't sign blank checks allowing another person to fill in the amount.
- Don't leave money or valuables in plain view.
- Don't sign anything you don't understand.
- Cancel your ATM card if you don't use it.
- Don't give anyone your ATM PIN number.
- Check your financial statements promptly and carefully for unauthorized withdrawals.
- Be cautious of joint accounts. Consider a convenience account instead.

FINANCIAL EXPLOITATION

- Build good relationships with the professionals who handle your money.
- Don't give any account number to a stranger.

REPORT FINANCIAL EXPLOITATION

The Attorney General's Office sponsors Project SAFE, an initiative to combat financial exploitation. To request a copy of the pamphlet "Protect Your Life Savings: Don't Become a Victim of Financial Exploitation" call 410-576-6550.

For more information, contact the Maryland Department of Aging, toll-free: 800-AGE-DIAL, or 410-767-1100.

To report suspected financial exploitation, call the Maryland Department of Human Resources, toll-free: 800-917-7383 TTY: 800-735-2258 Monday through Friday 8 a.m. to 5 p.m.



HOME EQUITY FRAUD

Connie received a call from a lender who asked if she'd like to refinance her mortgage and get extra money to pay off debts, travel or buy a new car. Connie agreed. The lender called again a few months later and persuaded her to refinance again. This happened three times. Soon, almost all of Connie's equity was gone, and she was having trouble keeping up with the monthly payments.

Seniors often have limited income but have built up substantial equity in their homes. That can make them a target of unscrupulous home equity lenders. Some of these lenders promise to refinance your mortgage or give you a home equity loan without disclosing hidden fees and terms. If you can't keep up with the payments, you could lose your home.

SOME OF THE FRAUDULENT LENDING PRACTICES TO LOOK OUT FOR ARE:

Repeated refinancing. A lender calls and says it's time your home equity started working for you. He says you can get extra money to pay off debts or take a vacation. You agree to refinance. Some months later, the lender calls again and offers you another refinancing deal. The lender charges you high points and fees each time you refinance. With each refinancing, you've increased your debt.

Hidden loan terms, such as a balloon payment. The new loan may require payments that only pay the interest each month. At the end of the loan term, the entire principal is due in one lump sum (a balloon payment). If you can't make that payment, you face foreclosure.

Credit insurance or other charges "packed" into the mortgage. At closing, the lender may try to include a charge for credit insurance or other "benefits" you did not ask for and don't need, and hope you won't notice when you sign the papers.

Signing over your deed. If you are having trouble paying your mortgage and the lender has threatened foreclosure, you may feel desperate. Another "lender" may contact you with an offer to help you find new financing. Before he can help you, he asks you to deed your property to him, claiming it's a temporary measure to prevent foreclosure. Once the lender has the deed to your property, he may borrow against it, sell it to someone else or evict you.

- Don't sign any document you haven't read or that has blank spaces to be filled in after you sign.
- Ask if credit insurance is required as a condition of the loan. If it isn't, and a charge for it is included in your loan and you don't want it, ask that the charge be removed from the loan documents.
- Don't deed your property to anyone without first consulting an attorney, a knowledgeable family member or someone else you trust.

HOME EQUITY FRAUD

- Always read contracts carefully. Talk them over with someone you trust, such as a knowledgeable family member or an attorney.

For more information about home equity loans and home equity fraud, see the AARP's (formerly the American Association of Retired Persons) website at www.aarp.org.

REMEMBER:

Make monthly mortgage payments only to your organization lender. No matter how good it sounds, don't let another person make mortgage payments for you.

Call the Office of the Commissioner of Financial Regulation at 410-230-6100 to check if a loan company is a licensed financial lender or if you think you are a victim of home equity fraud.



PREDATORY LENDING

Predatory and abusive lending is a common problem for Maryland homeowners and home buyers. These lenders look for people with less than perfect credit who are looking to buy a home, refinance a mortgage, obtain a home equity loan or save a home from being foreclosed. Predatory lenders often charge outrageous interest rates and fees, and take advantage of the consumer's lack of financial knowledge.

SOME RED FLAGS TO LOOK OUT FOR:

- The lender tries to hide high closing costs and fees such as loan origination, underwriting fees, broker fees and transaction/closing costs. The interest rate should not be well above the market average.
Monthly payments are small, but a large sum is scheduled at the end. This is a common way for lenders to ensure the consumer will have to apply for another high-interest loan.
- The lender pressures the consumer to take out a loan for more than the property's value. This type of loan puts both the consumer and his/her financial record at great risk.
- There is a large penalty for paying off loans early. This prepayment penalty makes it difficult for the consumer to refinance to a lower and better interest rate.
- Review every document carefully. Never sign mortgage documents with blank spaces remaining. Most terms such as interest rate, choice of fixed or variable interest, loan length, and prepayment penalties are negotiable.
- Shop around and compare loan offers. Remember, do not focus solely on monthly payments but on all terms such as contract length and the amount borrowed.

REMEMBER:

Contact the Commissioner of Financial Regulation at 410-230-6100 to determine if a loan company is a licensed financial lender or if you think you are a victim of predatory lending.

LIVING TRUST SCAMS

Victoria went to a seminar on living trusts. The speaker said a living trust was a way to avoid the high cost of probate, which he said would eat up a third of her estate. She paid \$1,500 for a living trust package. However, she did not understand that she had to personally transfer all of her property to the trust. She missed doing the paperwork on some items, so when she died, her estate had to go through probate anyway. As it turned out, the probate fee was only \$500.

In recent years, for-profit companies have aggressively promoted the sale of living trusts. They play on people's fears and misconceptions about probate and estate taxes, and promote living trusts as a suitable estate-planning tool for everyone. Probate is a legal process that oversees the transfer of property from a deceased person's estate to the beneficiaries. However, a living trust is NOT suitable for everyone's situation – and the living trust packages marketed at seminars, by postcard and on the Internet, are usually a waste of money.

A living trust lets you direct how property you place in the trust will be distributed after your death. It allows your trust property to pass to your beneficiaries without going through the probate process. Living trusts can be useful if a person owns real estate in more than one state, anticipates that his or her will might be contested or wants to have someone else manage his or her assets currently. However, living trusts are not the best estate planning choice for most people in most circumstances.

Also, living trusts marketed by salespeople use prepackaged forms that are not tailored to the consumer's individual circumstances, and may not comply with Maryland laws and regulations. These salespeople often:

- Greatly exaggerate the cost and delay of probating a will. In fact, Maryland's probate process is relatively uncomplicated. Maryland has a streamlined probate procedure for small estates (net estate \$30,000 or less), and permits a less burdensome probate administration when the beneficiaries consist only of the decedent's spouse, children or personal representative.
- Falsely claim that a living trust will cost less than a probate. In Maryland, probate fees are modest. For example, the probate fee for an estate as large as \$200,000 is only \$400.
- Sell trust documents that are not drafted by attorneys or are written by attorneys who are not licensed in the consumers' state.
- Do not tell consumers that they must transfer all of their assets to the trust, or the estate will have to go through probate anyway.

FOR MORE INFORMATION:

The Maryland State Bar Association and the Register of Wills Association of Maryland has a pamphlet entitled, "Living Trusts: Get the Facts!" that is available from your county's Register of Wills office or at the State of Maryland Register of Wills website: www.registers.state.md.us. AARP offers a similar publication entitled, "The Truth About Living Trusts." See the AARP website at www.aarp.org.

The bottom line? A subject as important as estate planning should be discussed with professional counsel, not with a salesperson. Don't buy a living trust package that may not be valid and may be just a waste of money. To determine if a living trust is right for you, consult an attorney who is licensed to practice law in Maryland and who specializes in estates and trusts.

PRE-NEED BURIAL AND FUNERAL CONTRACTS

John told his daughter that he pre-paid for his funeral and his burial, and the contracts would take care of everything. When he died, however, his daughter found out that neither contract paid for interment, which cost an additional \$795 for the grave site alone. Opening and closing a grave cannot be paid for in advance and cost her \$1,350.

Many people choose to prepay for their funerals and burials in order to make things easier for their families when they die. The consumer signs a pre-need contract with a cemetery or burial goods business, such as a retail monument dealer, retail casket company, or with a funeral home. Another way to invest the appropriate amount of money is to create a bank account or insurance policy that is accessible to family members after you pass.

If you are considering such a contract, you should make sure the plan specifies exactly what goods and services you will receive. You should ask for a price list of all goods and services that are not included in the contract. Before signing a pre-need contract, ask a trusted advisor, such as a lawyer or accountant, to review it with you.

A cemetery may not charge interest or finance charges for pre-need burial contracts that do not provide for goods or services to be delivered or performed before death. However, if a cemetery sells your contract to a commercial lending institution, that institution may charge you interest or a finance charge on the remaining balance due.

You have the right to receive a copy of the signed contract, which describes each product and service you have selected and the cost of each. Make sure your family knows about the plans you've made, and give a copy of the contract to the person who will be responsible for your funeral.

REMEMBER:

For more information about pre-need contracts for cemetery purchases, contact the Maryland Office of Cemetery Oversight at 410-230-6229 or 888-218-5525. For more information about pre-need contracts for funeral home services, contact the Maryland State Board of Morticians at 410-764-4792.

PRE-NEED BURIAL AND FUNERAL CONTRACTS

MARYLAND LAW GIVES YOU SOME SPECIFIC CANCELLATION RIGHTS IN PRE-NEED CONTRACTS:

- If a pre-need sales contract was signed in your home or anywhere other than the place of business of the seller, you may cancel the contract by written notification received by the seller within three business days.
- You can cancel or transfer a pre-need contract with a funeral home at any time. You will receive a full refund of the money you have paid, plus any interest earned. If the arrangement is in an irrevocable trust, then all the money in the trust will be transferred when you have made new arrangements with a new funeral home.
- A cemetery will start to put money into escrow after you have paid 50% of the price. By the time you have paid in full, there must be enough money in the escrow to pay you back at least 55% of the contract amount.
- You have the right to cancel a pre-need burial contract with a cemetery if goods and services have not been delivered or performed and you move more than 75 miles from the cemetery. This cancellation does not apply to burial spaces in the ground or in a mausoleum. These cannot be cancelled and are not refundable. You are entitled to receive the proceeds of the trust up to a maximum of 55% of the total contract price.
- You can cancel the sale of a casket from a cemetery or retail casket company at any time prior to the death of the intended user and receive a full refund with interest.



HELPFUL RESOURCES

Consumer Protection Division, Maryland Attorney General's Office

Main Phone Number: 888-743-0023

Website: www.marylandattorneygeneral.gov/consumer

Health Education and Advocacy Unit: www.MarylandCares.org

General consumer complaints

To file a complaint against a business or to check the complaint history of a business

9 a.m. - 3 p.m., Monday-Friday

410-528-8662; 888-743-0023 (toll-free)

TDD for the deaf: 410-576-6372

Help with medical billing and health insurance problems

8 a.m. - 5 p.m., Monday-Friday

410-528-1840; 877-261-8807 (toll-free)

TDD: 410-576-6372

Branch Offices

Cumberland

9 a.m. - 12 p.m., 3rd Tuesday of each month

301-722-2000

Frederick

9 a.m. - 1 p.m., 2nd and 4th Thursday of each month

301-600-1071

Hagerstown

8:30 a.m. - 5:00 p.m., Monday-Friday

301-791-4780

Prince George's

9:00 a.m. - 5:00 p.m., Monday-Friday

301-386-6200

Salisbury

8:30 a.m. - 4:30 p.m., Monday-Friday

410-713-3620

HELPFUL RESOURCES

Securities Division, Maryland Attorney General's Office

To register complaints or get information about financial brokers

410-576-6360 TTY: 410-576-6372 www.marylandattorneygeneral.gov/securities

Maryland Department of Aging

www.aging.maryland.gov 410-767-1100; 800-AGE-DIAL (toll-free)

Maryland Home Improvement Commission

To check that a contractor is licensed or to check a contractor's complaint history

www.dllr.state.md.us/license/mhic 410-230-6309

Maryland Office of Secretary of State, Charitable Organizations Division

To check whether a charity is registered and to get information about charities

www.sos.state.md.us 410-974-5534; 800-825-4510 (toll-free)

Federal Trade Commission

www.consumer.gov 877-FTC-HELP

Prevention of telemarketing calls:

To register on a national list of numbers that telemarketers should not call or to file a complaint against a telemarketing company after registering with the National Do Not Call Registry, dial 888-382-1222 TTY: 866-290-4236 or visit www.donotcall.gov

AARP (Formerly American Association of Retired Persons)

www.aarp.org 888-OUR-AARP

MORE HELP

Get more ideas on how to stop junk mail and telemarketing calls by visiting the Privacy Rights Clearinghouse at www.privacyrights.org

Read more about your rights under the Telephone Customer Protection Act at the Federal Communications Commission website, www.fcc.gov/cib/

Read about how to avoid telemarketing fraud at the Federal Trade Commission website, www.ftc.gov

NOTES

NOTES

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

NOTES

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