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Don't Be

"Taken In"

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Questions and Answers About Oregon's New
Consumer Protection Law

COOPERATIVE EXTENSION SERVICE
OREGON STATE UNIVERSITY, CORVALLIS

Don't Be "Taken In"

If you're offered . . . something for nothing . . . there's usually a "catch" to it and you may end up as the loser. A 1965 Oregon law protects consumers from "fast buck" salesmen who phone or call at their door. Read this circular and find out how to protect yourself against fraud.

Deceptive telephone calls

"Phoney" surveys and contests often wind up with an attempt to sell you something. The new law requires a caller to identify himself within 30 seconds and state his purpose. Your local reliable businessman is glad to do this.

Don't be left holding the sack

If a salesman makes promises about special prices or gifts or claims about his products which he knows are false, he's breaking the law. Ask questions, check on claims, and compare prices.

Read before you sign

Read **every word**, including fine print, of any agreement **before** you sign. Don't sign a paper in a hurry or one that has not been filled out. Wait at least three days. Take time to find out about the company and compare offers with those of firms you know.

Items sometimes sold by unlawful methods include freezer food plans, appliances, vocational courses, magazines, books, cameras, termite control, fire alarms, roofing and siding, and albums of photographs.

What to do

If you suspect anyone of unlawful business practices, *immediately* call your local Chamber of Commerce, police or sheriff, district attorney, or the Better Business Bureau if you live in the Portland area.

Questions and Answers About Oregon's Consumer Protection Law

Question: *I received a telephone call offering me a prize if I answered a question correctly. The question was easy and the prize was several magazine subscriptions. However, I had to pay the postage which came to \$42. Can't these calls be stopped?*

Answer: The law forbids this type of call. The caller should tell who he is and the purpose of the call within the first 30 seconds. Simply hang up!

Question: *A salesman told me my vacuum cleaner was fully guaranteed. Does this mean I can get my money back if I don't like it?*

Answer: Guarantees are valuable only when written and backed up by a reliable established firm. Oral promises are usually worthless. If you have a written guarantee, read it carefully to see what is included, under what conditions, for how long, and who backs it.

Question: *We bought frozen food and a freezer from a door-to-door salesman, as he said he was giving us a good price. The freezer delivered was not what we expected, and we find we could have bought it for less at a local store. Could we get out of the contract we signed for it?*

Answer: Report this to your district attorney, Chamber of Commerce, police or sheriff, or the Better Business Bureau in the Portland area. In the future, shop and compare prices. Don't buy in haste.

Question: *If I report an unfair business practice to the district attorney, will I be charged a legal fee?*

Answer: No. He is a public official.

Question: *If I suspect someone of unlawful sales practices and report this to the district attorney, will I become involved or will my name be used publicly?*

Answer: No. Not unless you sign a formal complaint. You are performing a public service in bringing this to the attention of the authorities.

Question: *If I sign a paper with the understanding that it is a survey and it turns out to be a contract to buy some appliances, can I get out of paying for them?*

Answer: If you feel you are the victim of a dishonest deal, don't hesitate to file a complaint in writing with the company. Send copies to your local law enforcement offices and Chamber of Commerce. Give all the facts of the problem. Don't be ashamed—your complaint may help others.

Question: *What good does it do to report swindlers to the district attorney, sheriff, police, or Chamber of Commerce?*

Answer: If the complaint is valid, the district attorney will investigate and take action. By reporting complaints, authorities will know the type of unlawful business practices going on in the area and can warn other people to be cautious. The Chamber of Commerce is not a Better Business Bureau, but it will tell you where to go for the help you need.

Question: *I bought a correspondence course which guaranteed me a civil service job when I finished. Now, I'm through, but no job. Can I make them help me?*

Answer: Report this to the district attorney. No one can guarantee you a civil service job.

Read Before You Sign

Question: *I can buy a TV set and will not have to start payments for two months. Is this costing any more than if I started paying right away?*

Answer: You are charged interest from the day you receive it. Ask for a breakdown of the cost of the TV set and total credit charges you will pay. Shop around for the lowest interest charges before you sign a contract to buy. Also, compare prices and quality.

Question: *I bought a sewing machine. The salesman showed me testimonials from others, assured me he was reliable, and gave me his address. Later I looked in the telephone book and found no such person or address. The machine doesn't work right. What can I do?*

Answer: Report this immediately to your local Chamber of Commerce, police or sheriff, district attorney, or the Better Business Bureau in the Portland area. The salesman has probably moved on to another territory and there is little likelihood of adjustment. If you have a written guarantee or the name of a manufacturer, write to them and explain. If this does not bring results, then the only thing you can do is see a reliable repairman. Since he has no connection with the sale, you will be charged for his services.

Question: *A caller said he was working for the government and came to collect for Medicare. Is this the right way to pay for this plan?*

Answer: If anyone poses as representing the government, ask to see his identification. Medicare or health insurance for the aged is not collected at your door. Report this at once to your Social Security Office, police or sheriff, district attorney, or Chamber of Commerce.

Deceptive selling can be stopped only by you, the consumer

Question: *An exterminator asked to inspect my house and showed me a piece of wood from my attic which had termites in it. I hired him to fumigate. Now, I think this claim might have been false. What can I do?*

Answer: Termites seldom get to attics. This type of deceptive selling has occurred many times. Report this to your district attorney to see if anything can be done in your particular case. Deceptive selling can be stopped only by you, the consumer. Don't patronize salesmen or firms you don't know or who do not have an established place of business.

Question: *A salesman came to our house and sold us some aluminum siding. After we signed the contract, he casually told us some disadvantages of our purchase. We were very upset. He agreed to tear up the contract if we took a more expensive siding. That seemed the only way out. Isn't that unfair?*

Answer: You were a victim of "bait and switch" selling. Similar sales have been reported for real estate and household goods. Compare prices and quality with several established firms. Don't buy in haste. Ask lots of questions and follow up on any references he may give.

Question: *I had a chance to buy a fire alarm at half price, because the salesman said it was an introductory offer. Is there anything wrong with this?*

Answer: Don't buy in haste. Check prices at several dealers and compare quality and features. Then, if you are sure you're really getting a bargain and the seller is reliable—and if you'll know where to find him if you have any problems—go ahead.

Question: *My young son signed a card to get a free toy when we visited an exhibition. The man came to the house to deliver the toy and stayed two hours trying to sell us his product. Can't we stop these annoyances?*

Answer: If he gave you the toy as promised, he is within the law. Unless some statements he made are false, all you can do is ask him to leave. These annoyances can be stopped only if you refuse to give salesmen your name and address.

Question: *A telephone survey caller asked our correct address, my husband's occupation, kind of car and TV we had, and other questions about our property. I don't know who was making this survey. Do I have to answer such questions?*

Answer: No. The law requires that the caller identify himself and state his purpose within 30 seconds. You might be divulging facts a burglar wants to know. Don't answer unless he can show he is authorized to make a survey. Report calls like this at once to your police, sheriff, or district attorney.

Question: *A man inspected our furnace and said it couldn't be fixed. He claimed it was dangerous to the health and safety of our family. We checked with our local furnace dealer who said it needed only a few repairs. Was the first man within the law?*

Answer: You were wise to check with another firm. The purpose of the consumer law is to protect against false claims and attempts to play on your emotions. Report such practices to the Chamber of Commerce, police or sheriff, district attorney, or Better Business Bureau in the Portland area. You can help stop deceptive selling by refusing to patronize firms you do not know.

Patronize reliable, established businesses

Reliable sales people are glad to answer your questions and are interested in satisfying their customers. If they have an established place of business in your community, you know you can go back to them if you have any complaints. Remember, you'll get better results if you explain your problem calmly.

It is not the intention of this circular to imply that all salesmen are dishonest. Unfortunately, a few unethical sales people can do a lot of harm, and, if you happen to be one of the victims, you may lose money you badly need for other purposes.

This is one of a series of information publications made available by the Cooperative Extension Service, Oregon State University, as part of its statewide adult education program in home and money management. You are invited to write or call your local County Extension office for additional information on what to look for when buying food, clothing, household goods and services; how to shop for credit; and other consumer problems.

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