

# Tips for Smart Consumers

## Consumer Assistance Program

From the Office of Attorney General Bill Sorrell

### What is the Consumer Assistance Program?

The Consumer Assistance Program (CAP) is the complaint-handling branch of the Vermont Attorney General's Consumer Protection Division. We're the people you should contact if you have a problem with goods or services you purchased. We can also provide you with information about your rights, options and responsibilities as consumers in today's fast changing economy. We can tell you about recently reported scams that you should be aware of. And we can give you information about the complaint histories of companies that you may be thinking of doing business with.

The CAP is jointly sponsored by the Office of the Attorney General and the University of Vermont (UVM). Students in the Department of Community Development and Applied Economics (CDAE), College of Agriculture and Life Sciences, provide valuable support to the staff of the CAP in responding to complaints and providing information and assistance to consumers.

### How Do I Contact the Consumer Assistance Program?

The CAP is located in Morrill Hall on the UVM campus in Burlington. Our office and telephone hours are 8:00 a.m. to 4:30 p.m., Monday through Friday. You can contact us in any of the following ways:

By phone:

1-800-649-2424 (toll-free in Vermont)  
1-802-656-3183 (Chittenden County)

By mail:

Consumer Assistance Program  
104 Morrill Hall-UVM  
Burlington, VT 05405-0106  
By e-mail: [ConsumerComplaint@atg.state.vt.us](mailto:ConsumerComplaint@atg.state.vt.us)

### How can the Consumer Assistance Program help me avoid consumer problems?

The CAP has a wealth of information to help you avoid many of the pitfalls facing today's consumers. We have pamphlets on subjects ranging from home improvements to multilevel marketing, from debt collection harassment to the lemon law, and from telemarketing to buying in cyberspace. (Many of these pamphlets can also be accessed from the Attorney General's web page at [www.atg.state.vt.us](http://www.atg.state.vt.us))

If you are thinking about doing business with a specific company, or want to choose between different companies, we can provide you with the complaint histories of thousands of companies. If we have received one or more complaints against a particular business in the last five years, we can tell you:

- the number of complaints we've received against the company;
- the nature of the complaints (e.g. false advertising, failure to honor a warranty);
- the status of the complaints (e.g. resolved, unresolved, open).

This information alone will not answer the question of whether you should do business with the company or not. It is not uncommon for large businesses, even legitimate ones, to have complaints on file. The key is whether they respond to and resolve the complaints against them. It is also not uncommon for a dishonest business to have no complaints on file, particularly if the business is new in the area. But a company's complaint history is still useful information that should be weighed with other information to make an educated decision as to whether to do business with the company.

If the company is located outside Vermont, we can also give you the address and phone number of the state Attorney General's Office and Better Business Bureau in the state where the company is located. Those offices may be able to provide you with additional information.

### **How can the Consumer Assistance Program help me if I've already experienced a problem with a business?**

Besides providing information as described above, the primary responsibility of the CAP is to assist consumers in resolving complaints with businesses. The complaint resolution process usually begins with your telephone call to the CAP. The call gives us a chance to determine whether your complaint falls within the scope of our activities, as well as an opportunity for us to give you some suggestions as to how to resolve the complaint on your own. If your complaint is appropriate for this office and you have already unsuccessfully tried to resolve the matter, we'll ask you to put your complaint in writing to us at the address above. Your complaint should include the following information:

- Your name, address and daytime phone number;

- The name, address and phone number of the business;
- A brief summary of your complaint, including important dates and names of individuals with whom you dealt;
- Copies--never originals, please!--of any relevant documents (e.g., contracts, warranties, repair orders, estimates, bills, etc.);
- A statement of the action you want from the business (e.g., a full refund, a replacement product, another repair attempt, etc.). Note: We do not ask businesses for apologies or to compensate you for things like frustration or anger that you may have experienced.

Upon receipt of your complaint we will open a file and enter information into our computer for tracking and data collection purposes. We will then send a copy of your complaint to the business, asking them to contact you within seven days in order to resolve your complaint. We also ask the business to contact us and let us know what steps they are taking to resolve the complaint. You will receive a letter from us as well, explaining our process and asking you to contact us in 14 days to let us know the status of your complaint.

If your response indicates that your complaint has been resolved, your file will be closed at that point. If you tell us that you haven't heard from the business, we'll contact them again on your behalf. Our experience is that more than half the complaints we receive are resolved as a result of this process.

### **What happens if my complaint is not resolved voluntarily by the business?**

If you state that the business contacted you but your complaint remains unresolved, we'll look at the business's response and make a determination as to what action is appropriate. In many cases we will follow up with the business by phone or mail and continue to try to resolve your complaint. If the company is located in a state other than Vermont, we may contact the Attorney General of that state for assistance.

If the business has not violated any law this office enforces, or if the business disputes the claims made in your complaint, we may refer you to a private attorney or to small claims court. The Attorney General's office has no legal authority to determine which side of a factual dispute is correct or to order a business to take a particular action.

If we have similar complaints against the same business from other consumers, we may refer your complaint to our Montpelier office for investigation and prosecution. However, you should be aware that the CAP receives approximately 200 written complaints each month and, as a result, only a very small percentage of unresolved complaints can be investigated. Limited investigative and legal resources require us to focus on those cases that will have the greatest impact on Vermonters.

## Where else can I go for information or assistance with a complaint?

There are numerous state and federal agencies and industry and non-profit groups that provide information and help resolve complaints. Here are some of the organizations serving Vermont consumers:

### **Banking, Insurance, Securities and Health Care Administration (BISHCA)**

89 Main St., Drawer 20  
Montpelier, VT 05620-3101

#### **Banking** (802-828-3301)

Complaints and inquiries concerning banks, credit unions, and licensed lenders.

#### **Insurance** (800-964-1784)

Complaints and inquiries concerning insurance companies.

#### **Securities** (802-828-3420)

Complaints and inquiries concerning investments.

#### **Healthcare** (800-631-7788)

Complaints and information about HMO's, medical insurance companies, medical providers and hospitals.

### **Department of Public Service**

#### **Consumer Affairs Division**

112 State St., Drawer 20  
Montpelier, VT 05620-2601  
802-828-2332

800-622-4496 (toll-free in Vermont)

Complaints concerning gas (piped, not bottled), electric power, local telephone service and cable television.

### **Motor Vehicle Arbitration Board**

118 State St.  
Montpelier, VT 05602  
802-828-2669

Administers the Vermont "lemon law."

### **Vermont Tenants, Inc.**

P.O. Box 1603  
Burlington, VT 05402  
802-864-0099

Provides information to tenants and organizes tenant groups.

### **National Fraud Information Center**

P.O. Box 65868  
Washington, D.C. 20035  
800-876-7060 (toll-free)  
Complaints and information about telemarketing fraud.

**Consumer Sentinel  
Federal Trade Commission (FTC)**

877-FTC-HELP (toll-free)  
Takes complaints and answers questions about consumer matters. Information from calls is used to identify priority areas for FTC enforcement actions.

**Telephone Preference Service  
Direct Marketing Association**

P.O. Box 9014  
Farmington, New York 11735-9014  
Write to have your name removed from their members' telemarketing sales lists.