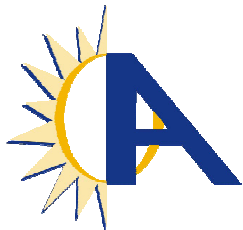




County of Riverside Department of Public Social Services  
C.A.R.E. Program  
**C**urtailing **A**buse **R**elated to the **E**lderly  
**800-476-7506**



This publication was developed by the Riverside County C.A.R.E. Program, and made possible through funding from the Older Americans Act Title VII—Elder Abuse Prevention Fund.



**RIVERSIDE COUNTY  
OFFICE ON AGING**



**800-510-2020**



# When Trust is a Weapon

Elder Fraud Prevention and Consumer Awareness

PREPARED BY THE C.A.R.E. PROGRAM



Riverside County Adult Services







## RESOURCES AND REPORTING GUIDE

|  |   |
|--|---|
| <b>Public Service Law Corporation</b><br>(951) 682-7968  | Legal services for income eligible residents of Western Riverside County.                 |
| <b>Small Claims Court Information (through Riverside Superior Court)</b><br>(951) 413-5353 /<br><a href="http://www.riverside.courts.ca.gov">www.riverside.courts.ca.gov</a> | Official Department to answer questions about Small Claims Court issues.                  |
| <b>Securities and Exchange Commission</b><br>(800) 732-0330  | To report fraudulent practices and check the licenses of investment consultants/brokers.  |
| <b>Social Security Administration</b><br>(800) 772-1213 /<br><a href="http://www.socialsecurity.gov">www.socialsecurity.gov</a>  | To order a free copy of your earnings and benefits statement to check for identity theft. |

## THE "CON" IN CONFIDENCE

"Con artists" (or CONFidence men) are people trained and skilled in gaining your acceptance and trust. Behind their friendly, engaging exterior lurks a dangerous ability to break down your normal barriers and gain the very thing that is in their name: CONFidence. Con artists present themselves in a variety of ways and will change to fit whatever circumstances benefit their ability to pull off a scam. They may dress in a business suit or construction attire. They may look like your next door neighbor or a bank president. But all their efforts are concentrated on one thing – gaining your CONFidence! According to Bob Stuber, author of "Safe Escape," there are 5 simple rules that, when followed, will protect you from becoming the victim of a con artist.



**Rule #1: Make your trust hard to earn.** Never trust a stranger. The only exceptions to Rule #1 are police officers and emergency room physicians.

**Rule #2: Don't be fooled by appearances.** Often we judge a book by its cover, but that's a dangerous habit when dealing with con artists. They are not who they seem to be. Follow your instincts and watch for clues.

**Rule #3: Don't be fooled by vocabulary – and don't let your guard down just because someone speaks your native language.** Con artists are actors and often follow a script. They have lots more practice learning scams than you have trying to avoid them!

**Rule #4: Always do your homework – check out the person you are dealing with and any claims he/she makes.** When con artists realize you are going to investigate, often they will abandon the scam, or tell you the offer is for "a limited time only."

**Rule #5: Stop the conversation!** This should really be Rule #1, because if you follow it, you can ignore Rules 1-4. Conversation establishes the scam through the con artist's mastery of communication. The longer you remain engaged in conversation, the more likely you are to be scammed. Stopping the con artist in mid-sentence or just hanging up the phone or closing your door is not rude or inconsiderate – it's just plain smart!

**If you would like to schedule a free educational presentation about elder abuse and fraud please call the C.A.R.E. Program at 800-476-7506.**

## AFFINITY FRAUD

Affinity scams exploit the trust and friendship that exists among members of similar groups such as religious or ethnic communities, and causes us to let our guards down. The word “affinity” means “a natural attraction, relationship, liking.” It brings into play feelings of similarity and connection. Though hard to accept, trust is often used as a weapon. Regardless of how much you may trust your connection, don’t forget that he/she may have been fooled too. Call the **C.A.R.E. Program (800-476-7506)** to check on the professional licenses of any “new friends” – especially if they seem too good to be true!

### Self Defense Tips:

- ◆ All claims and investments have some level of risk. If you are pitched claims of high profits, no risks, or guaranteed returns ~ say NO!
- ◆ Accept only written investments and proposals. If the advisor claims the deal is “moving too fast for them to reduce it to writing” ~ say NO! If you are told to keep a financial deal confidential ~ say NO!
- ◆ Take the time to study all the claims and ask for help. If you are pitched a financial opportunity that is “once in a lifetime” or “today only” ~ say NO!

## CHARITY FRAUD

Charities provide a variety of valuable services to our communities. Due to some economic downturn more charities are asking for more money more often, using telemarketing and direct mail solicitation to raise funds for their causes. AARP research shows that Americans over the age of 65 receive more telephone and mail solicitations for charitable donations than any other age group. Fraudsters find it easier to take advantage of seniors because they are more likely to be home during the day to receive the calls, and they may be more trusting and more polite to callers. Whether solicitations are made by phone, in person, or by mail many of the self defense tips below apply. Please call the **C.A.R.E. Program (800-476-7506)** to assist with checking the validity of charitable organizations or filing a fraud report, or call **BBB Wise Giving Alliance at 703-276-0100 – Press “3” - or go online at [www.give.org](http://www.give.org)**

### Self Defense Tips:

- ◆ Be wary of appeals that are high pressure or tug at your heartstrings, especially pleas that involve patriotism, children, law enforcement/firefighters, or current events.
- ◆ Ask for the name of the charity and what percentage of the funds will go to administrative costs. If you prefer to support charities or organizations that

## RESOURCES AND REPORTING GUIDE

|  |  |
|--|--|
| <b>DMA Mail Preference Service</b><br>P.O. Box 643<br>Carmel, NY 10512   | To avoid unwanted mail advertisements, send name, address, and phone number. (See form provided under “Stop Junk Mail” in Resource and Reporting Guide). |
| <b>Do Not Call Registry (Telemarketing)</b><br>(888) 382-1222 / <a href="http://www.donotcall.gov">www.donotcall.gov</a>   | To removes names from telemarketing call lists.  |
| <b>Federal Trade Commission</b><br>(877) 382-4357 / <a href="http://www.ftc.gov">www.ftc.gov</a>   | To report fraudulent debt collection practices and lottery/sweepstakes fraud.  |
| <b>Federal Trade Commission</b><br>(877) 438-4338 / <a href="http://www.ftc.gov">www.ftc.gov</a>   | To report identity theft.  |
| <b>FINRA (Financial Industry Regulatory Authority)</b><br>(800) 289-9999 / <a href="http://www.finra.org">www.finra.org</a>  | To check on licensing of investment consultants and to report fraudulent investors.  |
| <b>Health Insurance Counseling and Advocacy Program (HICAP)</b><br>(800) 434-0222  | Free assistance with Medicare, HMO, and Long Term Care insurance.  |
| <b>Inland Counties Legal Services</b><br>(951) 368-2555<br>(951) 320-7500 (For Seniors)<br>(888) 245-4257 (Toll Free)<br>(888) 455-4257 (Housing Hotline for Landlord/Tenant Issues) | Free legal services for low income seniors; civil law such as landlord/tenant, trusts, and family law.   |
| <b>Medical Board of California Central Complaint Unit</b><br>(800) 633-2322 / <a href="http://www.med.bd.ca.gov">www.med.bd.ca.gov</a>   | To report complaints and receive information about physicians.   |
| <b>Medicare</b><br>(877) 772-3379  | To report Medicare Drug Plan Scams or to answer questions about a drug plan.   |
| <b>National Fraud Information Center</b><br><a href="http://www.fraud.org">www.fraud.org</a>   | To report telemarketing and Internet fraud.  |
| <b>Office on Aging</b><br>(951) 867-3800 (800) 510-2020  | Free information and referral on all types of senior services available county wide.   |
| <b>Opt-Out</b><br>(888) 567-8688 / <a href="http://www.optoutprescreen.com">www.optoutprescreen.com</a>  | Blocks your name from pre-approved credit lists.   |

## RESOURCES AND REPORTING GUIDE

|   |   |
|---|---|
| <b>Adult Protective Services</b><br>(800) 491-7123 (24 hrs.)  | To report suspected caregiver abuse, and other types of elder & dependent adult abuse including physical, financial, sexual, emotional, neglect and self-neglect. |
| <b>Bar Association (Lawyer Referral Service for the Riverside County Bar Association)</b><br>(951) 682-7520                               | Legal referral service for Riverside County.  |
| <b>Better Business Bureau</b><br>(909) 825-7280   | For complaints against or information about businesses.   |
| <b>Bureau of Automotive Repair, Dept. of Consumer Affairs</b><br>(800) 952-5210 / <a href="http://www.dca.ca.gov">www.dca.ca.gov</a>      | Will investigate auto repair problems and mediate on your behalf.   |
| <b>CA Dept of Consumer Affairs</b><br>(800) 952-5210 / <a href="http://www.dca.ca.gov">www.dca.ca.gov</a>                                 | To report phony debt collection agencies.   |
| <b>CA Dept of Corporations</b><br>(866) 275-2677 / <a href="http://www.corp.ca.gov">www.corp.ca.gov</a>                                   | To report fraudulent practices by corporations.   |
| <b>CA Dept of Corporations – SAIF Program</b><br>(866) 275-2677 / <a href="http://www.corp.ca.gov">www.corp.ca.gov</a>                    | To report fraudulent practices and check the licenses of investment consultants/brokers.  |
| <b>CA Dept. of Insurance</b><br>(800) 927-4357 / <a href="http://www.insurance.ca.gov">www.insurance.ca.gov</a>                           | To check on insurance and annuity products, as well as the agents who sell them.  |
| <b>CA Dept. of Real Estate</b><br>(619) 525-4192 / <a href="http://www.dre.ca.gov">www.dre.ca.gov</a>                                     | To report fraud or check the credentials of a real estate professional.   |
| <b>C.A.R.E. Program (Division of APS)</b><br>(800) 476-7506   | Provides hands-on advocacy for victims of consumer fraud by businesses. Free elder abuse education and training.  |
| <b>Charities - BBB Wise Giving Alliance</b><br>(703) 276-0100 / <a href="http://www.give.org">www.give.org</a>                            | To check on the validity of a charity.  |
| <b>Contractors State License Board</b><br>(800) 321-2752 / <a href="http://www.cslb.ca.gov">www.cslb.ca.gov</a>                           | To check on the status of a contractor's license and file a complaint.  |
| <b>Credit Report (Free Annual Service)</b><br>(877) 322-8228 / <a href="http://www.annualcreditreport.com">www.annualcreditreport.com</a> | Provides free credit checks to prevent I.D. theft.  |
| <b>District Attorney's Office, Riverside</b><br>(951) 955-5400  | Legal entity for criminal prosecution for Riverside County.   |

## CHARITY FRAUD (Cont'd)

serve your own community, consider driving directly to your local police or fire department, children's program office, etc. so that you are certain that 100% of your donation goes directly to the charity or organization.

- ◆ Do not agree to donate over the phone or at your front door. Do not agree to give cash or provide credit card or bank account information until you have first asked for written information and have taken time to review the charity and check out its authenticity. Some fraudulent charities use names that closely resemble that of a reputable organization.
- ◆ Do not give to unfamiliar "charities" that set up outside grocery stores or department stores. Often these "charities" do not even exist (even if they show you a paper to "prove" it) and your hard earned money goes straight into the pocket of fraudsters.

## DISTRACTION BURGLARIES

There is a knock at the door but you aren't expecting anyone. You open the door to find two workmen standing on your porch. They inform you that there is a problem with your water, phone, electricity or gas. They ask to come inside to check an appliance or inside line. While you are guiding one workman to the requested location in your house, yard or garage, the other offers to wait. While you are conversing with or overseeing the first workman, the second workman is ransacking your desk, wallet, and bedroom drawers for cash, jewelry, credit cards, and bank checks. It isn't until two days later that you realize you are the victim of a distraction burglary.



### Self Defense Tips:

- ◆ Never open the door unless you recognize a visitor through the peephole. If there is no peephole, keep the security screen locked when you open the door, or speak to the visitor through the closed door. Remember, these are strangers and can be either male or female!
- ◆ Always ask for photo ID and make a visual check of the visitor's vehicle to be certain it has official markings. If you still have doubts, don't open the door!
- ◆ Keep your back door locked so an accomplice cannot enter through the back door.
- ◆ Don't allow sales people or construction workers to sell goods or services at your door – ignore the ring. Again, remember, these are strangers!

## DISTRACTION BURGLARIES (Cont'd)

- ◆ Don't let visitors know you are home alone.
- ◆ Don't leave cash, jewelry, bank checks or credit cards in likely places.
- ◆ If you become a victim, don't be embarrassed to report! It lets local police know of burglary patterns and could result in an arrest of the perpetrators. Reporting also prevents the victimization of others.

## "GRANDMA, IT'S ME" SCAM

There has been a significant rise in what is called the "Grandma/Grandpa Scam" because it is easy to perpetrate and difficult to find the offenders. Typically seniors are contacted late at night by a desperate or scared voice saying "Grandma, it's me." The grandparent responds with "Jimmy, is that you?" and the caller then pretends to be "Jimmy" who needs money for an emergency situation. Recent versions of this scam have been broken down cars or car accidents, lost wallets, need bail money, need to pay for bus or airline ticket. "Jimmy" begs for the money to be wired immediately and insists that Grandma not contact his parents so he won't get in trouble.

### Self Defense Tips:

- ◆ Don't panic
- ◆ Ask the caller to verify their identity by asking questions only your real relative would know such as parent's names, his age, his nick name, his pet's name. If the caller can't answer correctly, hang up immediately.
- ◆ Don't wire money at the request of others, no matter how much pressure is applied.
- ◆ Report to law enforcement immediately.

## HOME HEALTH CARE FRAUD

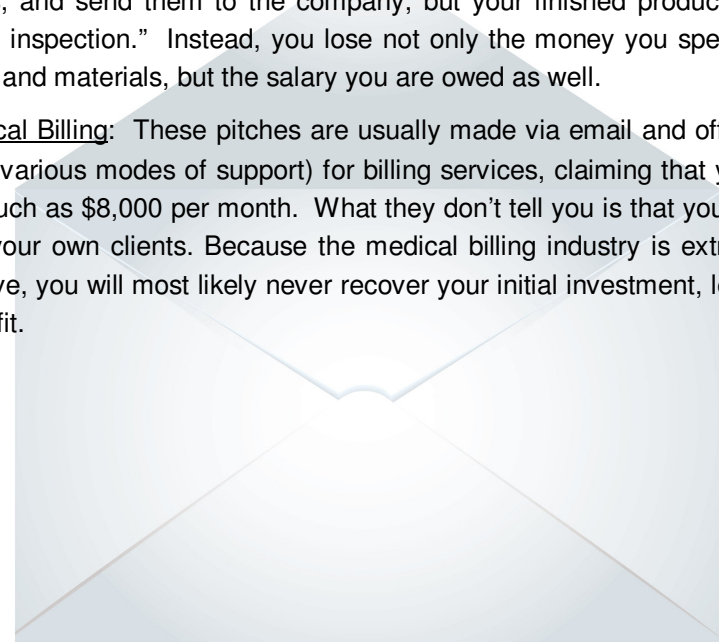
Care giving is THE issue of our age. California has 3.5 million seniors, about 30% of whom live alone. Over 50 million people will provide some type of care for relatives or friends during any given year. This creates a problem with more mobile families living away from older relatives, and more working women who also are caring for children. Elder care is needed for longer periods of time as people live longer with more serious disabilities, including dementias. The number of elder financial abuse cases has grown 32%, often with care givers as the suspects. While the majority of care givers are honest, capable and compassionate people, some are waiting for an opportunity to take advantage of an elder who is ill or vulnerable. Beware of care givers who:

## WORK-AT-HOME SCAMS—TOO GOOD TO BE TRUE?

People of all ages find work-at-home offers appealing – but proceed with caution! Work-at-home scams abound and seldom produce the promised results. The most common scam related to work-at-home offers is the lack of cost disclosure. Many companies require that you spend your own money for "start up" costs, including materials and instruction or policy manuals. These offers are often attractive to seniors who need the income but cannot commute to a job site. While some work-at-home offers are legitimate, most are not, so do your homework. Work-at-home scams bilk consumers out of millions of dollars per year. If you need help determining if an offer is legitimate or correcting work-at-home problems, contact the Federal Trade Commission at 877-382-4357 or go online at [www.ftc.com](http://www.ftc.com), or call the **C.A.R.E. Program (800-476-7506)** for assistance.

### Protect yourself from these common work-at-home scams:

- ◆ Stuffing Envelopes: You send a "start up fee" but you never really stuff any envelopes. You are instructed to simply send a copy of the same ad you responded to (in bulk email) to others and you collect the "start up fee" from them.
- ◆ Craft Assembly: You purchase the equipment and materials, assemble the crafts, and send them to the company, but your finished products will never "pass inspection." Instead, you lose not only the money you spent on equipment and materials, but the salary you are owed as well.
- ◆ Medical Billing: These pitches are usually made via email and offer contracts (with various modes of support) for billing services, claiming that you will earn as much as \$8,000 per month. What they don't tell you is that you will have to find your own clients. Because the medical billing industry is extremely competitive, you will most likely never recover your initial investment, let alone turn a profit.



## STOP JUNK MAIL FORM

See other side for instructions

## HOME HEALTH CARE FRAUD (Cont'd)

- ◆ Isolate you from or speak negatively about friends, neighbors, and family
- ◆ Ask for cash, property or gifts
- ◆ Ask for help with money problems, assistance for their family members, or a vehicle
- ◆ Push to handle your finances and who ask about your will, trust or investments
- ◆ Ask you to sign a Power of Attorney or other documents, and who make decisions for you without your input or permission
- ◆ Push you to change to “their doctor” or “their attorney”
- ◆ Promise lifetime care in exchange for your property or assets

### Self Defense Tips:

- ◆ Don't sign documents giving control of your finances to someone else, including your children and grandchildren, unless you have a lawyer, advocate, or other trusted person review them.
- ◆ Don't give up control of your property or assets unless you decide you cannot manage them yourself – and choose a long time trusted person to assist you, not a new acquaintance.
- ◆ Ask friends and relatives to make consistent visits to check on your well-being.
- ◆ If you need to hire an outside care giver, if at all possible it's best to do a background check to make sure there is no history of alcohol/drug abuse or criminal activity.
- ◆ Before hiring insist on receiving copies of driver license, proof of citizenship or legal work permit, social security number, and proof of car insurance.
- ◆ Always interview the private care giver or agency representative in person, and ask a friend or relative to be present during the interview as well. Follow your instinct!
- ◆ Be very specific about your needs and develop a contract in writing between you and the care giver detailing his/her duties as well as the expected, fair compensation for services provided. Keep the relationship with your care giver a professional business relationship.
- ◆ Don't allow anyone to keep details of your finances or property management from you.
- ◆ Don't allow yourself to be isolated from other people in your community, family, or network of friends and acquaintances. Ask for help when you need it.
- ◆ Never, never give a non-related care giver a Power of Attorney!
- ◆ Call **Adult Protective Services at 800-491-7123** to report care giver abuse.

## HOME REPAIR FRAUD

Fraudulent activity from crooked contractors costs consumers hundreds of millions of dollars annually in the form of poor workmanship, abandoned projects that were paid in full up front, worker's compensation fraud, and code violations. Retired seniors are often targeted because they are home during the day,



are sensitive about maintaining their homes, seem reluctant to “impolitely” close the door or hang up the phone, and don't always have the ability to check for themselves the claims that fraudulent contractors make about the severity or need for home repairs. The **C.A.R.E. Program (800-476-7506)** can help homeowners check the licenses of contractors or file a report with the Contractors State License Board and law enforcement if fraud occurs.

### Self Defense Tips:

- ◆ Plan ahead. Know which services you want or need before contacting a contractor. Do not believe contractors or repairmen who show up at your door claiming that they “noticed from the street that you need repairs,” who offer “discounts only for today” or a “free inspection,” or who claim that you will be in “dire peril if you don't accept repairs today.”
- ◆ Don't be bullied into signing a contract before checking licenses and getting at least three detailed estimates from competing contractors. Anyone performing home improvement work totaling more than \$500 (including both materials and labor) must be licensed. Contact the Contractors State License Board and the Better Business Bureau to check the license of the contractor and access any complaint records on that license. You can also contact the C.A.R.E. Program for assistance.
- ◆ Contact your local building inspection department to check for permit and inspection requirements.
- ◆ Call your insurance company to find out if you are covered for any injury or damage that might occur on your property and be sure your contractor has the required workers compensation insurance.
- ◆ Insist on a complete written contract which reflects exactly the scope of the work, the quality of materials that will be used, start and completion dates, the names of any subcontractors, the total price of the job, and the schedule of payments. Don't hesitate to ask a trusted friend or relative to review it with you before signing.

## STOP JUNK MAIL!

If you would like to stop receiving junk mail in your mailbox, complete and tear out the mail-in registration form below. Include a check or money order for \$1.00 (no cash) payable to Direct Marketing Association.

### Mail it to:

Mail Preference Service  
Direct Marketing Association  
P.O. Box 643  
Carmel, NY 10512



Dear Direct Marketing Association:

Please remove my name from your marketing lists. Thank you for your attention to this matter.

First Name: \_\_\_\_\_

Middle Name: \_\_\_\_\_

Last Name: \_\_\_\_\_

Address: \_\_\_\_\_

Apartment #: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip Code: \_\_\_\_\_

\_\_\_\_\_  
Signature

## TELEMARKETING FRAUD (Cont'd)

- ◆ Don't purchase by phone from unfamiliar companies. Legitimate businesses will understand when you want more information about their offer or their company.
- ◆ Always ask for, and wait until you receive, written material about any offer or charity. If you get brochures about investments, ask your financial advisor to review them.
- ◆ Always take your time making a decision. Legitimate companies won't pressure you to decide quickly. It's not rude to wait and think about an offer. Remember, if you've won a prize but have to pay for it too, you haven't "won" anything.
- ◆ Don't give your credit card number, checking account number, or other personal information to a telemarketer unless you are familiar with the company, and the information is necessary in order to make a purchase that you initiated.
- ◆ Call the **National Fraud Information Center at 800-876-7060** to ask about calls you may have received or to report possible instances of telemarketing fraud. You may also call the **Federal Trade Commission's consumer response center with questions or complaints at 202-382-4357**. The **C.A.R.E. Program (800-476-7506)** can assist with these calls and support you through this process.
- ◆ Always check out unfamiliar companies with your local Consumer Protection Agency, Better Business Bureau, State Attorney General, or The National Fraud Information Center (see contact information for these agencies in the **Resource and Reporting Guide** at the back of this booklet).



## HOME REPAIR FRAUD (Cont'd)

- ◆ Never make a down payment on a job of more than 10% or \$1,000.00 (whichever is less) before the work is completed. Never pay cash! If you do, you cannot prove you ever paid for the work. Never allow a contractor to drive you to the bank to withdraw funds.
- ◆ Understand your three day cancellation rights and don't sign them away on an emergency waiver.
- ◆ To file a complaint with **Contractors State License Board call 800-321-2752 or go online at [www.cslb.ca.gov](http://www.cslb.ca.gov)**

## IDENTITY THEFT

Identity theft is the appropriation of personal information without your knowledge or consent, in order to commit fraud or theft. ID theft loss to consumers is about \$5 billion per year, while losses to financial institutions nationally are \$47 billion per year. California is ranked third in the nation for identity theft related crimes. Those most susceptible own their own homes, are not very active with creditors, are less likely to notice billing changes, and allow others to do their banking. Since it can be both expensive and time consuming to restore your identity and good name, the best defense against identity theft is PREVENTION. If you need more prevention information or if you become a victim of identity theft, please contact the **C.A.R.E. Program (800-476-7506)** for assistance.



### Self Defense Tips:

- ◆ Do not reveal your social security number or bank account information to anyone.
- ◆ Keep your financial records filed away and locked (especially your pin numbers) if you have care givers or other service providers in your home frequently.
- ◆ Check your monthly statements as soon as they arrive; if there is loss on your account contact the credit card company within 30 days AND contact the credit reporting bureaus to ask for a "fraud alert."
- ◆ Request that unsolicited credit card offers be stopped by calling **Opt-Out at 888-567-8688 or go online at [www.optoutprescreen.com](http://www.optoutprescreen.com)**. Request that your credit card companies stop sending the "instant checks" that are often attached to credit solicitation mail. These are "instant cash" for thieves!

## IDENTITY THEFT (Cont'd)

- ◆ Guard your personal information by carrying only the cards you will need today. Never carry your social security card with you. If you believe you are a victim of ID theft, contact **Social Security at 800-772-1213** to order a copy of your Social Security Earnings and Benefit Statement.
- ◆ Carry outgoing mail to the post office or collection box; the red flag on your mailbox is an invitation to thieves.
- ◆ Make front/back copies of all your credit and debit cards and write contact numbers down in case your cards get stolen (place this information in a safe or safe deposit box).
- ◆ Report ID theft to law enforcement. Penal Code 530.6 requires law enforcement agencies to give, at no charge, a copy of the report to the victim for use in restoring their identity.
- ◆ You may request a FREE credit report from each of the three nationwide consumer credit reporting companies: Equifax, Experian, and TransUnion. This is the fastest way to uncover theft. **Call 877-322-8228 or go to [www.annualcreditreport.com](http://www.annualcreditreport.com)**. You have the option to request all three reports at once, or to order one report every 4 months to better monitor your reports throughout the year.

## IN-HOME SOLICITATION CONTRACTS

Many of us believe that when we sign a contract it is a “done deal” – that we have no right to change our minds! In many cases that is true, but thanks to the Home Solicitation Sales Act, it is not true when it comes to any consumer transaction that takes place in your own home – everything from vacuum cleaner sales to home repair/remodel. Consumer transactions involving \$25.00 or more can be cancelled by the buyer within three business days after the buyer signs the contract, IF the transaction took place anywhere other than the seller’s place of business. That would include the buyer’s home, office, a restaurant, or other public place. The cancellation provisions apply whether or not the buyer initiated contact with the seller, and whether or not the payment was financed. Cancellation is as simple as delivering or mailing written notice to the seller that you are cancelling the contract or offer (phone calls are not permitted).

Contracts and offers can be canceled past the three-day period (even if the work has been completed or the product delivered) IF the contractor or salesman DOES NOT meet all of the following requirements:

## REAL ESTATE—PROTECT YOUR INVESTMENT

### (Cont'd)

- charge fees and cannot guarantee that you won’t lose your property in the end.
- ◆ Red flags of fraud may include the receipt of a recorded document with someone else’s name on it at your address, the receipt of a payment book that requires you to send payments to the loan agent you have been working with, or your failure to receive property tax bills at your address. You may be working with a reputable Real Estate office, Title Company and Escrow but there may be employees working within the reputable office who are crooks.
- ◆ You can report fraud or check the credentials of a real estate professional by contacting the **Department of Real Estate at 619-525-4192 or go online at [www.dre.ca.gov](http://www.dre.ca.gov)**

## TELEMARKETING FRAUD



Telemarketing fraud is a term that refers to any type of scheme or fraud that is perpetrated over the telephone. Usually the telemarketer tries to persuade people to purchase goods or services, invest money, or donate funds to charitable causes. Fraudulent telemarketers use false or misleading statements with the intent of obtaining payment before the offer can be inspected further. Fraudulent telemarketers obtain “leads” from each other and from “lead brokers” at a high cost.

These leads are lists of names of people who have been previously defrauded and are then considered easy marks for future scams. You can keep your name off of these lists by avoiding “free” offers that require you to give strangers your address and phone number in order to win. Those “win a car” or “win a vacation” offers at the mall never seem to be awarded, but are often a way to generate lead lists.

### Self Defense Tips:

- ◆ Take advantage of blocking your name from pre-approved credit lists by using “**OPT-OUT**” at **888-567-8688 or go online at [www.optoutprescreen.com](http://www.optoutprescreen.com)**.
- ◆ Get rid of telemarketers by placing your name on the “**Do Not Call**” **Registry at 1-888-382-1222 ([www.donotcall.gov](http://www.donotcall.gov))**. Be aware that fraudulent telemarketers will not always comply with the registry rules.

## REAL ESTATE—PROTECT YOUR INVESTMENT

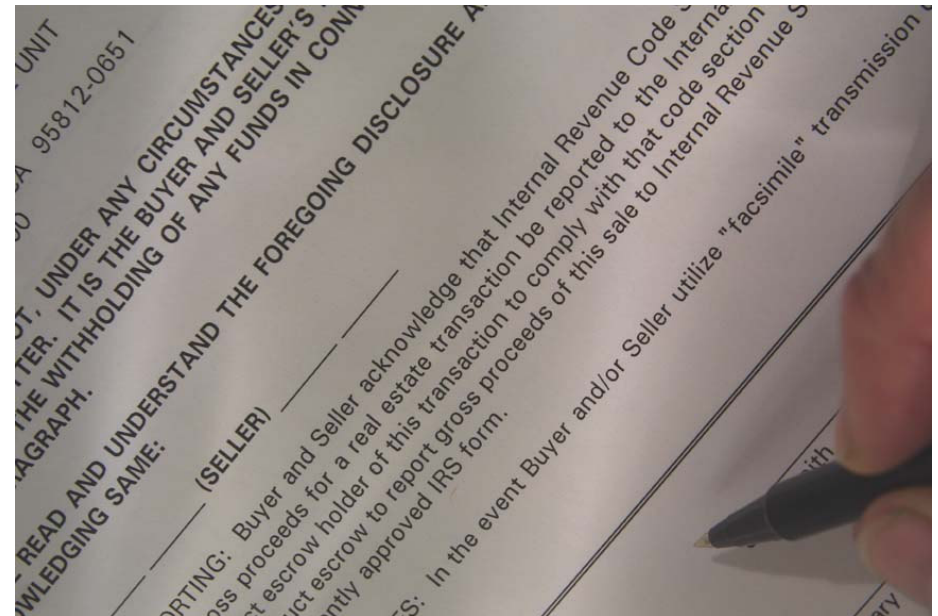
The subject of Real Estate Fraud is too complicated to tackle on one page and not all problems are caused by outright fraud. There are unethical business practices and just plain “bad advice” that can do just as much harm as actual fraud. Your equity may be your biggest asset and your nest egg for your last years, so do not put something that precious into the hands of a stranger. Savvy consumers have been taken advantage of, so if it can happen to them, it can happen to you. If you discover something amiss in a Real Estate transaction seek help right away – don’t sign until you do! You can contact the **C.A.R.E. Program (800-476-7506)** for advice or assistance, or to check the credentials of a real estate professional or attorney.

### Self Defense Tips:

- ◆ Do not enter into any Real Estate agreement because of a phone call. Hang up and do your own research. If you don’t quite understand what you are doing, you have not researched it enough to take a “leap of faith.” Don’t let embarrassment prevent you from talking to professionals about your needs and your plans before you sign something.
- ◆ If you have questions about your home equity or loan, talk to someone local. Your hometown banker, real estate professional, or your attorney will be able to advise you. A local business has a vested interest in you and a stronger desire to preserve their own reputation in their dealings with you. You will also have the benefit of meeting face to face, as well as home delivery or local pick up of paperwork to facilitate answers to questions before you sign.
- ◆ Don’t agree to become Joint Tenants with a family member, caregiver or friend as a quick fix for Estate Planning because situations can change. Becoming Joint Tenants gives your family member or other person an equal say in the disposition of property. Making someone a joint tenant will cause you to lose your power to decide what you want to do with your property and when.
- ◆ A Quit Claim Deed is often used in financial elder abuse so don’t Quit Claim your property to family or others unless you get your own legal advice. A quit claim is not reversible just because you change your mind. Never agree to quit claim your property in exchange for lifetime care. Many seniors have been evicted from their own homes because they have quit claimed their property to the wrong person.
- ◆ Foreclosure problems can sometimes be worked out but you should start with your Lender. Don’t get involved with a Credit Restoration business until you have tried to help yourself. Companies who offer restoration assistance may

## IN-HOME SOLICITATION CONTRACTS (Cont’d)

- 1) The contract or offer must be in writing and must be in the same language as the oral sales pitch
- 2) The contract or offer must be signed and dated by the buyer, and must state the name and address of the contractor to which the notice of cancellation is being sent
- 3) The contract or offer must contain a clear notice of the buyer’s right to cancel, which must be located near the space for the buyer’s signature
- 4) The seller must give the buyer a copy of the contract or offer, with detachable cancellation forms, as well as tell the buyer orally of their right to cancel at time of signing



The Home Solicitation Sales Act, Truth in Lending Act, and the Business and Professions Code Section 7163 were instituted to protect consumers from high pressure sales. Because there are exceptions to these laws under certain circumstances, please contact the **C.A.R.E. Program (800-476-7506)** for assistance with your specific issue. To avoid having to go through a cancellation process, be certain to carefully read the contract (especially the fine print) before signing, and consider taking your own cooling off period (at least 24 hours) before signing to afford more clarity to your decision.

## INSURANCE FRAUD

Insurance is a complicated and challenging subject for anyone regardless of age, financial status, education or experience. Many people are using life and annuity products as part of their financial planning tool kit, but few understand the ins and outs of these contracts or what they are getting for their money. It is important to learn to protect yourself from predatory agents and know your rights under the law. Please contact the **C.A.R.E. Program (800-476-7506)** for assistance in determining if an insurance salesman is licensed to sell the products he/she is offering.

### Self Defense Tips:

- ◆ Never give out your personal identifying information, including your address and phone number, at a sales presentation. Instead, take their contact information and call them if you are interested in their product.
- ◆ Do not assume that because a sales presentation is being held at a senior center or government building that those entities recommend or endorse the salespersons or their products, or that they have confirmed licensing. Often agents are simply renting the space.
- ◆ Be wary of agents who claim a special “senior specialist or advisor” designation.
- ◆ Be wary of agents who advise you not to speak to anyone from your current insurer about a proposed policy change, or who speaks negatively about your current insurer.
- ◆ Be aware that, while they enjoy current popularity, Annuities are not always appropriate financial instruments for older customers, and often have high early release fees and high undisclosed commissions for the agent. Do your homework before purchasing an Annuity!
- ◆ Do not sign any paperwork that you do not fully understand, and do not sign the same day it is presented to you. Insist on your own cooling off period (24-48 hours) so that you can do your own research or seek advice on issues that you may not quite understand. Never sign blank forms.
- ◆ Insurance agents are required to print their license numbers on all business cards, quotations and advertisements.
- ◆ Contact the **California Department of Insurance at 800-927-4357 or go online at [www.insurance.ca.gov](http://www.insurance.ca.gov)** if you have questions about products or if you want to check the license of an agent.

## PHONY COLLECTION AGENCIES

Phony bill collectors are calling consumers demanding immediate payment on non-existent debts, threatening dire consequences if payments aren't made. Most often it is required that the money be wired, and if there is resistance often a “discount” payment is offered. These aggressive, persistent calls at all hours are a scam, designed to scare people into paying money they don't owe. Even if you have an existing debt, legitimate creditors do not conduct business this way. The **C.A.R.E. Program (800-476-7506)** will help you determine the validity of the collector's demands and your rights under the law.

### Self Defense Tips:

- ◆ Don't panic - understand that debt collectors have no legal authority over you, except through the court, and are governed by the Fair Debt Collection Practices Act
- ◆ Demand to receive the debt information in writing within 5 days of a collection phone call. If the collection agency refuses to supply you with written verification of the debt and the date the debt was incurred, it has broken the law or it is a scam.
- ◆ Be aware that in California there are statutes of limitations on old debts.
- ◆ Understand that you have the right to provide a written request for no further contact from a collector and they must comply. Also collection callers can only contact you between 8:00 a.m. and 9:00 p.m.
- ◆ Don't wire money at someone else's request – ever!
- ◆ Don't give anyone your employment information, account numbers, social security number, or permission to debit your bank accounts, no matter how threatening the phone calls become. An illegitimate collector may steal your identity.
- ◆ Don't believe threats that you will go to jail – people go to jail for fraud, not debt!
- ◆ Don't believe threats that you will be sued – let the C.A.R.E. Program help you determine the validity of the collector's demands.
- ◆ You can report illegal debt collection practices to the **Federal Trade Commission at 877-382-4357 – [www.ftc.gov](http://www.ftc.gov), or the CA Dept. of Consumer Affairs at 800-952-5210 – [www.dca.ca.gov](http://www.dca.ca.gov).**

## LOTTERIES AND SWEEPSTAKES FRAUD (Cont'd)

- ◆ According to the Federal Trade Commission, if you play a foreign lottery — through the mail or over the telephone — you're violating federal law and are subject to a \$1,000 fine and up to two years in prison. Even if someone in the United States won a foreign lottery, they wouldn't be able to claim it.
- ◆ There are no secret systems for winning lotteries. Your chances of winning more than the cost of your tickets are slim to none.
- ◆ If you purchase one foreign lottery ticket, expect many more bogus offers for lottery or sweepstakes "opportunities." Your name will be placed on "sucker lists" that fraudulent telemarketers buy and sell.
- ◆ Keep your credit card and bank account numbers to yourself. Scam artists often ask for them during an unsolicited sales pitch.

## MEDICARE DRUG BENEFIT SCAMS

You have probably seen at least one news article related to various prescription drug plan telemarketing schemes. As usual, the scammers have been busy figuring out new ways to steal your money! Often the trick involves a telemarketing call asking seniors for personal bank account information and sometimes offering a new Medicare card for a fee. When the telemarketer receives the requested account information, an amount (usually just under \$400) is withdrawn electronically to pay for the illegitimate Medicare card or prescription drug plan. The callers may use fictitious or generic sounding business names such as National Medical Office, Medicare National Office, and National Medicare.



### Self Defense Tips:

- ◆ Hang up if you receive a call requesting bank account information or payment regarding your Medicare drug benefits. Legitimate Medicare drug plans will not ask for payment over the phone or the Internet – it is against Medicare's rules. They must send a bill to you for the monthly premium.
- ◆ If you become a victim of this type of scam, or if you have questions about a drug plan, please call **Medicare directly toll free at 1-877-772-3379**.

## INVESTMENT FRAUD

The 50 plus population is the fastest growing segment worldwide with over \$8.5 trillion investable assets. Because seniors are such a fast growing segment of investors, financial services firms are concentrating their marketing efforts toward senior investors and those who are nearing retirement age. Investment regulatory agencies are growing more concerned about fraudulent practices in this industry and are encouraging investors to beware of "free lunch" seminars, misleading "senior specialist" designations, and abusive sales practices by unlicensed or inexperienced financial advisors. The **C.A.R.E. Program (800-476-7506)** will assist you in determining the red flags of abuse, and whether a professional is appropriately licensed for the products being offered.

### Self Defense Tips:

- ◆ Do not attend free meal seminars - people have lost their entire savings and have suffered dire tax consequences to receive a free meal! Often the salespeople promoting free meal seminars are not licensed or experienced in helping seniors structure their retirement portfolios in a manner that reduces taxes, minimizes risk, and avoids state probate laws. They do not always match up your investments with your age, need for access to your money, and your tolerance for risk. While they claim "nothing will be sold at this workshop" often you are contacted at a later date with sales pitches - especially if you agreed to "sign in" with your contact information when you arrived.
- ◆ Do not agree to meet with strangers whose services you have not solicited. Ask friends and relatives to refer you to their consultants who are licensed and have a proven track record of sound financial advice, especially if you suddenly find yourself in charge of your finances due to the illness or death of a spouse. Go to their office to discuss business so that you are in control of how long the appointment lasts. Do not take your checkbook to the first appointment!
- ◆ Ask for a business card with the consultant's full name, license number, permanent street address (not a P.O. Box) and office phone number. Do not do business with an advisor who operates from a message service, cell phone or pager. Drive by the address and call the office number to verify that the office does exist.
- ◆ Check the credentials of the investment advisor by contacting FINRA (Financial Industry Regulatory Authority), the Securities and Exchange Commission, or the Department of Corporations. Check credentials with the Department of Insurance if the investments contain insurance products such as Annuities. "Senior Specialist" designations for financial advisors can be mis-

## INVESTMENT FRAUD (Cont'd)

leading and can imply that the bearer has a special expertise in addressing the financial needs of seniors. It can be difficult to determine whether the credential is meaningful or whether it is simply a marketing device; therefore, do not depend primarily on these designations when choosing an advisor.

- ◆ Watch out for salespeople who use fear tactics (i.e. fear about outliving your money, high cost long term care, or a health crisis). Fear can negatively affect your normally good judgment.
- ◆ Check out all rates of return claims by asking for the period of time in which they were achieved. If advertisements don't include this information, look for another advisor. If you are interested in an investment, request a prospectus by mail and ask a trusted person with investing experience to review it with you.
- ◆ If an investment counselor stalls when you want to retrieve your principal or cash out profits, consider this a big red flag! Since some investments have defined periods during which you cannot cash out, be certain to ask about these periods before you invest so that you are certain when your money will be available to you.
- ◆ The minute you suspect that you have been scammed, do not hesitate to report the abuse. Criminals count on embarrassment or fear delaying reports. The longer you wait to report, the more money is being spent and the more people are being victimized. Contact the **Securities and Exchange Commission, the Dept. of Corporation's SAIF Program, or FINRA** to report fraud or to check licenses (see contact information for these agencies in the **Resource and Reporting Guide** at the back of this booklet).

## JURY DUTY SCAM

Someone calls you identifying himself as an officer of the courts. He informs you that you have failed to report for jury duty – an offense that can result in your arrest. You tell him that you did not receive a jury summons. In order to confirm that you are telling the truth, or to assist you in paying a small “fine” for not reporting for jury duty, the caller requests your birth date, social security number, and sometimes a credit card or bank account number so that they can debit your account or steal your identity. Scammers operate with a fear factor. Facing a possible arrest, some people will part with their personal information before they have had a chance to think it through. If you need assistance call the **C.A.R.E. Program (800-476-7506)**.

## JURY DUTY SCAM (Cont'd)

### Self Defense Tips:

- ◆ Hang up the phone! It is uncommon for court officials to contact you by phone about jury service.
- ◆ Court officials would not ask for your personal information. If you are unsure about jury service compliance, offer to drive to the courthouse and speak with the officer in person.
- ◆ Never give your personal information to a caller who is unknown to you – no matter how critical the call seems.
- ◆ If you receive a call like this, report it to the court and to the police.

## LOTTERIES AND SWEEPSTAKES FRAUD

American consumers, especially senior citizens, are being victimized daily by lottery scams and fraudulent sweepstakes offers mostly operating out of foreign countries, such as the UK, Netherlands, Canada, Jamaica, and Spain. The emails and letters sent by these fraudsters contain detailed information designed to trick the victim into believing in their authenticity. If you have been tempted to participate in these offers, be aware that it is illegal to sell or purchase foreign lottery tickets through the U.S. mail. There is no evidence that lottery tickets have ever really been purchased on behalf of American citizens, though the scammers will repeatedly debit credit cards and checking accounts while claiming to purchase tickets. If you believe that you have received a letter or email that may be a lottery or sweepstake scam, contact the **C.A.R.E. Program (800-476-7506) or the Federal Trade Commission at 877-382-4357 – [www.ftc.gov](http://www.ftc.gov)**

### Self Defense Tips:

- ◆ It is illegal to ask consumers for money up front for prizes or sweepstakes. Telemarketers offer bogus prizes such as jewelry, vehicles, or cash to victims who agree to pay “taxes,” “fees,” or “shipping or handling charges.” Reputable sweepstakes companies will always notify winners by mail or courier, and never require up front money.
- ◆ In some versions of these scams, they will even send you a check that looks real, asking you to cash it and THEN send them the “fees” or “taxes.” It may take weeks to learn that the check is fraudulent – but by then you've already sent them the fees! The bank will then make you cover the amount of the “check” you deposited in your account.