

El Consumidor Latino

CPB Newsletter
Vol. 01 Num. 01
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The Spanish-language Newsletter from the New York State Consumer Protection Board (CPB)

IN THE RING: YOU -VS- ILLEGAL DEBT COLLECTION

Fight Against Illegal Tactics Used By Some Debt Collection Agencies



DEBT COLLECTION AGENCIES consumers have rights when dealing with these agencies

Tough economic times have many New Yorkers experiencing difficulty in paying their bills. Unforeseen circumstances such as the loss of a job or a medical emergency can make it impossible to fulfill debt obligations.

"Although creditors have the right to seek payment of a debt, you, the consumer, also have rights when it comes to certain illegal debt collection practices," said NYS Consumer Protection Board (CPB)

Chairperson and Executive Director Mindy A. Bockstein. The CPB is offering New Yorkers information about their rights when dealing with a creditor or collection agency.

VERIFY THE VALIDITY OF THE DEBT

Just because a collection agency or creditor says you are responsible for a debt, does not mean it is true. "Within five days of being contacted by a debt collector, you must be mailed a letter from the

collection agency detailing the debt amount and the creditor's name," reminds Chairperson Bockstein. "Within 30 days of receiving the notice, you have a right to dispute the validity of the debt and, upon request, to obtain verification that you are the true debtor. Verification can come in the form of an account history or a copy of the original bill. The debt collector must cease all collection activity until it provides you with verification of the debt."

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Inside:

- Stretch Your Dollars
- Energy Service Companies (ESCOs)
- Bi-lingual Educational Workshops



Digital TV Transition Delayed

President Obama and Congress have acted to delay the transition to digital television broadcasting from analog for four (4) months in response to calls from Governor David A. Paterson,

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Stretch Your Dollar Effort Update

The New York State Consumer Protection Board (CPB) launched a new campaign on behalf of consumers who are trying to make their dollar go

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FRUSTRATED?
Billing Disputes - Utility Services - Identity Theft - Product Repair - Recalls - Online Scams
The NYS Consumer Protection Board can help!
We advocate for and empower NY consumers
www.nysconsumer.gov
Toll-Free Hotline: 1-800-697-1220

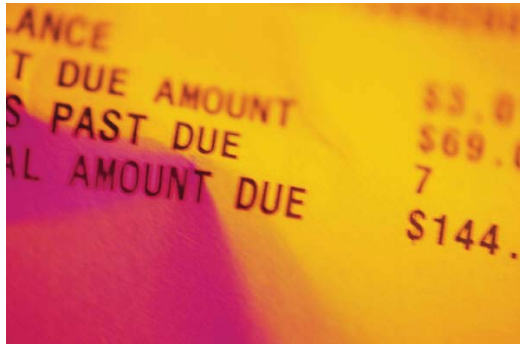
Illegal Debt Collection Tactics ... continue from page 1

BE AWARE OF THESE UNLAWFUL PRACTICES

The CPB warns consumers to be aware of unlawful practices that may be pursued by some collectors.

A debt collector CANNOT:

- Threaten violence or harm or use profane language
- Call you repeatedly or at inconvenient times, such as before 8:00 a.m. or after 9:00 p.m
- Reach out to others, except to obtain your contact information
- Call you at your place of employment, unless you otherwise agree to such contact
- Call you if you are represented by an attorney. They must contact your lawyer instead
- Seize funds from your Supplemental Security Income; Social Security; welfare; alimony or child support; unemployment, disability; Worker's compensation or Veterans benefits; or, public or private pensions. By contacting your bank, you can try to make arrangements to create appropriate bank accounts



STRUGGLING know your rights when dealing with debt collection agencies

that may protect these funds or allow you to recoup lost funds.

WHERE TO GO FOR HELP

If you need assistance disputing a debt, you may contact the CPB at 1-800-697-1220 or online at www.nysconsumer.gov.

You may have legal rights for damages. For complaints or problems with a debt collector contact:

The New York State Attorney General at 1800-771-7755
www.oag.state.ny.us.

Federal Trade Commission at 1-877-382-4357
www.ftc.gov. ●

DTV Transition Delayed... continue from page 1

the New York State Consumer Protection Board and others. The calls for delay came after it was learned that the Digital TV converter box coupon program created to assist consumers had run out of funds weeks before the original transition date. This delay will allow consumers ample time to prepare for the transition. The coupon program has also been extended.

“Viewers who receive “free” over-the-air television either through a rooftop antenna or “rabbit ears” will lose service”

Consumers across the nation, including here in New York State, will now lose analogue television service on June 12, 2009, if they don't act.

Beginning on June 12, 2009, all United States television stations will be required to switch to a digital format.

Current subscribers to cable or satellite TV service should not be affected, but many viewers who receive “free” over-the-air television either through a rooftop antenna or “rabbit ears” will lose service.

These affected consumers can either:

- Purchase a TV set with a built-in digital tuner. Keep

in mind that most sets purchased after 2004 should include a built-in tuner.

- Purchase a digital-to-analog converter box to connect to your current analog TV set. There are coupons available to obtain a discount on television converter boxes, which can be found on the CPB's website.

- Subscribe to a cable, satellite or telecommunications provider offering television programming.

For more information and tips, visit the CPB's website at: www.nysconsumer.gov. ●

Welcome to “El Consumidor Latino”



MINDY A. BOCKSTEIN Chairperson and Executive Director

The New York State Consumer Protection Board (CPB) has come a long way since it was established in 1970 by the New York State Legislature. Under the direction of Governor Paterson, the CPB responds to and settles thousands of individual marketplace complaints by securing voluntary agreements on behalf of consumers with businesses. The Agency enforces the “Do Not Call Law” in New York State, and represents the interests of consumers before the Public Service Commission (PSC) and other State and federal agencies. As the State's consumer watchdog and think tank, we work on policy issues on the federal and State level to advance greater protections and new legislation. The CPB fulfills its core mission of educating consumers by raising awareness of current issues, informing New Yorkers of their rights and remedies and alerting consumers of scams. During this economic crisis, it is important for all New Yorkers to be aware of this information to protect their limited resources.

In this context, the CPB is proud to present EL CONSUMIDOR LATINO, the Agency's first Spanish-language newsletter. Published electronically three (3) times a year, El Consumidor Latino will serve to highlight consumer issues and deliver timely resources to the State's Latino population. The newsletter will also look to engage consumers to communicate this important information to others in their community or to distribute our newsletter to interested parties.

I am please to present our inaugural issue. We look forward to your feedback and suggestions on what issues you would like addressed in future editions by e-mailing

noticias@consumer.state.ny.us.

Thank you. ●

Electric Slide

A Queens, New York resident was shocked to see his energy bill increase dramatically several months after he had signed a contract that he thought would result in him purchasing discounted natural gas and electricity.

The consumer was visited at his home by an individual who identified himself as an employee of "the utility company." He told the resident that he qualified for deep energy discounts if he signed the required paperwork. Although the consumer's primary language was Spanish, he knew enough English to understand the meaning of the words "savings" and "money" and proceeded to sign on the dotted line.

After several months of noticeable discounts, the amount of his bills began to increase to alarming levels, which he attributed to a billing error. "I called my utility company thinking there was a computer glitch or some other billing error," said the resident. "That's when I was informed that the form I had signed was a contract authorizing a new company to provide energy." Even though he had unknowingly signed a contract, he was responsible for the amount owed as well as a hefty cancellation fee if he wanted to get out of the contract and switch back to his utility company.

The new company was one of many energy service companies, or ESCOs, that operate in New York State. ESCOs are companies supplying electricity and/or natural gas to homes and businesses. Unlike utilities, ESCOs are independent entities and not fully regulated by the laws of the State of New York. ESCOs can offer significant savings in your energy bills, however you must use caution when considering obtaining services from them.

To help stop the aggressive and questionable marketing practices of some ESCOs operating in the State and to protect consumers, the New York State Consumer Protection Board (CPB) and the New York City Department of Consumer Affairs (DCA) advocated for and advanced new rules with the Public Service Commission. These State regulators established mandatory disclosures and enforceable rules governing ESCO marketing practices. Of particular importance is the regulation which requires ESCO representatives to communicate and do business in your language if English is not your primary language.



ESCOs Be Cautious When Entering Into Energy Service Contracts

The CPB suggests the following tips when dealing with ESCO marketing representatives:

- If you are approached by an ESCO representative either at your home or by telephone, make sure that they identify themselves and provide you with the name of their company and contact information. If English is not your primary language, they must provide you with information in your primary language.
- If you are considering obtaining electricity and/or natural gas from an ESCO, ask for a written comparison of the price offered by the supplier and the utility.

- Read all offers carefully, including the fine print. Pay special attention to introductory rates or rate increases after several months of service.
- After signing a contract with an ESCO, note that you have three (3) business days to cancel the contract. Ask about early cancellation fees and other hidden penalties.

For more information and tips, visit the CPB's website at: www.nysconsumer.gov.

10 Ways to Avoid Scams:

1. **GET** everything in writing.
2. **ASK** detailed questions about the offer, including the total price and fees, interest rate, delivery date, return or cancellation policy and any warranty terms.
3. **THINK** about the offer before you sign. If you feel pressured, **DO NOT** sign the agreement. **TAKE** the contract home and **READ** the fine print.
4. **RESEARCH** the company or charity. Does the company have an office, or just a mailbox? Does the phone number match the address? When hiring a contractor, check references and negotiate a payment schedule tied to the completion of work.
5. **NEVER** disclose your credit card, bank account or Social Security numbers to someone who contacts you by telephone or Internet.
6. Whenever possible, **DO NOT** pay with cash.
7. **DO NOT DEPOSIT** a check or money order that you receive from a work-at-home offer or a sweepstakes. When they ask you to send money back to them, you will be sending your own money because they sent you a phony check or money order.
8. **NEVER PAY AN UPFRONT FEE** in order to collect a lottery or sweepstakes prize. If they ask you for money before you can collect a prize, then it's a scam.
9. **CHECK** for fraud on your credit card billing statements and credit reports. **KEEP** all of your paperwork, including copies of any complaints you file against a business.
10. **PASSWORD** protect your financial and utility accounts and vital personal records with a clue that is not easily determined.

Stretch Your Dollar Effort... continue from page 1

further during these times of financial constraint and economic hardship. While many consumers have said they're struggling, several have risen to the challenge, devising good strategies to cut spending and save money. With that in mind, the CPB has launched its Stretch Your Dollars Effort (SYDE), to enable consumers to share their coping strategies with others by e-mailing or sending a written, audio or video tip to the CPB. In compiling the list of strategies, the Agency will be providing the public with a single point-of-reference for dollar-stretching tips that apply to many spending contexts.

Please add your own suggestions by sending an e-mail or a downloadable audio or video clip to my2cents@consumer.state.ny.us. Consumers are urged to log on often to view new information as it is published.

Sample Tips to Save Money

- **FREQUENT YOUR LOCAL PUBLIC LIBRARY** for free access to books, movies and music.
- **AVOID** Automated Teller Machines (ATMs) charging service fees.
- **VOLUNTEER AS AN USHER** at a local theater to see shows free-of-charge.
- **START A LUNCH CLUB** at work and rotate who brings in food. If you have five (5) people in the group, then you can buy in bulk and only have to bring lunch once a week.
- **ASK FOR A LOWER INTEREST RATE FROM YOUR CREDIT CARD COMPANY.** If your credit rating is good, you may qualify for a lower rate.

For more tips, visit the CPB's website at www.nysconsumer.gov.



CPB Launches 2009 Bi-Lingual Workshops

The New York State Consumer Protection Board (CPB) has launched a workshop series aimed at providing useful consumer information to advocacy and grassroots groups, business associations and professional service providers, on a variety of current topics.

toolkit includes electronic versions of CPB brochures and resources for unlimited printing, as well as PowerPoint presentations for the participant's usage. Presentation topics include preventing and dealing with identity theft, credit cards and credit management, preventing scams and choosing the right career school. Register your organization for a free workshop by calling 518-474-3514 or by e-mail at noticias@consumer.state.ny.us.

Organizations are provided with a tool kit to further assist their members and constituency groups. Each



Important Contacts:

To include your phone number on the Do Not Call registry:
www.donotcall.gov
1-888-382-1222

To check if a product has been recalled:
www.recalls.gov

To order credit reports from the three (3) credit reporting agencies:
www.annualcreditreport.com
1-877-322-8228

To file a consumer complaint:
www.nysconsumer.gov
1-800-697-1220

To request coupons for Digital TV converter boxes:
www.dtv2009.gov
1-888-388-2009



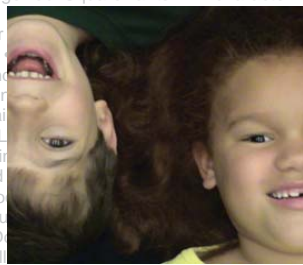
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**Por mucho que usted lo mire
¡Los juguetes peligrosos nos hieren!**

Fabricantes de Juguetes:
Por favor prueben los juguetes y cerciora que ellos son seguro antes que son ofrecidos en venta.

Padres/Adultos: Visite el sitio web www.nysconsumer.com para mostrar apoyo para la pruebas de juguetes independientes. Tambien puede llamar al 1-800-697-1220 para aprender cómo usted puede hacer una diferencia.

Un servicio a la comunidad de la Junta de Protección al Consumidor del Estado de Nueva York porque:

**¡Los juguetes no deben herir
los niños de Nueva York!**

