

FCC Consumer Advisory

Beware of Auto Warranty Scams

Recently, the FCC Consumer Center has noticed an increase in complaints and inquiries from consumers who have received calls about renewing their automobile warranties. During the calls, which are usually automated or pre-recorded, the consumer is told that the warranty on his or her automobile is about to expire and is instructed to press a number to renew it. The callers often pose as representatives of a car dealer or manufacturer, and may or may not have specific information about the consumer's particular car and warranty.

Many of these calls may violate FCC Do-Not-Call rules. And many may actually be fraudulent—if you press a certain number or stay on the line, you may be asked to provide several types of personal information, including your credit card number, which can be used to defraud unwary consumers.

The Federal Trade Commission recently filed suit in federal court against companies suspected of making these calls. The FCC also investigates potential violations of FCC rules, and some states and telephone companies have sued companies that make these types of calls.

The FCC's Rules

If you have placed your residential wired telephone number or your personal wireless phone number on the National Do-Not-Call list and you receive one of these calls, from anyone other than a business that sold you the car or repaired it, that call may violate the FCC's Do-Not-Call rules. In addition, if you receive one of these calls on a wireless device, and the call is pre-recorded or placed using an autodialer, it may also violate the FCC's rules unless you have given your prior consent to be called.

In addition, anyone making a telephone solicitation call to your home number must provide his or her name, the name of the person or entity on whose behalf the call is being made, and a telephone number or address at which that person or entity can be contacted. If the call is a pre-recorded message, it must include a contact telephone number. Without these disclosures, the call violates FCC rules.

If you have caller ID, a telemarketer is required to transmit or display its phone number and, if available, its name or the name and phone number of the company for which it is selling products. The display must include a phone number that you can call during

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regular business hours to ask that the company no longer call you. This rule applies even if you have a previously-established business relationship with the company, and even if you have not registered your home phone number(s) on the national Do-Not-Call list.

For complete information on all the FCC's rules regarding telephone solicitations, see our consumer fact sheet at www.fcc.gov/cgb/consumerfacts/tcpa.html.

What to Do If You Receive an Auto Warranty Call

First, **do not provide any personal information, such as social security numbers, credit card information, driver's license numbers, or bank account information to the caller.** Telephone scammers are good at what they do and may imply that they work for a company you trust.

Second, if you have certain information about the call or caller, you can file a complaint with the FCC. In some cases, the FCC can issue warning citations and impose fines against companies violating or suspected of violating the do-not-call rules, but the FCC does not award individual damages. The FCC needs to know certain details about the call and as much information about the caller, including name and telephone number, as you can provide. Therefore, be sure to fill out the on-line complaint form fully, or see the list of information to include with your complaint on the FCC consumer fact sheet. There is no charge for filing a complaint. The easiest method is to use the FCC's on-line complaint form found on the FCC Web site at esupport.fcc.gov/complaints.htm. A series of questions will take you to the correct form and section of the form for providing the information the FCC needs to process a complaint. You can also file your complaint with the FCC's Consumer Center by e-mailing fccinfo@fcc.gov; calling 1-888-CALL-FCC (1-888-225-5322) voice or 1-888-TELL-FCC (1-888-835-5322) TTY; faxing 1-866-418-0232; or writing to:

Federal Communications Commission
Consumer & Governmental Affairs Bureau
Consumer Inquiries & Complaints Division
445 12th Street, SW
Washington, DC 20554.

Some states permit you to file law suits in state court against persons or entities violating the do-not-call rules. You may be awarded \$500 in damages or actual monetary loss, whichever is greater. The amount may be tripled if you are able to show that the caller violated the rules willfully and knowingly. Filing a complaint with the FCC does not prevent you from also bringing a suit in state court.

If you think you have received a call involving fraud, you may also want to complain to the Federal Trade Commission. Visit the Federal Trade Commission's Web site at www.ftc.gov/opa/2009/05/robocalls.shtm for information about their efforts to stop auto warranty scams. You can file a complaint with the FTC online at <https://www.ftccomplaintassistant.gov>. You can also submit a complaint by calling the FTC toll-free at 1-877-382-4357 (voice) or 1-866-653-4261 (TTY), or writing to:

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Federal Trade Commission
CRC-240
600 Pennsylvania Ave., NW
Washington, DC 20580.

For More Information

For more information about unwanted telephone marketing calls or the do-not-call rules, visit the FCC's Web site at www.fcc.gov/cgb/policy/telemarketing.html or www.fcc.gov/cgb/donotcall/. For information about other telecommunications issues, visit the FCC's Consumer & Governmental Affairs Bureau Web site at www.fcc.gov/cgb, or contact the FCC's Consumer Center by using the information provided for filing a complaint.

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For this or any other consumer publication in an accessible format (electronic ASCII text, Braille, large print, or audio) please write or call us at the address or phone number below, or send an e-mail to FCC504@fcc.gov.

To receive information on this and other FCC consumer topics through the Commission's electronic subscriber service, visit www.fcc.gov/cgb/contacts/.

This document is for consumer education purposes only and is not intended to affect any proceedings or cases involving this subject matter or related issues.

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