

DA Warns of Potential Charity Scams and Price Gouging in the Wake of San Diego Wildfires

San Diego County District Attorney [Bonnie M. Dumanis](#) today provided important consumer advice and assistance to residents dealing with the county's on-going wildfires. The DA's Office offered information on everything from insurance adjusters to charity scams, trying to keep residents of San Diego County from being re-victimized.

"Unfortunately, some individuals use this time of crisis to take advantage of others," said DA Dumanis. "We want people to know the consumer rights and legal protections that are in place as they begin to rebuild their lives."

The District Attorney's Office is warning residents to be aware of the following:

DEBRIS-CLEARING SCAMS

There are individuals who will offer to remove debris from your property, asking for significant deposits and then disappearing with your money. Sometimes, they move debris but dump it on a neighbor's property, park or playground. You may be responsible for the costs of removal and any penalties attached. Be sure you know where the debris is being taken and provide payment only after the job is completed.

PRICE GOUGING

After the Governor declares a state of emergency, it is illegal for businesses to increase prices of essential goods and services by more than ten percent unless they can prove it was due to an increase in their supplier's price. The prohibition on price gouging after a disaster applies to consumer food and services, goods or services used for emergency cleanup, supplies, medical supplies, home heating oil, building materials, housing, transportation, freight and storage services, and gasoline or other motor fuels. In addition, it is a misdemeanor during 30 days following the state of emergency proclamation for a hotel or motel to increase regular rates. You can report price gouging to the District Attorney's Consumer Protection Unit at (619) 531-4070.

CHARITY SCAMS

During and after a disaster, it is common to hear pleas for donations. A charitable scam occurs when donations to what is believed to be a worthy charitable cause ends up in a scam artist's pocket. Many bogus charities have names that sound similar to long-established charities. Do not be fooled. We all want to help. Give to charities you are familiar with that work in disaster assistance. Beware of telephone solicitors who are unwilling to give their name and call back

number or who will not send written materials. Never give money to anyone sent to pick it up.

Be wary of out-of-state organizations, especially if their only address is a P.O. Box. You can check out charities via the California Attorney General's Web site:

<http://caag.state.ca.us/charities/>. Never give out personal information such as credit card numbers or social security numbers over the telephone or unless you clearly know who you are doing business with.

LOOTING

Would-be looters looking to profit in the wake of San Diego County's devastating wildfires will be vigorously prosecuted by the San Diego County District Attorney's Office. During a state of emergency, [looting](#) is second-degree burglary, which is a felony crime punishable by up to three years in state prison.

HOMEOWNERS INSURANCE It is recommended that if you have suffered a property loss as a result of the wildfires, you promptly contact your insurance agent/company. Your policy may provide, among other things, reimbursements for temporary lodging and meals as a result of a mandatory evacuation. If you believe your insurance company is not dealing with your claim properly, please contact the Department of Insurance Consumer Protection Hotline at 1-800-927-HELP.

INSURANCE ADJUSTERS

It is not uncommon to meet up with a roving insurance adjuster following a disaster. There are two types of adjusters. Insurance company adjusters are employed by, and work directly for the insurance company. These adjusters do not charge a fee for handling your claim. Public adjusters can be hired by the homeowner to help them with their claim. It is wise to contact your insurance company adjuster first and obtain a written estimate of the damages and the cost to complete the repairs. This estimate will help you negotiate with contractors. If you disagree with your insurance company adjuster, you can always hire a public adjuster or attorney. If you hire a public adjuster, make sure they are licensed by calling the Department of Insurance Helpline at 1-800-927-HELP. If you have complaints about how your insurance company is handling your claim, you can call the same Department of Insurance Consumer Helpline. Do not have any work done until your insurance company inspects your property. Take photos of the damage to your property. If you hire a public adjuster, do so in writing and understand their fees before signing.

CONTRACTORS

Contractors must be licensed. Contracting without a license during a declared state of emergency is a felony crime. Ask to see their pocket license and a second photo ID.

Verify the

license number matches the Contractor you are dealing with. A contractor cannot collect more

than \$1,000 or 10 percent of the contract price, whichever is less, as a down payment for home

repairs. (Contractors can collect more if they supply a performance and payment bond or provide similar protection against loss.) Payments should not get ahead of completed work.

The final payment should not be paid until the work is fully completed and all subcontractors'

and suppliers' liens have been released. Make sure the contractor carries workers' compensation and liability insurance. If in doubt, obtain a certificate of insurance from the Contractor and verify with his carrier. You may be liable for accidents or damage. Make sure all verbal promises are in your written contract. Remember, don't be rushed or pressured.

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Beware of scare tactics.

- Obtain references.
- Contact the Better Business Bureau to see if there are any complaints against the Contractor.
- Obtain bids and written estimates from at least 3 reputable Contractors.
- Cold calls or unsolicited contacts should be a red flag.
- If you don't understand, don't sign. Never leave blanks on a signed contract.
- You have three days to cancel the contract if solicited at a place other than the company's place of business. If you cancel, do it in writing by registered mail with a return receipt.
- Maintain a file containing all contracts and related papers.

Contact the Contractor's License Board at 1-800-321-2752 to report an unlicensed contractor. The District Attorney's Office is implementing a widespread public outreach program to inform wildfire victims of their legal rights and how to avoid being re-victimized. We also are putting would-be defrauders on notice that this office will proactively investigate and aggressively prosecute to the full extent of the law any unlicensed adjusters and contractors operating in San Diego County.

UNSCRUPULOUS LENDERS

Avoid quick home equity loans without knowing who you are doing business with. Never sign away the equity in your home over a promised loan or repair. If you have credit problems and need quick money, avoid credit repair companies who promise to repair your credit for a fee and then disappear. Avoid verbal promises; get everything in writing; be cautious of "cold calls."

WATER TESTING

Fraudulent firms may try to sell you overpriced or useless water-treatment devices by offering to test your water for free and then falsely declaring it to be unhealthful. If you're on the public water system, your local water utility office can tell you about water safety problems and what to do. The county health department can answer questions about private wells. You should know that no single device can solve every water quality problem. Remember that if you buy an expensive unit, state law prohibits liens on homes for the sale of such devices.

MOVING COMPANIES

Before signing a contract with a moving company, call the California Public Utilities Commission at 1-800-877-8867 to find out if the company is licensed. You can file a complaint online at www.cpuc.ca.gov or call 1-800-366-4782.

GENERAL CONTACT INFORMATION

The following telephone numbers and e-mail addresses are provided to assist you in obtaining

further information or reporting suspicious activities:

San Diego District Attorney's Office

Wildfire Hotline

330 West Broadway, Suite 700

San Diego, CA 92101

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www.sandiegoda.com

Telephone: 1-800-315-7672

Fax: 619-685-6539

California Department of Insurance

1495 Pacific Highway, #400

San Diego, CA 92101

Helpline: 1-800-927-HELP (4357)

Contractors' State License Board

P.O. Box 26000

Sacramento, CA 95826

www.cslb.ca.gov

1-800-321-2752

Better Business Bureau

5050 Murphy Canyon Road, Suite 110

San Diego, CA 92123

www.sandiego.bbb.org

858-496-2131

California Attorney General's Office

If you need information regarding a charity, contact:

California Attorney General's Office

Registry of Charitable Trusts

110 West "A" Street, Suite 1100

San Diego, CA 92101

619-645-2001

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