

FREE GIFT RECEIVED IN THE MAIL? KEEP IT!

Recently someone asked me if they needed to pay for merchandise they received in the mail, which they did not order. They received an item they did not order, and later received a bill for the item.

The answer is "no". Not "maybe not", or "it depends", or "sometimes". The answer is always no. If you receive merchandise you did not order, it is your legal right to keep it as a free gift. And you are no obligation to notify the sender you refuse to pay, or that you plan to keep the merchandise. This rule applies no matter the value of the merchandise. If you are feeling anxious or guilty about keeping something, you can send a letter to the sender, notifying them you did not order from them, and intend to keep the product. The Federal Trade Commission tells us this action may discourage the sender from sending out bills or dunning notices, or it could help clear up an honest mistake. If you send such a letter, send it my certified mail (which will cost more than a 49 cent stamp), keep the return receipt and a copy of the letter for yourself.

Rarely you might receive something delivered to you by mistake. For instance, you receive a package addressed to someone else, at your address, or someone delivered the package to the wrong address. If it seems clear to you this is an error, write the sender and offer to return the package, provided the sender pays for shipping and handling. Give the sender a specific time frame to do this, say two weeks or one month, to get this done. If they don't handle the matter at no expense to you, keep the merchandise.

This kind of scam crops up from time to time. Someone will send out a "free trial offer" of merchandise, and later bill for it. Perhaps you sent for a trial offer of one item, and then you received four instead, accompanied by a bill for the three extra. It's not the most common scam around, but it does happen. In fact, the Federal Trade Commission just announced the convictions of two Florida men on fraud charges for running such a scam. They preyed on Spanish-speaking consumers. They ran telemarketing companies based in Argentina. Their telemarketers called Spanish-speakers in the US and offered to sell vitamins, supplements, or cosmetics. If the consumer ordered something, they received other products instead. When

the consumers disputed the bills, or refused to pay them, the telemarketers threatened to arrest, deport, or add fines to the utility bills of the consumers. A federal judge in Miami sentenced one man to 10 years in federal prison; the other received a sentence of 9 years.

While I am writing about merchandise received in the mail, I want to remind you about what you can do to get your names taken off direct mailing lists. The Direct Marketing Association is an organization to which most direct mailers belong. Their members send out 80% of the direct mail in the US. Starting in 1971, they offered a service to consumers, allowing us to opt out of some or all direct mail, including charitable solicitations. Since 2005, they expanded this offering to include three other options:

- Opting out of commercial emails, called the email opt out service
- Removing the names of the deceased from mailing lists, called the Deceased Do Not Contact List
- Removing the names of dependents for whom you act as caretaker, called the Do Not Contact for Caretaker List

The easiest way (and the free way) to register for these services is to visit their website, www.dmachoice.org. If you want to register by mail, you can register by sending a form to:

DMACHoice

Direct Marketing Association

PO Box 643

Carmel NY 10512

The mail option requires a payment of \$1 check or money order. If you need a form, contact me at Seniors vs. Crime, 563-242-9211 extension 4433, at the Clinton County Sheriff's Office.

CURRENT SCAMS

The Publishers Clearing House sweepstakes scam goes on and on. A Dewitt woman contacted me to report she lost \$120 in this fraud. Someone called her from an 876 area code number, and convinced her to buy a Green Dot MoneyPak, and load \$120 on it. She needed to do this to claim her winnings

of \$1 million and a new car. Once she did this, the crook convinced her to give him the Moneypak card number. He promptly transferred the money off the card. Almost as bad as losing the money, the woman now endures constant calls from the same crook, wanting more money so she can claim the prize. The calls are so frequent, coming in on her business cell phone, it is costing her business, since customers have a hard time getting through to her.

To report scams and fraud, contact me at Seniors vs. Crime, 563-242-9211, extension 4433. Much of what I learn, I hear about from you.

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