



**THE WISCONSIN**



**Senior Guide**

**Wisconsin Department of Agriculture,  
Trade and Consumer Protection**

## **Consumer Protection for Wisconsin Senior Citizens**

From resolving issues with an auto mechanic or a home improvement contractor, to avoiding potential scams and identity theft, the Bureau of Consumer Protection takes great pride in providing services to inform, educate, and protect the public – especially our seniors.

This booklet is a summary of common consumer protection issues facing Wisconsin's senior citizens.

Additional details and more consumer protection topics are available on our website or upon request. Please contact us at the Bureau of Consumer Protection for additional information or further assistance.

For other matters, the Bureau of Consumer Protection will gladly assist by identifying the most appropriate state agency or organization to contact.

Copies of this booklet and other consumer protection educational materials are available from:

**Department of Agriculture, Trade and Consumer Protection**  
Bureau of Consumer Protection  
2811 Agriculture Drive  
PO Box 8911  
Madison WI 53708-8911  
[datcp.wi.gov](http://datcp.wi.gov)  
[DATCPHotline@wi.gov](mailto:DATCPHotline@wi.gov)  
1-800-422-7128

# Contents

Consumer Protection for Wisconsin Senior Citizens..... i

Avoid Scams ..... 1

Wisconsin Law for Seniors and the Disabled ..... 2

Protect Your Personal Identity ..... 3

Recover Your Personal Identity ..... 4

Credit Card Offers ..... 5

Credit Card Bills - Check Them..... 5

Junk Mail ..... 6

Wisconsin Do Not Call ..... 7

Imposter Scams..... 9

Robocalls ..... 10

Grandparent Scams ..... 11

Phishing..... 12

Spoofing..... 13

Telecommunications ..... 14

Slamming and Cramming ..... 15

Gift Cards ..... 16

Warranties ..... 17

Refunds & Returns ..... 17

Rebates..... 18

Mail Order..... 19

Unsolicited Merchandise ..... 20

Contests, Lotteries, Sweepstakes, & Prize Promotions..... 20

Charitable Solicitations.....	23
Inheritance Scams.....	24
Business Opportunities.....	25
Work-At-Home Schemes.....	25
Job Scams.....	26
Secret Shoppers.....	27
Advance Fee Loan Scams.....	28
Investment Seminar Scams.....	29
Financial Investing .....	30
Landlord Tenant Law .....	31
Senior Living / Housing.....	33
Timeshares, Campgrounds, Vacation Clubs, and Recreational Property .....	34
Vacation Offers.....	35
Door-to-Door Sales.....	36
Home Improvement .....	37
Transient Crews .....	38
Three-Day Right to Cancel .....	39
Motor Vehicle Repairs.....	40
Complaint Letters.....	41
How to File a Complaint.....	42
What Happens to Your Complaint .....	43
Small Claims Court .....	44
Additional Resources .....	46
Bureau of Consumer Protection Contacts.....	48

## Avoid Scams

**Do your research.** Do business with companies you know or that come recommended by those you trust. Get as much information as you can about a business or charity before you pay. Check out a business with the Bureau of Consumer Protection before you act.

**Don't wire transfer money to anyone you don't know.** Money sent via wire transfer or money cards is practically impossible to track. Pay by credit card (not debit card) whenever possible, since you can dispute charges easily.

**Just don't answer...** be cautious when responding to telemarketers, door-to-door sellers, and email or text pitches. Instead of responding to unsolicited offers, decide when and where you want to go shopping.

**It's personal, keep it that way.** Never give out your Social Security number, credit card or bank account number or other personal information to anyone you don't know who contacts you.

**You don't have to pay if you are a winner.** Anyone who demands an upfront fee or purchase for a prize is trying to scam you.

**Protect your computer.** Don't click on links within unsolicited emails. Don't enter personal information on unfamiliar websites. Make sure that you have updated anti-virus software installed, use a firewall at all times and use strong passwords you change regularly.

**Check your credit report regularly.** You're entitled to one free credit report per year from each nationwide credit bureau. To access your free credit reports, visit [annualcreditreport.com](http://annualcreditreport.com) or call 1-877-322-8228.

Before you act, **Stop, Think, Ask** & then get it in writing.

**If it sounds too good to be true, it probably is a scam!**

## Wisconsin Law for Seniors and the Disabled

Wisconsin law (Wis. Stat. § 100.264) provides additional punishment to those who prey upon or take advantage of senior citizens or the disabled.

The law allows courts to impose additional forfeitures of up to \$10,000 for violations of consumer laws and rules including:

- False advertising
- Mail order
- Home improvement
- Vacation offers
- Deceptive employment offers
- Landlord-tenant
- Telecommunications & cable
- Motor vehicle repair

The law may be applied in a number of situations, including the guilty person knowing that the victim was a senior (age 62 and older) or disabled. The court must require that restitution be paid before any additional forfeiture.

# Protect Your Personal Identity

Identity thieves can use any combination of your name, Social Security number, mother's maiden name, ATM pin, date of birth, or bank account numbers, to steal money from you and commit financial fraud or identity theft. Keep your private information private.

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**Obtain your credit report FREE from each of the three major credit reporting agencies each year.**

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### Identity Theft Tips

- Do not carry anything with your Social Security number on it, such as your Medicare card.
- Limit the number of identification cards and credit cards you carry, and know which ones you have with you.
- Shred bills, receipts, credit card offers and other items that contain personal or financial information.
- Stop pre-approved credit card offers to help prevent identity theft or financial fraud. Call 1-888-567-8688 or online at [optoutprescreen.com](http://optoutprescreen.com)
- Review your credit card and financial statements when they arrive, and report suspicious activity to your card provider as soon as possible.
- Never give out personal information over the phone or online unless you initiate the contact.
- Make certain you have firewall, anti-virus, and anti-spyware protection on your computer, and use strong passwords.

- Check your credit report regularly. Obtain your credit report FREE from each of the three major credit reporting agencies each year by calling 1-877-322-8228 or online at [annualcreditreport.com](http://annualcreditreport.com)
- Keep personal information and sensitive documents locked up.
- Register for the Wisconsin Do Not Call Registry at [NoCall.Wisconsin.gov](http://NoCall.Wisconsin.gov) or 1-888-382-1222. You must call from the number you wish to register.

## Recover Your Personal Identity

Many identity theft cases go for a long time before the victim finds out that they are being robbed. If you feel that you have become a victim of identity theft or fraud:

- Contact your financial institution and your credit card provider.
- Report it to local law enforcement.
- Notify the three credit reporting agencies.
- Request an “alert” or a “freeze” be placed on your credit report.
- Contact the Wisconsin Bureau of Consumer Protection.

The recovery process will be much easier to work through if you keep an inventory list of all credit card and bank account numbers, expiration dates, and phone numbers available for contacting the institutions that issued each card.



### Credit Card Offers

Fraudulent credit card offers can target people who are having credit problems and have not been able to get credit elsewhere. But scammers can also use unsolicited pre-approved credit card offers to trick consumers into giving up sensitive information in order to steal the victim's identity and commit other fraud.

#### Tips

- If you do get offers in the mail, call 1-888-567-8688 or go to [optoutprescreen.com](http://optoutprescreen.com) and request to "OptOut" from the offers sent to you.
- If you receive mailed offers in someone else's name, return them to sender.
- If the mailed offer is to you and you do not want it, shred it.

### Credit Card Bills - Check Them

Today's technology allows thieves to steal your credit card numbers and make unauthorized charges without even seeing or touching your card. The thieves can run up charges and do significant damage to your credit if you are not paying attention to your monthly statements.

Under federal law, consumers do not have to pay for any unauthorized charges made after they notify the credit company a card has been lost or stolen. The most anyone would have to pay for charges that occurred before reporting is \$50 per card.

If your card is not stolen or missing but you want to dispute unauthorized charges, you must notify your credit company within 60 days of receiving your monthly bill.

## Tips

- ALWAYS read your monthly credit card statements and ensure that you recognize every charge. If not, report it to your credit card company immediately and dispute the charges.
- Report lost or stolen credit cards to your credit card company immediately.

## Junk Mail

Thieves can use junk mail to commit financial fraud and even identity theft. Often, the victim doesn't realize it until after their credit is damaged.

## Tips

- Reduce as much postal and electronic junk mail from coming to you as possible.
- If you receive mailed offers in someone else's name, return them to sender.
- If the mailed offer is addressed to you and you do not want it, shred it.

## Reduce junk mail

- **Mailing lists** – you can eliminate your name from the large mailing lists sold to direct mail marketers by registering free every three years with DMAchoice at [DMAchoice.org](http://DMAchoice.org) or write to:

DMAchoice  
Direct Marketing Association, Inc.  
1615 L Street  
Washington, DC 20036

- **Credit card offers** – you have the right to opt out of unsolicited credit card offers by visiting the OptOut website at [optoutprescreen.com](http://optoutprescreen.com) or by calling 1-888-567-8688. Make sure to select “OptOut,” not “In.”
- **Direct mailings** – to reduce other types of mail, write directly to the companies that are sending you the junk mail and tell them to stop.
- **Sexually oriented** – to stop this type of mail, fill out the proper paperwork at your local post office.

### Reduce unwanted email

- The Email Preference Service (eMPS) is a consumer service sponsored by the Direct Marketing Association (DMA). To reduce email, you may register free every five years with the eMPS removal file at [ims-dm.com/cgi/optoutemps.php](http://ims-dm.com/cgi/optoutemps.php)

## Wisconsin Do Not Call

Getting your land line and cellphone number on the Wisconsin Do Not Call Registry is free and available to residential telephone customers in Wisconsin. Sign up for the Do Not Call Registry at [NoCall.Wisconsin.gov](http://NoCall.Wisconsin.gov) or 1-888-382-1222. You must call from the telephone number you wish to register.

The Wisconsin Do Not Call program is helpful for reducing (not stopping) unsolicited telemarketing calls and text messages. While the program does not stop all illegal telemarketing calls, the program does help government agencies to crack down on illegal practices from within the United States and Canada.

## Exemptions include calls

- To current customers.
- From non-profit organizations seeking donations.
- Made for polls, surveys, and political purposes.

## Tips

- Beware of callers who ask you to send money or buy something sight unseen over the telephone.
- Never give out your credit card number, Social Security number, Medicare number, bank account numbers or other personal or sensitive information to anyone you do not know.
- Never pay anything for a “free prize.”
- Do not be rushed into anything.
- If the caller offers to send a messenger to your home to pick up your payment, or asks you to wire funds – HANG UP!
- Beware of “spoofing.” Crooks can make any name and number appear on your caller ID – such as your bank, a neighbor, or even your own phone number.
- If the caller asks for payment using money transfers (ie: MoneyGram, Western Union) or asks for the PIN number from a cash reload card (ie: MoneyPak, Vanilla Reload or Reloadit packs) – HANG UP! This is illegal under federal law.

## Imposter Scams

An imposter is someone pretending to be someone else. You may receive a call or email claiming to be from a governmental agency or a familiar business. They tell you that you owe money immediately or you could be arrested or sued. They may threaten you and ask you to wire the money or pay using a prepaid debit card.

### Common Imposter Scams:

- **IRS or US Treasury.** Threatening calls that you must pay now for tax violations or be arrested, sued or deported. The IRS will not contact you by phone. They will not make threats.
- **Computer Problems and Screen Pop-Ups.** The caller claims to be from a well-known company like “Microsoft” or “Google”. They say they have detected a problem with your computer. These callers want you to pay for their “services” on the spot so they can obtain your credit card information. Then they access your computer so they can steal personal information and download damaging software known as “malware” that will allow them to continue to access and even control your computer.
- **Utility shut off.** The caller states you have not paid your utility bill and someone is on the way to disconnect your service unless you pay immediately on the phone.

### What to do:

- If you receive a call or email that you are not expecting, **CHECK IT OUT!** Call the business directly using information from a bill to verify what you were told.
- Never give a caller access to your computer.
- Do not click on pop-ups that appear as internet ads on your computer.

- Never pay by wiring money or pre-paid debit cards. Hang up on the call or delete the email.
- Report it to the Bureau of Consumer Protection at 800-422-7128. Your reports help protect others.

## Robocalls

Robocalls are those annoying and often relentless automated calls that deliver pre-recorded messages. Unless an automated call is being made to a current customer, by a non-profit organization seeking donations, or is being made for polls, surveys, or political purposes – the call is illegal.

Illegal robocalls may include a message from “Rachel,” “Card Holder Services,” or something similar supposedly offering a lower credit card or mortgage interest rate, information on a home security system, Medicare, or medical equipment. The calls may be offering fraudulent health care discount plans.

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### Hang up on unwanted robocalls.

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Because most of the illegal robocalls are coming from foreign countries that will not cooperate with American authorities to stop the criminal behavior, consumers should protect themselves.

- Do not answer unrecognized calls.
- Hang up on unwanted robocalls.
- Never press any buttons to respond to the call, even if the message says you will be removed from their list.
- Never try to talk to a live operator, because that will increase the number of calls to your phone.

# Grandparent Scams

A caller pretends to be your grandchild and begs you to send money immediately, while keeping the “loan” a secret from other relatives, especially mom and dad. The money may be to get out of jail, pay for a car repair, get home from a foreign country, or pay for an emergency room or hospital visit. Sometimes, a third person becomes involved, pretending to be a police officer, doctor, lawyer, or bondsman to confirm the bogus story.

This is a scam that many Wisconsin grandparents get caught in every year. Why? Because the scammers are very convincing and very slick at pulling it off! Thieves are even turning to emails to pull off this scam, and it is working.

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**DO NOT wire any money to the scammers! You will never get it back!**

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### What to do

- Ask personal questions to verify the caller’s identity, using questions only a close family member would know.
- Do not fill in the blanks for the caller. If the caller says, “It’s your granddaughter,” respond with “Which one?”
- Contact your grandchild using a number you know. If he or she cannot be reached, contact another family member to verify the grandchild’s whereabouts.
- If you cannot reach a family member, contact the non-emergency number of your local police or the Bureau of Consumer Protection.
- NEVER wire money to scammers! You will not get it back.

## Phishing

Phishing (pronounced “fishing”) is what scammers do to trick you into giving up your personal or confidential information (usernames, passwords, and credit card details) through email or fake websites, so they can steal your identity or hack into your finances.

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**Legitimate companies never contact you and ask for account information over the phone.**

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A con artist may pose as a representative from your financial institution or other familiar business, and ask to verify your account numbers. Just remember that legitimate companies should never contact you and ask for account information over the phone because they already have it on file.

### Tips

- If you receive an email or text message alerting you to a possible problem that requires you to update, validate, or confirm your account information with a business, **DO NOT RESPOND!** Instead, contact the company directly using their legitimate number from your paperwork or local phone book, not the number provided by the scammer.
- Do not click on pop-ups that appear as Internet ads on your computer. Change your browser’s information bar to not allow pop-ups.



- Do not open attachments until you have contacted the sender first to verify the contents and security of the attachment.
- Grammatical errors are a red flag that the email is not from a professional, reputable and, most importantly, legitimate business.

### Spoofting

With spoofting, scammers block their real identities from showing up on your caller ID, email, or text messages. The scammer will appear to be a friend, official site, or trusted source that you feel comfortable answering, or responding to.

If you open or respond to a message or link intentionally infected with a virus, not only can the virus destroy your computer files, it can grab the addresses of your friends and send them a virus as well. The scammer's message to your friends will appear as a trusted message coming from you. When they open or respond to your supposed message, the cycle continues with their friends.

### Tips

- Use virus protection, spyware protection, firewalls, or other filtering software and keep it updated.
- Use strong passwords and keep them updated.
- Delete messages from unsecured sources without opening or responding to the messages.

## Telecommunications

Cable, phone and Internet providers typically offer a variety of services, often bundled into packages. Bundling can save money on your overall bill, but it can also lock you into receiving unnecessary services or ones that you cannot easily cancel.

In most cases, providers are required by Wisconsin law to furnish you with a copy of any contract terms and conditions, and limitations for your services, including:

- A clear description of the service and its features.
- The price you will pay for the service.
- Any incidental charges, including connection or disconnection fees.

### Purchasing tips

- Find out what phone, Internet, and video service options are available in the area you intend to use the services.
- Check for discounts available to new subscribers or for purchasing a package of bundled services and get all details of the offer in writing.
- Get written details about early termination fees for disconnection of service – especially if you were to drop one component of a bundled service.
- Immediately after you buy your phone, test it in the places where you intend to use it. If it does not perform as advertised, take it back.

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**Get written details about  
any early termination fees for  
disconnection of service.**

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# Slamming and Cramming

**Slamming** is the unauthorized switch in your long distance phone service. Always review your telephone bills to make sure an unauthorized switch did not occur.

For protection against slamming, call your local telephone company and ask them not to switch your account unless they receive written or verbal authorization from you. There is no charge for this service.

**Cramming** is when companies add charges to your telephone or credit card bill for services or products such as voice mail, web design, Internet access, or club memberships that you never authorized.

Many times cramming charges occur when you fill out a contest entry form, product coupon, or other promotional materials that have very fine print that includes an agreement to buy a service that will be charged to your phone number or credit card bill. Other times, cramming occurs when you agree to switch your phone carrier.

### Tips

- Watch for international calls when all of your friends and business contacts are stateside.
- Typically, cramming charges are minimal and easy to overlook.
- Look at junk mail carefully. It could be a negative option notice saying that you will be charged for a service unless you contact the company to cancel it.
- Do not return voice mail or text messages to numbers that you do not recognize. A crammer may see the number you are dialing from and process an unauthorized request for service.

- Be cautious of Internet websites that ask for your phone number. There have been cases where consumers entered a phone number to get a “free offer” and wound up with other services or club memberships charged to their phone bill.
- Review your bills closely every month and dispute charges for services you did not request.

### Gift Cards

Gift cards work like a gift certificate, but resemble a credit card and are identified by a specific number or code, rather than an individual’s name. Losing a gift card is the same as losing cash.

The sale of gift cards is regulated by the federal government under Federal Reserve rules, not by the state of Wisconsin.

#### How are consumers protected?

**Expiration dates** – must be clearly disclosed and be at least five years from date of purchase on most cards, but cards given as a reward or promotion for making a purchase can expire in one year.

**Expiration date extensions** – must be given on cards which allow for the addition of more money after it was purchased. The card may not expire for at least five years from the last date additional money was added.

**Dormancy, inactivity, and service fees** – are allowed when a card has not been used for more than one year.

#### Prepaid cards not covered by Federal Reserve rules:

- Calling cards and loyalty or promotional cards.
- Reloadable cards not marketed as “gift cards.”
- Paper gift certificates issued for tickets, admission, spa services and coupons.

### Warranties

There is no difference between the terms “warranty” and “guarantee,” but there can be a big difference between the warranties of two similar products manufactured by different firms.

Federal law does not require manufacturers to issue warranties on their products, but if they do, the warranty must be easy to read and understand. Every term and condition must be spelled out in writing.

Before making a purchase, know whether the product or service is covered by any warranties. A *FULL* warranty typically covers defective products that are fixed (or replaced) free of charge, and within a reasonable time. *LIMITED* warranties typically cover parts but not labor. *IMPLIED* warranties require the product to reasonably do what it is intended to do or your money back.

### Refunds & Returns

There are no state laws that specifically regulate or require refund or return policies. However, Wisconsin businesses may choose to offer customers cash, credit slips, or exchanges. Provided the goods are not misrepresented, each business may set its own refund/return policy, including a restocking fee requirement.

Policies may differ for various items within the same store. For example, clearance or closeout items may be marked “final sale—no returns.” If you purchase an item that is defective, the store may require you to contact the manufacturer, rather than replace the item or issue a refund.

## Suggested questions to ask

- Is there a time limit for returns?
- Will I be able to get a cash refund?
- Do I have to use credit slips within a specified time period?
- Will the store accept returns of sale merchandise, seconds, or irregulars?

## Special orders

If a retailer offers adjustments or returns on special orders, it is legal for the business to charge a restocking fee.

## Tip

Before you sign a contract or agree to a special-order item, ask the business about refund and return policies. Insist that delivery dates be written into your contract and make sure you can get your money back if the shipment is late.

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**There are no Wisconsin laws that specifically regulate refund, return, or rebate policies.**

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## Rebates

There are no Wisconsin laws that specifically regulate rebate policies. Provided the goods are not misrepresented, each business may set its own rebate policy.

## Manufacturers may

- Offer a specific cash refund, coupon, free product, or service.
- Set specific expiration dates, proof-of-purchase requirements, per-household limits, and other restrictions.

## Tips

- Follow the rebate requirements carefully.
- Consider the true value of the rebate being offered, especially if you are being offered in-store credit on future purchases rather than actual money off of the purchase, or money back.
- Keep copies of rebate forms, and a record of the date that you mailed the rebate in.

## Mail Order

The Wisconsin mail order law covers any personal order where the seller solicits and accepts payment without face-to-face contact, such as over the phone or Internet.

Under Wisconsin law, the seller must ship prepaid merchandise or make a full refund within the delivery time shown on the original order blank or ad, or within 30 days if no delivery time is stated. The seller may extend the delivery date by sending you a notice stating that it cannot send the merchandise within the original delivery period. If this happens, you may:

- Contact the seller and cancel the order. They must then promptly send you a refund.
- Contact the seller within 30 days agreeing to a delayed delivery date.
- Do nothing. The seller must then ship or refund payment within the extended delivery time stated, but not exceed 30 days after the original delivery period.

### Unsolicited Merchandise

Under Wisconsin law, unsolicited merchandise is considered a gift and may be kept without any obligation to the sender. Do not be pressured by companies that make a practice of mailing unordered merchandise on a “trial basis,” then send phony invoices.

The law does not apply when you agree to buy items such as books, records, or recipes under what is called a “negative option plan.” Under these plans, once you initially agree, you are automatically sent additional products on an ongoing basis.

Unless you say “NO” within the specified time period, you will be charged for the merchandise and shipping. To protect yourself, contact the company in writing to cancel any future orders and return all unwanted goods. Otherwise, your account may be turned over to a collection agency.

### Contests, Lotteries, Sweepstakes, & Prize Promotions

Whether it is a bogus contest, lottery, sweepstake, or prize promotion, scammers will send an authentic looking check, cashier’s check, or money order to be deposited into your bank account.

#### How the scam works

The con artist requests that you send back a portion of the money for shipping, taxes, processing fees, or other reasons. These checks are fake but look very real. Even bank tellers may be fooled. It may take weeks for the forgery to be discovered and the check to bounce. By that time, the con artist has your cash, and you will owe your bank for any money withdrawn and any bounced check fees.



## Tips

- If they request that you wire them money, it is a scam and you will not get your money back! End the transaction immediately.
- Never agree to pay to claim a prize or a gift.
- Never agree to pay for grants from the government or foundations.
- Do not enter foreign lotteries.
- Never agree to cash checks and send the money somewhere as part of a job working from home.
- Do not accept a check for more than your selling price, no matter how tempting.
- Resist any pressure to “act now.”
- Know the difference between funds being available for withdrawal from your account and a check having finally cleared.
- Do not deposit it—report it! Report fake check scams to the Bureau of Consumer Protection.

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**If they request that you wire them  
money, it is a scam and you will not get  
your money back!**

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## Common scams:

### **International Lotteries**

In the United States, it is illegal to use the mail or telephone to play lotteries across national borders or state lines. By responding back to the scammer, you are breaking the law.

### **Phony Sweepstakes**

Scammers will try to get you to send money or buy something in order to redeem the prize.

### **Magazine Sweepstakes**

Magazine sellers offer sweepstakes as a way to attract new customers. You don't have to make a purchase to enter the sweepstakes and you will have the same chance of winning.

### **Check Overpayment Scam**

Scammers will intentionally overpay for purchases and act like it was an honest mistake in which they will request that you return the overpayment portion. By the time their check bounces, the scammer will have your check and the purchased item in hand.

### **Fake Check Scams**

There are many variations of the fake check scam, but scammers often claim to be in another country and say that it is too difficult or complicated to send you the money directly from their country, so they will arrange for someone in the United States to send you a check.

Although you can withdraw the deposited money quickly, it may take weeks for the forgery to be discovered and the check to bounce. You will then be responsible for paying back any money withdrawn and any overdraft fees.

# Charitable Solicitations

It is legal for organizations to pay telemarketers to conduct professional fundraising for them, even if they keep a large percentage of the donations.

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**Only donate to organizations that you know and trust.**

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### Be very cautious of

- Any organization that pressures you to donate on the spot.
- Groups sending you free gifts in order to get you to donate.
- Charities or organizations that do not disclose how much of the money collected is used for charity and how much goes for salaries and administration.
- Sound-alikes and look-alikes that are very similar to those of legitimate, well-known charities.
- Charities or organizations that use excessively tearful or emotional appeals.
- Thank you letters that include an appeal for additional money.
- Fraudulent fundraising often pops up after natural disasters or other tragedies strike. Only donate to organizations that you know and trust.

### Before you donate

- Make sure the charity is registered with the Department of Financial Institutions, 1-800-452-3328.
- Check out a charity through the Better Business Bureau at [wisconsin.bbb.org/charity](http://wisconsin.bbb.org/charity)

## Inheritance Scams

Scammers are incredibly slick at convincing seniors that they have inherited a large sum of money from a long-lost relative who died overseas. The scammer will pose as an attorney or bank official, asking you to call him with your bank information so he can make arrangements to get the money to you. **Do not fall for it!**

In some cases the scammer will send you part of the supposed funds to pay him for the taxes and processing fees. You will be told to act immediately and keep the transaction secret.

The details vary. Sometimes the scammer claims to be a government official who needs help transferring millions of dollars from his country to a bank in the United States. Or they pose as a rich person on their deathbed, looking for someone to help distribute their wealth to worthwhile charities. Some con artists will go to great lengths to make everything sound plausible; others rely on your wishful thinking to fill the gaps in the story.

Bottom line – it is a scam! You will never get back any money wired to the scammer.

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**Before you purchase any family history product or service, take time to research their claims and look for some type of money-back guarantee.**

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### Business Opportunities

When considering whether to become involved in a business opportunity, use our suggestions in “Work-at-Home Schemes,” “Job Scams,” and “Secret Shoppers” to help guide your decision making process.

#### Tips

- Find out where the company is located and how long they have been in business.
- Check them out with the Bureau of Consumer Protection and the Better Business Bureau.
- Know what you will be selling, what similar products/services are already on the market, and whether the product/service is competitively priced.
- Make sure your sponsor or the person recruiting you can support claims about the product’s performance and the amount of money you can make.

### Work-At-Home Schemes

Scammers make money off of work-at-home schemes by requiring purchases of training manuals, craft kits, or potential customer contact information.

Scammers target seniors looking to supplement their income. They will take your money, then reject your finished projects as being inferior, or send you worthless contact information.

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## Tips

- Watch out for vague ads with no company name or address.
- Check it out with the Bureau of Consumer Protection and the Better Business Bureau.
- Get all promises in writing before you pay, and know the return and refund policies.
- Get written details on how you will be paid for your efforts or services.
- Do not give out your Social Security number or other personal information.
- Find out if there is really a market for your work.
- Be aware of legal requirements, including licenses, certifications, or restrictions on home-based business operations in your community.

## Job Scams

A job scam is when con artists charge upfront fees after making bogus promises to get you a job. Or they will send you advice on writing resumes or lists of companies that they have gotten for free from public directories.

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**Be wary of promises to help you get a government job.**

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Money-back guarantees will not be worth the paper they are written on. Fraudulent employment services will use an endless string of excuses for why you are not entitled to a refund.

## Tips

- Do not pay upfront fees. Most legitimate employment agencies do not charge unless they actually succeed in getting you a job, and often it is the new employer who pays.
- Be especially cautious of requests to wire payments. Recovering wired funds is nearly impossible.
- Know what services are being offered.
- Know where the company is located and how long they have been in business.
- Get all promises in writing, including money-back guarantees.
- Be wary of promises to help you get a government job. No employment service can guarantee that you will qualify for a government job or arrange to get you special treatment.

## Secret Shoppers

Fraudulent mystery shopping promoters use newspaper ads and emails to create the impression that they are a gateway to lucrative mystery shopper jobs with reputable companies.

The scammers will even promote a website where consumers can supposedly “register” to become certified mystery shoppers with them. Be cautious of promoters who:

- Require mystery shoppers to be certified.
- Guarantee a job as a mystery shopper.
- Charge a fee for access to mystery shopping opportunities.
- Ask you to deposit a check and then wire some or all of the money to another person or business.

## Advance Fee Loan Scams

Beware of ads promising guaranteed loans, debt consolidation, credit repair, or similar claims. Be even more cautious if the offers claim that they can help those with the worst of credit problems. In many cases, you will be asked to send money in advance, but will receive little or nothing in return.

DO NOT pay a fee for the promise of a loan, a job, or anything else! In fact, it is illegal for companies doing business by phone in the United States to promise a loan and ask for payment before delivery.

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**DO NOT pay a fee for the promise of a loan, a job, or anything else!**

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### Tips

- Do not pay up front.
- Request contract terms and conditions of the service in writing, including cancellation and refund options.
- Ask how long the firm has been in business and whether it is licensed with the Department of Financial Institutions, 1-800-452-3328.
- Before you sign, get a second opinion on the offer from a lawyer, trusted advisor, or family member.
- Shop around for the best loan rates and fees.
- Be careful about giving out any of your personal information, including your Social Security number, credit card numbers, or bank account numbers.



# Investment Seminar Scams

Investment scams are often promoted at seminars held in hotel or resort conference rooms. Seminar salespeople use high pressure sales tactics to push you to act on the spot.

Be wary of promotional materials, sales pitches, or offers that make these claims:

- You can earn big money fast, regardless of your level of experience or training.
- The program or business opportunity is offered for a short time only.
- The deal is a “sure thing” that will deliver financial security for years to come.
- You will reap financial rewards by working part time or at home.
- You will be coached each step of the way to success.
- The program worked for other participants—even the organizers.

### Seminar tips

- Take your time, and do not be rushed into buying on the spot.
- Investigate the business you are considering investing in.
- Be wary of “success stories” or testimonials of extraordinary success. The claims could be coming from someone who was paid to make such glowing statements.
- Be cautious of seminar representatives who are reluctant to answer questions, or who give evasive answers to your questions.
- Get investment qualification requirements and the company’s refund policy in writing.

## Financial Investing

Be on guard against financial investment scams and fraudulent financial advisors, especially those that target seniors.

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**Report discrepancies or anything suspicious, such as a missing payment or an unauthorized withdrawal.**

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### Tips for monitoring loved ones

To avoid scams or help determine if an ill or elderly relative is a victim or target of financial fraud, watch for:

- An unexplained cash shortage when the elderly person should have enough money coming in.
- Checks payable to people or businesses for reasons that the elderly person cannot explain.

### Tips before investing

- Only deal with businesses, advisors, and other organizations you already know or that have been recommended.
- Contact the Bureau of Consumer Protection to find out if the company has any complaints filed against them.
- Check out the company with the Better Business Bureau.
- Look up the company in your area and for the area the company is located.
- Search the Internet using the company name and the word “complaint” or “scam” to see if complaints have been filed.
- Get all key details of a significant offer in writing.

- Be cautious if the people making the sales pitch only focus on the benefits or the promised returns and rushes over the costs and potential risks.

### **Tips after investing**

- Closely monitor credit card bills and bank statements. Report any discrepancies or anything suspicious, such as a missing payment or an unauthorized withdrawal.
- Request and review your free credit report from each of the three credit reporting agencies, and monitor for signs of identity theft or financial fraud by your financial advisor. Call 1-877-322-8228 or online at [annualcreditreport.com](http://annualcreditreport.com)

## **Landlord Tenant Law**

As a tenant in Wisconsin, you have basic rights and responsibilities. To avoid problems, or resolve issues, it is important that you know what these rights and responsibilities are.

### **Before you rent**

- Landlords should disclose any building or housing code violations, and put repair promises in writing with a completion date. Condemned property may not be rented.
- Landlords must disclose if you are required to pay utilities and how charges will be divided if the dwelling is one of several not individually metered.
- The total amount of rent and other non-refundable fees must be disclosed.

## While renting

- For non-emergency situations, landlords must provide a 12-hour advance notice to enter your apartment.
- Rent may not increase during the time of your written lease unless specifically stated.

## Ending a tenancy

- Month-to-month rental agreements may be ended by giving a written termination notice at least 28 days before the next rent due date.
- If the lease contains an automatic renewal clause, the landlord must remind you of the provision 15-30 days in advance of the notice deadline.
- Security deposit must be returned within 21 days after the last day of your lease date.
- Landlords can require that you have the carpets professionally cleaned if they put it in the lease before you sign, but they cannot deduct for it from the security deposit.
- Security deposit deductions must be provided in a written itemized statement.
- **5-day Notice.** This written notice from the landlord gives the tenant five days to pay rent or remedy a breach of the lease or move out within the five days. If the tenant pays or corrects the breach within 5 days, the tenancy continues.
- **14-day Notice.** This written notice from the landlord gives the tenant 14 days to vacate the property because of failure to pay rent, breach of the rental agreement, or damage to property. The notice does not offer the option of paying the rent or correcting the breach.

For more information on landlord tenant related topics, contact the Bureau of Consumer Protection.

# Senior Living / Housing

As an alternative for seniors not needing or wanting to move into an assisted living situation, an increasing number of private businesses are offering senior housing. With senior housing, elderly buyers may purchase an individual unit and pay annual maintenance fees.

In some cases, the businesses will agree in advance to purchase back or resell the unit if the owner moves or passes away.

### Tips before signing or investing

- Take your time and read through the contract thoroughly, ask questions, and fully understand the written details of the contract offer.
- Have a friend, loved one, or other third party (possibly an attorney) offer a second opinion on the contract offer.
- Find out if the Bureau of Consumer Protection and the Better Business Bureau have complaints against the company you are considering.

### If a money-back or buy-back guarantee is offered

- Know whether the return of your original investment is dependent upon the sale of your unit (or not), and what happens if other comparable units are for sale at the same time.
- Know what percentage of your original investment will be returned to you or your estate.
- Get written details on how the funds will be secured to ensure payment of a future buy back.

## Timeshares, Campgrounds, Vacation Clubs, and Recreational Property

### Before you purchase any of the above

- Take your time and avoid being subjected to high pressure sales tactics often used by sales people.
- Get all promises in writing and insist on reading the contract carefully before you sign.
- Find out if annual maintenance fees are required, how much they will be, and options for getting out of them in the future.
- Research the reputation of the seller, developer and the management company.
- Check for any limits on exchange opportunities, including plans offering “swap” arrangements with different resorts or campgrounds.
- If a point system is used, get written details of what the points cover and how they work.

### Before you resell

Be wary of fraudulent companies offering to resell or exchange your recreational property or membership. Scammers often charge large listing fees upfront with promises that never materialize.

### Right to Cancel

Consumers have a five day right to cancel timeshare contracts. Be sure you receive a copy of this in writing.

### Default Protection

Know what rights or protections are included in the purchase. Find out if the builder or management company has financial problems or defaults. Also, check to see if your contract includes clauses concerning “non-disturbance” and “non-performance.”

## Foreign Properties

American property laws generally do not apply to foreign timeshare contracts.

## State law protects consumers

People who sell timeshare and campground memberships must be licensed by the state. Contact the Department of Safety and Professional Services, 1-877-617-1565.

## Vacation Offers

Vacation scammers tend to sell vacation certificates, which are nothing more than a piece of paper to request a vacation. Often, these offers are mailed out as unsolicited postcards or flyers.

Many offers require making a purchase, joining a membership, or attending sales presentations before the certificate is issued or validated.

## Tips

- Know if you are required to attend a sales presentation. If so, how many, how long are they, and for what purpose?
- If you are promised a prize for attending a presentation or sales pitch, the law requires you get the prize before the presentation begins.
- Get a breakdown of all additional out-of-pocket costs or verification of items or services being included at no additional fees, charges or costs.
- Get all restrictions in writing – travel, lodging, or other vacation offerings may be prohibited on holidays, weekends, prime tourist periods, or attraction and event scheduling.
- Know what taxes, transportation, meals, or other handling fees are required.

- Get cancellation, refund, and rescheduling policies in writing. Promoters often keep all or part of the money under nonrefundable policies.
- Compare the vacation offer to what a travel agent can provide, or what you can get by doing your own planning.

### Door-to-Door Sales

Before door-to-door sellers say anything beyond a short greeting, they are required to state their name, company name, and type of product/service they sell.

Consumers often complain about door-to-door sales of home security systems, hearing aids, magazines, window replacements, and other home improvement projects.

#### Traveling sales crews working in Wisconsin

- Are required to carry a Department of Workforce Development issued ID card and a copy of the certificate of registration with them at all times.
- Must have a registration stamp from the local municipality placed on the certificate of registration prior to selling door-to-door in that community.
- Can only engage in sales activities from 9:00 a.m. to 9:00 p.m.
- Cannot claim to be engaged in a contest to win cash, scholarships or some other prize.
- Fundraising sales by nonprofit organizations (i.e. Girl Scouts, 4-H Clubs, school sports or music teams) are exempt from the above rules unless otherwise stated by a local ordinance.

#### Tips

- Get all promises and details of agreement offers in writing.
- Get two copies of the cancellation forms from the seller.



- Select a home improvement contractor with care.
- Be cautious when dealing with transient crews.
- When purchasing service plans for hearing aids, avoid duplicating coverage with your existing plans.
- When health care tests are involved in the possible sale, ensure that the tester is licensed or certified.
- Request a free trial period to evaluate the product/service.

## Home Improvement

Craftsmanship is not regulated on home improvement projects, so a contractor's quality of work can generate frustration if a project is not done to a consumer's satisfaction.

### Tips

- Try to hire a local contractor to do the repairs, especially if the area was recently hit by a storm or natural disaster.
- Know whether the contractor will be subcontracting your job, and if so, who will actually be doing the work.
- Get two to three written estimates before choosing a contractor.
- Get references on the contractor and contact them.
- Get all estimates, contracts, and warranty information in writing, including a start and completion date; exactly what work is to be done; and what materials are to be used.
- If three-day right to cancel applies, get two copies of the cancellation forms from the contractor.
- Beware of contractors promising to pay or rebate portions of an insurance deductible as an incentive to enter into a contract for exterior repair. If the insurer denies the claim in whole

or in part, you have the right to cancel the written contract within three days of the notice.

- Get lien waivers from anyone that you pay for home repairs.
- Never pay with cash or checks made out to cash.
- If you have problems with the work performed, contact the Bureau of Consumer Protection to learn more about the process and requirements of “First Right to Cure.”

## Transient Crews

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**Do not let strangers into your home,  
not even to use the bathroom or  
get a drink of water.**

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Storm chasers travel to hard-hit communities and offer seemingly irresistible deals for construction or repair help. They pressure homeowners for upfront payments or increase prices arbitrarily as they work. These teams come and go from an area without a trace, leaving consumers empty-handed and with no recourse for any work they have not completed or any damage they have done to a homeowner’s property.

### Protect Yourself

- Do not let strangers into your home, even to use the bathroom or to get a drink of water. They can make their sales pitch at the front door.
- Check their credentials by looking up the company’s number in the phone book and call to check on the identity of the seller.

- Contact the police or sheriff's department to verify that the crew is approved to solicit work in the area.
- Call the police immediately if they do not leave when asked, or if they begin to do a job without your authorization.
- Select a home improvement contractor with care.

### Three-Day Right to Cancel

Despite popular belief, three-day right to cancel **DOES NOT** apply to all purchases across the board. The law is intended for dealing with impulse buying or even high-pressure sales tactics for unsolicited goods or services.

State law provides a three-day right to cancel for most credit transactions and cash sales of \$25 or more, but only when the solicitation and transaction were completed away from the seller's regular place of business. Door-to-door sales, telephone solicitations, Internet solicitations, and most purchases conducted at a convention, fair, or expo also qualify for a three-day right to cancel.

If you purchase something under the above conditions, always get two copies of your "notice of cancellation" form from the seller. To cancel the transaction, sign and date both copies. Keep one copy for your records and send the original to the company.

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**...only applies when the solicitation and transaction were completed away from the seller's regular place of business.**

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Saturday is considered a business day, while Sundays and federal holidays are not. It is recommended to send by certified mail, so you'll have proof you mailed the notice by midnight of the third business day. If you properly cancel on time, all money paid must be returned to you within ten days. If the company doesn't pick up the merchandise within 20 days, you are allowed to keep it.

## Motor Vehicle Repairs

Motor vehicle repair shops in Wisconsin must get your authorization for any repair before they perform the work and offer an estimate for repairs of \$50 or more. This includes body shops, businesses that rebuild parts, and businesses that install or repair accessories - such as speakers, trailer hitches, truck bed liners, or remote start systems.

### Basics about the law

- If you do not want an estimate, the shop must still give you a copy of the repair order describing what repairs will be done.
- If you drop off your car before the shop opens with a note to repair something, **and you do not request an estimate**, the shop can charge what it wants.
- When calling for additional authorization, the shop must tell you both the cost for the additional repairs and the new total cost of the job.
- **If requested before** repairs begin, the shop must return replaced parts. Warranty or exchanged parts need not be returned, but must be made available to you for inspection.
- The shop must provide you with an itemized invoice of work performed, and parts that were replaced.

- The shop may put a lien on your vehicle and hold it until you pay for authorized repairs, including daily storage charges until you do pick it up.

### Tip

- Before you allow a tow truck to move your vehicle, remove any items from the car that you need, because the towing company can deny you access to the vehicle and all items in it until you pay the towing and storage fees.

## Complaint Letters

If you are dissatisfied with the purchase of a product or service, contact the business and let them know about the issue, while providing them an opportunity to resolve the matter.

If your first contact by phone or in person is not successful, you may achieve more satisfactory results by sending the company a complaint letter.

### Complaint writing tips

- Keep the letter brief and to the point, while including all pertinent facts (date and place of transaction, name of product, serial number, and store).
- State the problem and indicate what you believe would be a fair and just settlement of the problem.
- Include your name, address, home and work phone numbers and email address.
- Send copies of important documents, not originals.
- Sending documents through certified mail is recommended.
- Give the business a deadline for their response, but be reasonable.

- Provide the names of offices, agencies, or associations you intend to go to for help if your problem is not resolved.
- Avoid writing a sarcastic, threatening, or angry letter; it may lessen your chances of getting the complaint resolved.
- Keep copies of your letter and all related documents and information.

## How to File a Complaint

Consumer complaints may be filed with the Bureau of Consumer Protection at any time.

- All complaints must be received in writing.
- General and topic-specific complaint forms are available online or can be mailed upon request. Contact us if you need a form mailed to you.
- You may submit a completed complaint either by mail, email, online, fax, or in person.
- Submit copies (**not originals**) when you have documents to support your complaint.
- Contact the Bureau of Consumer Protection if you have questions or need further assistance.

# What Happens to Your Complaint

Most complaints are handled within six to eight weeks, but more complex situations can take several months.

Complaints are handled in the order received and are assigned to a staff person who will contact the business about your complaint.

The staff person will notify you:

- When your complaint is assigned a file number and their contact information
- If we forward your complaint to another agency.
- When we get feedback from the business.
- If the business refuses to respond.
- If we are unable to locate a valid address on the business.

Our correspondence with the business may include potential violations of state consumer laws. In some situations, we may:

- Issue a formal warning notice to the business.
- Recommend the case to the Department of Justice or to a district attorney for prosecution at their discretion.

If the business does not settle the complaint to your satisfaction, you might consider:

- Discussing your complaint with an attorney.
- Taking action in Small Claims Court if that court has the power to hear your complaint.

Judgments and money awards can only be made by the court system. The Bureau of Consumer Protection strives to mediate a resolution informally before a situation goes to court. However, it is always your right to take someone to court without going through the Bureau of Consumer Protection first, and you can always take someone to court if the Bureau of Consumer Protection is unable to assist to your satisfaction.

## Small Claims Court

Any individual or corporation doing business in Wisconsin can sue or be sued in small claims court. Small claims court is intended for settling disputes of \$10,000 or less without the use of an attorney, but it is your right to hire an attorney.

### Necessary forms

- The Small Claims Court Clerk at any county courthouse can supply you with the necessary forms (a summons and a complaint form) to begin your action.
- The clerk can tell you which courthouse to file the completed forms with.
- Filing fees differ from county to county.

### Serving the paperwork

Copies of the filed forms must be “served on” or delivered to the defendant. Check with the county where you filed to determine acceptable delivery options.

### Going to court

After your claim is filed, the court will typically set an initial informal conference to review the facts in your case. Many small claims court cases are settled at these informal conferences, so come prepared to argue your case. If both parties appear at this first conference and cannot reach agreement, the matter will be scheduled for a hearing before a commissioner. In some highly populated counties, such as Milwaukee County, a court commissioner may informally hear and decide your case on the first court date.

If you are not satisfied with what is done at the informal conference or by a court commissioner, you maintain an absolute right to have your case heard by a circuit court judge in a full trial.



## Judgment settlement

If you win the case, you can ask the court to include court costs and any money you spent as part of the settlement.

Keep in mind that it will be your responsibility to collect the judgment settlement from the defendant. The court will not do this for you.

## Additional Resources

### Eldercare Locator

U.S. Administration on Aging  
1-800-677-1116  
eldercare.gov

Information on local services for the elderly.

### Funeral Planning

Federal Trade Commission (FTC)  
600 Pennsylvania Avenue NW  
Washington DC 20580  
202-326-2222  
ftc.gov

The FTC offers a detailed funeral planning guide titled:  
“Funerals: A Consumer Guide”

### Insurance

Wisconsin Office of the Commissioner of Insurance (OCI)  
125 S Webster St.  
PO Box 7873  
Madison WI 53707-7873  
608-266-3585  
1-800-236-8517  
oci.wisconsin.gov

To file a complaint against your insurance company or agent,  
contact OCI.

## Medicare & Medicaid

Centers for Medicare & Medicaid Services

7500 Security Blvd.

Baltimore MD 21244-1850

1-800-633-4227

medicare.gov

[access.wisconsin.gov](http://access.wisconsin.gov) is a website for low-income seniors and people with disabilities wanting to reduce their prescription drug costs.

Medigap Hotline at 1-800-242-1060 or 608-246-7017 answers Medicare related questions for Wisconsin residents.

## Unclaimed Assets

Wisconsin Department of Revenue

PO Box 8982

Madison WI 53708-8982

608-267-7977

[www.revenue.wi.gov/ucp/](http://www.revenue.wi.gov/ucp/)

Email: [DORUnclaimedProperty@revenue.wi.gov](mailto:DORUnclaimedProperty@revenue.wi.gov)

Find out whether you have any unclaimed funds from financial institutions, life insurance companies, etc.

## **Bureau of Consumer Protection Contacts**

**Department of Agriculture, Trade and Consumer Protection**

**Bureau of Consumer Protection**

2811 Agriculture Dr.

PO Box 8911

Madison WI 53708-8911

1-800-422-7128

[datcp.wi.gov](http://datcp.wi.gov)

Email: [DATCPHotline@wi.gov](mailto:DATCPHotline@wi.gov)

### **Wisconsin Do Not Call**

2811 Agriculture Dr.

PO Box 8911

Madison WI 53708-8911

Email: [WINoCall@wi.gov](mailto:WINoCall@wi.gov)

Consumer sign up for the Wisconsin Do Not Call Registry:

1-888-382-1222

[NoCall.Wisconsin.gov](http://NoCall.Wisconsin.gov)



**Department of Agriculture,  
Trade and Consumer Protection**

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*Bureau of Consumer Protection*

2811 Agriculture Drive

PO Box 8911

Madison, WI 53708-8911

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