



Consumer Watch

A Monthly Newsletter from the Connecticut Department of Consumer Protection

William M. Rubenstein, Commissioner

Dannel P. Malloy, Governor

www.ct.gov/dcp

Vol. 1 No. 4 September 2011

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Suggested Links

www.ct.gov/dcp

Our website offers the latest and most comprehensive information that we have on dozens of consumer-related topics!

<https://www.elicense.ct.gov>

To verify a license, permit or registration, or to run a roster of licensees. Also, the place for online renewal!

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Heating with Oil? Three Things to Do Now

Some of the loveliest days of the year arrive in September and October in Connecticut, and while it's an enjoyable time, we also need to finalize plans for heating our homes in the winter ahead. The first two steps in this three-step process apply mainly to people who heat with oil, but the information can be adapted for natural gas and propane, too. Step 3 applies to everyone, regardless of heating fuel.

1. Select a heating oil retailer

Instead of handing over a large check to someone based on an ad quoting a low price, do your homework. If you don't end up with all the oil you paid for, it's not a very good deal. Do some homework; call around for prices first, so you know what the market is like in your area of the state. Visit the Department of Energy and Environmental Protection's **Heating Oil Monitoring Program** web page for current prices.

- Ask your neighbors and friends who they use and find out if they have had any issues or problems with their dealer.
- Confirm that any fuel dealer you are considering is licensed in Connecticut and get the license number. Go online to www.ct.gov/dcp to verify that the company is properly registered, and see the number of closed complaints on file.
- Visit the Better business bureau website at www.ct.bbb.org to read about the company and any review any consumer complaints.
- Ask the company for references and check them.

2. Choose a price plan

Pre-pay, pre-buy, or market price? How and when you pay for your heating oil could save you money, but be sure you know what you're getting into.

- Fuel companies usually let you buy oil as you need it, but during the colder months, prices will tend to increase.

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From Commissioner Rubenstein

Greetings. I hope this message finds you once again in relative comfort, with utilities, food, water and the conveniences that we so often take for granted. In addition to the change-of-season routines that we normally go through at home and at work, the past few weeks certainly handed us a broad array of non-routine circumstances to test our mettle, individually and collectively. This being New England, it's impossible to predict what other events may come to pass, but it was reassuring and a privilege – for me, at least – to be involved in the State's emergency response and recovery effort. Throughout Storm Irene and its after-math, the Department stood firm in its mission to protect the market-place and Connecticut's citizens from unsafe products and unfair marketing. A great deal has been accomplished, yet there is much more to be done. We're eagerly moving forward!

William M. Rubenstein



Commissioner William M. Rubenstein was appointed by Governor Malloy and approved by the Legislature during the 2011 Connecticut General Assembly session.

The Department's Emergency Role

In any state of emergency declared by the Governor, the Department of Consumer Protection's task is to respond to incidents and disasters that may affect marketplace transactions, including:

- product shortages and profiteering,
- safety and availability of food, bottled water and pharmaceuticals, and
- supply and availability of heating and motor fuel.

In the wake of Tropical Storm Irene, staff worked with suppliers to determine if a supply problem existed and where, assisted and advised local authorities, and monitored conditions at wholesale and retail levels.

Employees also fielded calls, offered advice and took complaints about product prices and shortages, and prepared and disseminated statewide media and website updates and information.

Commissioner Rubenstein worked with Governor Malloy, Attorney General Jepsen, Insurance Commissioner Thomas Leonardi and other state agency commissioners and association leaders to share information, solve problems and dispel rumors.

For more about our emergency response, please see page 4.

Seven Tips for Clean Gutters at a Fair Price

Tropical Storm Irene's heavy wind and rain may have filled your gutters with leaves and debris. With autumn's leaf-fall still ahead, it would be wise to clean full or clogged gutters soon. Here are some things to know if you're planning to hire someone to clean your home's gutters.

Gutter cleaning is NOT considered home improvement under Connecticut law. However, gutter **repair** and installation IS considered home improvement.

Like everything else concerning your home, be choosy about whom you hire to clean your gutters. An inexperienced or careless cleaner could cause damage to your roof, gutters or downspouts. An unscrupulous business could charge you too much or never do the job. As with anything else, know who you are hiring and be sure they have a good track record of honest, quality work.

1. First, **don't** hire anyone selling gutter cleaning door to door. Always do your own careful research and planning before hiring anyone to work on your home.
2. Before hiring a gutter cleaning company, see if it's reviewed on the Better Business Bureau's website at www.ct.bbb.org. You may also see the number of complaints filed against the company.
3. Get your price in writing, and make sure it applies to your specific type of house. Gutter cleaning on a large home, or one with a high roofline, often costs more. Have a company representative look at your house and give you a written quote.
4. Be clear with your expectations. Some companies just clear the debris and drop it on the ground for you to clean up. Others use a tarp, gather the debris from your gutters and take it away. Still others finish up with a high-power wash to clear out any remaining dirt and clogs.
5. Any company that you hire should have insurance to protect you and your home against possible damages caused by a worker. They also need Workman's Compensation to protect you if a worker is injured on your property. Ask for, and wait to receive a copy of the company's insurance policies **before** scheduling service. Examine and **verify** the policies with their insurance agent before the work begins.
6. If possible, be home or arrange to have a family member or friend onsite when the cleaning is done to assure that the work is done to your satisfaction.
7. Never pre-pay for service, or provide a credit card number until **after** your service is fully completed.

True or False? *(answers, page 4)*

1. A real estate salesperson licensed in a "reciprocal state" may practice real estate in CT. **True or False?**
2. A store that advertises the net price (after-rebate price) of an item with a mail-in rebate must credit the consumer the amount of the rebate at the time of purchase. **True or False?**

Mark Your Calendar!

The U.S. Drug Enforcement Agency (DEA) will hold a third National Prescription Drug Take Back Day on **Saturday, October 29th**, statewide. More information to follow next month!

The Drug Control Division is announcing the following Drug Collection events:

- **Wednesday, September 28th, 5:00pm to 7:00pm**
Northwestern Regional High School
100 Battistoni Drive
Winsted
- **Saturday, October 29th, 10:00am to 2:00pm**
UCONN Health Center
MARB Building,
263 Farmington Ave.
Farmington

ALSO... Department staff are participating in the following senior fairs across the state in upcoming weeks:

- September 20, Clinton Town Hall, 9am to 12pm
- September 30, Three Rivers Community College, Norwich, 9am to 12:30pm
- October 5, Hall Neighborhood House, Bridgeport, 9am to 12 pm
- October 14, Manchester Community College, 11am to 2pm
- October 26 at Port 'N Starboard, New London, 9am to 12pm

More senior events -- planned for November -- will be listed next month.

Things to Do Now, continued from page 1

- Many companies offer a contract that allows you to "lock in" a price, meaning that you pay a set price per gallon throughout the winter. But if market prices decrease, you may be contractually obligated to pay the higher price.
- A "price cap" contract will guarantee you a per-gallon price within a range, with a maximum and minimum fixed price. No matter how market prices fluctuate, you'll never pay more -- or less -- than the "capped" price at either end. Be sure to get a written statement from the company about how they define a decline in prices. For example, if the contract says "market price," does it mean within a range of what competitors are offering, or a set price above wholesale, or other benchmark?
- **Read your contract.** Review all terms and conditions, and ask questions before signing on to a price plan or service contract. Many dealers charge exit fees if contracts are broken early.
- A home heating oil contract for any guaranteed price plan, including fixed price contracts and other similar terms, must be in writing. The plan's terms and conditions must be in plain language, in 12 point type or larger. The contract should be for a period of no more than 18 months and by law, must indicate:
 - the amount of money you paid to the dealer under the contract;
 - the maximum number of gallons of home heating oil committed by the dealer for delivery to you under the contract; and
 - prepaid contracts must include a statement assuring that the contract is secured with 1) at least 80% of all heating fuel promised under pre-paid contracts for the season, or 2) with a surety bond worth at least 50% of the total funds received by the dealer on prepaid contracts for the season.
- Be sure your contract indicates that any undelivered home heating oil is owed to you at the end of the contract. The law requires that you be reimbursed not later than thirty days after the end date of your contract, **unless** parties to the contract agree otherwise.
- Ask for a signed, dated copy of the contract, and save it along with all of your oil delivery receipts for at least a year, in case there is a dispute.

Remember, if the deal seems "too good to be true," it probably isn't true.

3. Weatherize your house

- Install a programmable thermostat, which can save about \$150 a year in energy costs. In the winter, set your home temperature back 8 degrees for an eight-hour span during the day when no one is home, and again for 10 hours at night.
- Do system maintenance. Now is a good time to give your heating system an "annual checkup." Contact your oil company or the company that installed your furnace or boiler to go over the system.
- Get an energy expert to do a professional room-by-room assessment of your energy use and review your energy bills. Resources can be found at this website: www.ctenergyinfo.com/Weatherization.htm. An Energy Star website, www.energystar.gov/homeadvisor, offers tips that can help reduce your energy bills by up to 25 percent. Enter your zip code and the type of heating, cooling system and water heater you have, for a customized list of recommendations.

If you have a problem or questions about fuel contracts, feel free to send an email to food.standards@ct.gov with all the details so our staff may assist you.

Highlights from Our Annual Report

The Department just completed its 2010-2011 annual report, which will be available soon on our website. We are proud of our many accomplishments, and want to preview a few highlights.

We processed more than 215,000 licenses in 200 different job categories, in less time and with less postage and paper, through the agency's e-licensing online system.

We provided monetary restitution to consumers who were financially damaged in the areas of home improvement (346 claims paid \$2,614,260 346); new home construction (19 claims paid \$453,419); health clubs (73 claims paid \$15,393); and real estate (two claims paid \$50,000).

Total wagering revenue from all forms of legal gambling regulated by the Gaming Division was nearly \$18.1 billion, with \$16.1 billion returned to the public in prizes and more than \$653 million transferred to the General Fund.

We investigated and resolved a case in which a gasoline retailer sold low octane gasoline as higher octane product at two local gasoline stations. Our work resulted in an end to the practice and a \$20,000 settlement payment to the State.

We processed 47 applications to the new automobile warranty arbitration "lemon law" program, and ordered restitution or replacement of consumer's vehicles in the amount of \$596,000.

Through participation in the LEAN process, the Liquor Control Division dramatically reduced the time period between accepting a permit application to issuing a provisional permit from an average of six weeks to ten days.

Our Response to Tropical Storm Irene

Last month, we encouraged people to prepare their list of contacts to use in case of emergency. Our August newsletter included, "What's in Your Toolbox," and we issued a media release on the topic the same week. Anyone who took heed of the suggestions may have had an easier time contacting a plumber, electrician, home improvement contractor or arborist following Tropical Storm Irene.

As forecasts predicted Irene's path, we deployed staff to the state's Emergency Operations Center at the State Armory, to help the Department of Emergency Services and Public Protection monitor conditions and provide recommendations to Governor Malloy and other leaders.

Two days before the storm hit Connecticut, Commissioner Rubenstein and Attorney General Jepsen announced an imminent abnormal market disruption in energy resources under **Connecticut General Statutes Section 42-234**. This action put wholesalers, retailers and consumers on notice that charging unconscionably excessive prices for gasoline, heating fuels and other energy resources is prohibited. Meanwhile, we distributed home safety advice for consumers, alerting them to hazards from generators, carbon monoxide, electrical current in flooded basements, and related issues.

Over the stormy weekend, staff continued to monitor market conditions and gather information about supply disruptions. Based on field reports and other information, on August 30th, Commissioner Rubenstein assured the public that gasoline supplies were sufficient and encouraged consumers to restrain from taxing the gasoline supply by topping off their tanks or panic buying. The Liquor Control Division notified liquor wholesalers that their August liquor deliveries could be made through September 9th, in order to facilitate safe delivery of product on Connecticut's storm-swept roads.

Field staff assisted and advised local health authorities and food retailers in salvaging safe foods and destroying unsafe items, and monitored conditions at retail stores, gas stations, drug manufacturers and warehouses. From August 30th to September 2nd, the Department issued public warnings via the media about home improvement scams that often follow natural disasters and provided reminders about how consumers could avoid such scams. The agency also released information about food and drug safety in light of power outages and offered tips for conserving gasoline. We updated our website and Facebook pages frequently with helpful information and links to resources.

Our office staff continued to field telephone calls and emails from consumers alleging profiteering and reporting shortages. As cleanup work continued and power was restored across the State in early September, the Department was investigating and responding to 136 written consumer complaints involving the price of gasoline, batteries, generators, milk, water, and even marina services.

True or False? *Answers*

1. The answer is False. "License Reciprocity" allows an active licensee from a reciprocal state (A state which has a Mutual Recognition Agreement with Connecticut) **to apply** for a license in CT without having to complete the required 60 hours of Principals and Practices of Real Estate. Applicants must not engage in real estate activity in Connecticut however, until the Connecticut license is approved.
2. The answer is True. The law requires that retailers who advertise an item's net price (after-rebate price), credit the consumer the amount of the rebate **at the time of purchase. (In other words, the consumer spends only the advertised price.)** As an option, retailers **are** allowed to advertise the full price for items and state that a rebate is available to the consumer. See our fact sheet: **Rebates --Getting Your Money's Worth**