



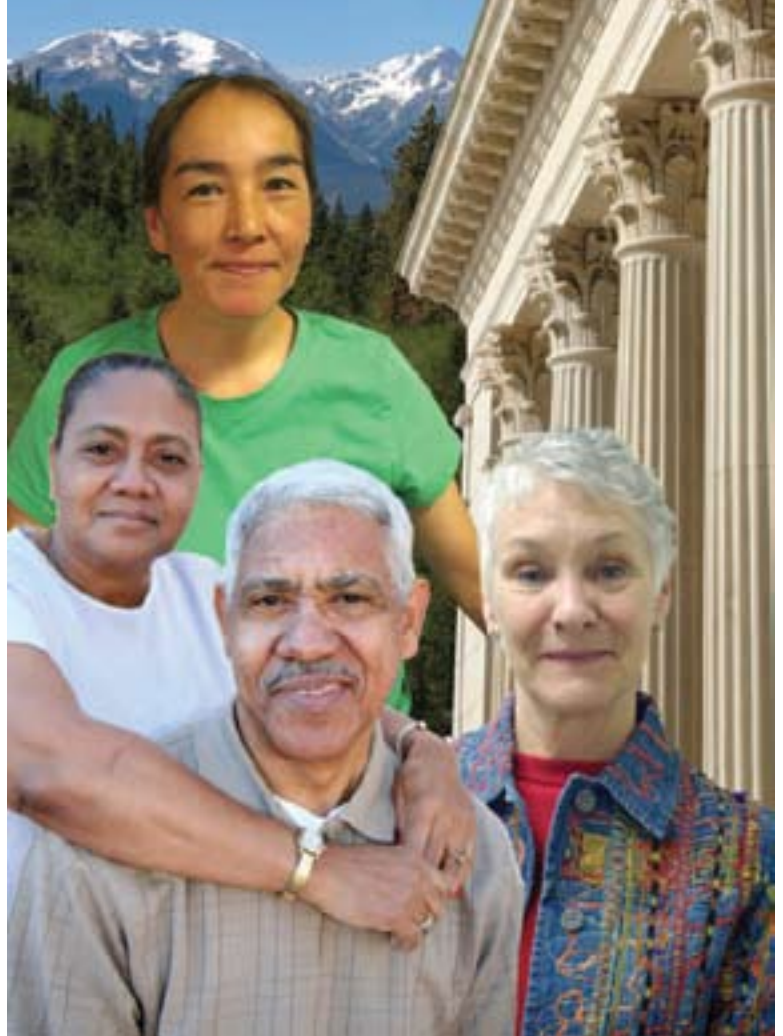
CONSUMER PROTECTION IN ALASKA

Are you tired of being ripped off by shady retailers or dealing with that lemon of a car?

Are telephone solicitors driving you crazy?

This brochure discusses some Alaska consumer laws that may help you.

Alaska's Unfair Trade Practices and Consumer Protection Act, commonly called the Consumer Protection Act, prohibits unfair or deceptive business practices.



THE ALASKA CONSUMER PROTECTION ACT

Examples of illegal conduct under the Act include:

- Using deception, fraud, or misrepresentation in the sale or advertisement of goods or services.
- Engaging in false advertising, including advertising a “sale” or “special” price which is really a regular price, or holding a “going out business” sale when the business does not intend to close.
- Representing that goods or services have certain characteristics, uses, or benefits that they do not have.
- Conducting phone solicitations to a person who has signed up for the national do not call registry, or initiating a telephonic solicitation by using recorded messages.

Role of the Attorney General

The Act allows the attorney general to seek a court order (“injunction”) to stop illegal conduct, restitution (refunds) for consumers, civil penalties from \$1000 to \$25,000, and other relief.

In determining whether to bring a lawsuit to enforce consumer laws, the Attorney General’s Office reviews consumer complaints for patterns of illegal conduct. If you have been the victim of an unfair business practice, we encourage you to file a complaint so that it is included in this review process.

The Attorney General’s Office can not provide legal advice or representation to private citizens regarding their consumer rights. You should consult a private attorney about your legal claims.



What You Can Do

Consumers can bring their own lawsuits under the Act to stop illegal conduct or obtain

restitution. They can seek triple damages or up to \$500, whichever is greater.

To find a lawyer to represent you, you can contact the Alaska Bar Association’s Attorney Referral Line at (907) 272-0352, or (800) 770-9999 outside of Anchorage. Alaska Legal Services Corporation (www.alsc-law.org) also provides legal assistance for low-income Alaskans with consumer claims.



If you want to recover money or personal property worth \$10,000 or less, you can bring a case in small claims court. You do not need to have a lawyer to bring a small claims case. Information about how to file a small claims case is available at: www.state.ak.us/courts/forms/sc-100.pdf.

OTHER ALASKA CONSUMER PROTECTION LAWS

Alaska has other laws designed to protect consumers. Some of these laws include:

The Telephonic Solicitations Act

- Requires telemarketers during the first 15 seconds of a call to disclose the telemarketer’s name and telephone number, whom the telemarketer represents, and that the call is a sales call.
- If the consumer says he or she is not interested, the telemarketer must end the call immediately.

The Charitable Solicitations Act

- Requires paid fundraisers (“paid solicitors”) to disclose their name, the charity’s name and address, how and where the donation will be used, and that a copy of the charity’s financial statements and its contract with the paid solicitor are available upon request.

The Five Day Cooling Off Rule

- Gives buyers five days to cancel a purchase of goods or services costing \$10 or more if the sale occurs at a place other than the seller’s place of business.



The Regulation of Motor Vehicle Repairs

- Requires repair shops to give the consumer a written estimate before they begin work on the vehicle, but only if the consumer requests a written estimate. The shop cannot exceed this estimate unless it obtains the consumer’s authorization.

The Lemon Law

- Protects buyers of new vehicles. Buyer may be able to obtain a refund or replacement vehicle if the vehicle is defective and had not been properly repaired after a reasonable number of attempts.

Information about consumer protection issues and the consumer complaint form are available online at: www.law.alaska.gov/consumer

You can also request a complaint form by contacting:

State of Alaska
Department of Law
1031 W. Fourth Avenue, Suite 200
Anchorage, AK 99501
(907) 269-5200
1-888-576-2529
(toll free from outside of Anchorage)

Additional consumer information is available from the Federal Trade Commission at www.ftc.gov.

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