



State of New Hampshire  
Consumer Protection  
and Antitrust Bureau

### Volume 2 Issue 3

Register your phone numbers  
on the National Do Not Call  
registry. This can be done at  
[www.donotcall.gov](http://www.donotcall.gov).

The Federal Trade Commission  
will not drop any telephone  
numbers from the National Do  
Not Call Registry based on a  
five-year expiration period  
pending final Congressional or  
agency action on whether to  
make registration permanent.  
**Read more about it at:**  
[http://www.ftc.gov/opa/2007/  
10/dnctestimony.shtm](http://www.ftc.gov/opa/2007/10/dnctestimony.shtm).

### How much wood is in a cord?

A **full cord** is a large amount  
of wood. It measures 4 feet  
high by 4 feet wide by eight  
feet long (4' x 4' x 8') and  
has a volume of 128 cubic  
feet.

Did you know that ALL  
Health Clubs & Martial Arts  
Schools **MUST** be registered with  
the Consumer Protection &  
Antitrust Bureau?

**WE'RE ON THE WEB!**

**VISIT US AT**

[WWW.DOJ.NH.GOV/CONSUMER](http://WWW.DOJ.NH.GOV/CONSUMER)

## The Consumer

# ADVOCATE

### Governor Lynch signs the **HOME HEATING FUEL CONSUMER PROTECTION LAW**

July 24, 2007: This law ensures that dealers will  
provide consumers with:

- a contract that can be easily understood
- proof they can acquire the fuel at the  
agreed-upon price
- will be reimbursed for any undelivered pre-  
purchased fuel.

For more information, visit Governor Lynch's press  
release site at [www.nh.gov](http://www.nh.gov).

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### **NH FUEL ASSISTANCE PROGRAM**

The Office of Energy and Planning Fuel Assistance Program  
(FAP) may be able to provide relief for consumer's having  
trouble paying for heat during the winter season. The Office of  
Energy and Planning (OEP) is responsible for the statewide  
administration of the Low Income Home Energy Assistance  
Block Grant, referred to as the Fuel Assistance Program.  
LIHEAP is federally funded through the US Department of  
Health and Human Services. OEP in turn contracts with six  
local Community Action Agencies to provide service to eligible  
households. As funds become available, the Fuel Assistance  
Program provides benefits to qualified New Hampshire  
households to assist with heating costs. Renters and  
homeowners are eligible for the Fuel Assistance Program.

Contact: Celeste Lovett  
Fuel Assistance Program Manager  
Office of Energy and Planning  
57 Regional Drive, Suite 3  
Concord NH 03301-8519  
VOICE: (603) 271-8317  
FAX: (603) 271-2615

### **Community Action Program Belknap-Merrimack Counties Inc.**

Concord 225-6880  
Franklin 934-3444  
Laconia 524-5512  
Meredith 279-4096  
Suncook 485-7824  
Warner 456-2207

On the Web at [www.bm-cap.org](http://www.bm-cap.org)

**GOVERNOR LYNCH, ATTORNEY GENERAL AYOTTE, LAWMAKERS AND LAW  
ENFORCEMENT ANNOUNCE  
ONLINE CHILD SAFETY ACT**

The Online Child Safety Act will modernize the state's child enticement laws and toughen criminal penalties for predators who use computer technology to exploit and victimize children. This new legislation will increase the penalties for enticing a child over the Internet, and adds enhanced penalties for repeat offenders. It overhauls and expands child pornography laws to better reflect the victimization that occurs everyday when images of sexually abused children are created and distributed over the Internet. It closes the loophole in indecent exposure and lewdness laws to enable law enforcement to capture sex offenders using web cams. The legislation also requires convicted sex offenders to register their e-mail address and on-line identity.

Attorney General Ayotte said, "Over the last year, I have given presentations to parents, teens and schools across New Hampshire on Internet safety. As parents, we are all deeply concerned about criminals using the Internet to exploit and prey on our children. I am convinced that in addition to education, New Hampshire needs stronger laws to crack down on Internet predators. I am proud to work with Governor Lynch in drafting this legislation allowing prosecutors to seek much tougher penalties against Internet predators. Passing this legislation will send a strong message to Internet predators to stay away from our children."

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**IS THAT GIFT CERTIFICATE STILL GOOD?**

Attorney General Kelly A. Ayotte issued a warning to New Hampshire consumers to be cautious when purchasing gift cards. New Hampshire's Consumer Protection Act states that gift certificates may not expire, and that service charges, dormancy fees, or other administrative charges that reduce the value of the gift certificate are forbidden. Some issuers of gift cards have avoided New Hampshire's law by selling cards issued by national banks. One mall manager operating in New Hampshire, for example, sells gift cards that charge a \$2.50 monthly administrative fee to the card beginning 12 months following the issue date. The same card has an expiration date, and consumers who wish to have a card reissued after the expiration date will be charged a \$15.00 reissue fee. Replacement of lost or stolen cards will result in a \$5.00 charge. Consumers who attempt to use their gift card after fees have been deducted have been surprised to learn that their gift card is worthless. A recent federal court decision ruled that these fees were allowed for cards issued by a national bank because federal law, not New Hampshire law, applied to the cards. The Attorney General has asked the United States Supreme Court to review that decision. "Our office recommends that consumers be sure to read the terms and conditions before purchasing any gift card and that those who receive a card determine if they need to use it promptly or if they can hold it for a while without losing value. Because gift cards are a popular gift item, it is especially important for consumers to be aware of these issues." (Attorney General Ayotte, Press Release 12/20/07.)

## STATE OFFERING HELP FOR MORTGAGE PROBLEMS

In light of the recent concerns consumers are having with their mortgages, Governor Lynch and Banking Commissioner Peter Hildreth have announced new efforts to help NH Citizens to avoid mortgage problems. The Banking Department has established a new consumer hotline and a new requirement that "state-licensed mortgage lenders designate a person to help consumers address potential mortgage problems." (Press Release 12/5/2007)

Banking Commissioner Hildreth has also signed an order, which requires every New Hampshire-licensed mortgage lender and servicer to designate a direct contact that the Banking Department, and consumers, may speak with directly about options.

The Banking Department Hotline number is **1-800-437-5991** and will be available between the hours of 8:00 a.m. and 4:30 p.m.

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### A FEW TIPS WHEN LOOKING TO BUY A USED CAR

- Check newspaper ads and used car guides at your local library to get an idea of what a fair price is for the car you are considering.
- Shop during daylight hours so that you can thoroughly inspect the car and take a test drive. Check all the parts of the car to make sure they work including the signals, heater, air conditioner, and lights.
- Make notes about the characteristics of all the cars you look at (so remember to take a notepad and pen or pencil with you). What extras does it have? What repairs need to be made? What is the price? You will be able to compare the notes later.
- Ask about the previous owner and the car's mechanical history. Contact the former owner if possible to find out if the car was in an accident or had any other major problems. Ask if the car's repair and maintenance records are available to you.
- Have a mechanic inspect the car you want to purchase. Get a written list of all the things that need to be repaired. (The fee you will have to pay the mechanic for this inspection outweighs the trouble of purchasing a "lemon.") Ask the salesperson to either make any necessary repairs or deduct the repair cost from the selling price.
- Read all documents carefully. Don't sign anything you don't understand. Negotiate changes you want and get them written into the contract.
- Get all promises in writing (signed by the person making the promise) and date it.
- Remember that many of the laws regarding used cars apply only to used car dealers, not to individuals selling their own vehicles.
- Only make a deposit on a vehicle you are absolutely certain of purchasing. Some contracts provide that deposits are nonrefundable.
- The sale of the vehicle and the financing agreement are two separate agreements.
- If you take possession of a used vehicle on a spot delivery plan, and you are later told that you have to return the vehicle because financing fell through, call the finance company to verify that credit was denied.

## The New Hampshire Consumer Protection and Antitrust Bureau

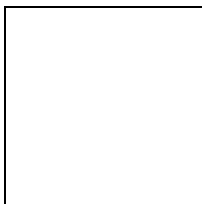
The Consumer Protection and Antitrust Bureau protects citizens from unfair or deceptive business practices in New Hampshire. When a business misrepresents, does not provide promised services or products to consumers, or engages in a pattern of deception, the Consumer Protection and Antitrust Bureau may question the business's practices and attempt to seek appropriate measures to remedy the situation on behalf of the State of New Hampshire. Legal action, if taken, is filed on behalf of the State of New Hampshire and the public good. This agency cannot represent individual consumers. Nevertheless, some legal actions do produce restitution for individual consumers.

The staff of the Consumer Protection and Antitrust Bureau handle consumer questions by phone from 8 a.m. to 5 p.m. each weekday. The Consumer Hotline can be reached at (603) 271-3641 or toll free at 1-888-468-4454. Formal complaints must be made in writing. These can be submitted on line at [www.doj.nh.gov/consumer](http://www.doj.nh.gov/consumer). While this Bureau cannot offer legal advice, we may be able to offer suggestions to help resolve complaints between consumers and businesses, and we have a list of referral offices that are helpful with specific types of complaints.

Written Consumer complaints filed with this agency may form the basis of an investigation into a company's business practices. In some cases, significant numbers of complaints about a business may give rise to legal action, not on behalf of the individual complainants, but to enforce state law. The decision to investigate or file a lawsuit is based on a number of factors.

**This newsletter does not provide any legal advice and is not a substitute for the procurement of such services from a legal professional. Any use and/or copies of the publication in whole or part must include the customary bibliographic citation.**

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