

District Attorney Marc Bennett
18th Judicial District of Kansas



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For Immediate Release

WICHITA, KAN. – If you have not ordered any magazines, don't be pressured into providing information to the person on the other end of the line.

A Wichita resident recently got a call from "Seth with Reader Services" who said the resident owed \$49.95 for magazines ordered and needed to provide the expiration date of his credit card. The consumer argued he had not ordered magazines and that he did not pay for anything over the phone or internet. The consumer insisted on a hard copy bill. The caller had the resident's name, phone number and address.

The caller instructed the customer to call a toll-free number and speak with a supervisor. The resident did so and heard a recorded message for a free trip to the Bahamas.

In Kansas there is a telemarketing statute which requires a telemarketer who initiates a sale of goods or services by telephone, postcard or other written notice through the mail, to receive an original confirmation signed by the consumer before holding the consumer liable for payment or before charging the consumer's credit card. A written confirmation would have the terms of the agreed upon sale including: the name of the telemarketer; the address and phone number of the telemarketer's employee (to be available during normal business hours); a list of all prices or fees being requested; the date of the transaction; a detailed description of what was sold; a duplicate copy of information from the original confirmation; and in a space immediately preceding the space for the consumer's signature, the statement: "You are not obligated to pay any money unless you sign this confirmation and return it to the seller."

There are exceptions to this requirement. In some instances you can agree to purchase items over the phone or as a result of sales initiated through the mail, without the telemarketer having to meet these particular requirements.

Chief of the Consumer Fraud Division of the District Attorney's Office, Sharon Werner, says to be very careful when making a decision to purchase anything over

the phone or through the mail, when you've not initiated the contact. These purchases are typically laden with problems, including someone taking your personal financial information but never sending you the merchandise.

The Consumer Fraud Division Googled the number for "Seth" and found several instances where someone by that name was telling consumers they owned money for the magazines they never ordered. Seth was demanding payment from \$500 to \$1500.

Ms. Werner would like consumers to know they can place a phone number in Google just as they would a name, and get information on where the phone number originates.

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