

CONSUMER CONNECTION

Wanna fight?

Athletic Commission
calls time out on
youth pankration

In this issue:

- Sound tips for hearing aids
- Protecting our troops at home
- Tips for winter driving

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Consumer Connection is produced by the Department of Consumer Affairs' Office of Publications, Design & Editing. If you have any questions or comments, please e-mail us at consumerconnection@dca.ca.gov.

Message from the Director

Protection of the public is our highest priority here at the Department of Consumer Affairs. That commitment to protection extends to those who participate in boxing, mixed martial arts, and kickboxing. The California State Athletic Commission, part of the DCA family, licenses all participants in these sports, and oversees all the events.

Recently, the Commission raised concerns about the participation of children in a type of mixed martial arts called pankration and the potential for harm to growing bodies. The Commission issued a cease-and-desist order in July 2013, stopping all youth pankration events in the State in order to take a closer look at safety issues. Legislation was later signed by the Governor to give the Commission oversight over youth pankration, with the goal of determining the impact this sport has on youth. This issue of *Consumer Connection* addresses the popular, but controversial, sport and explains the Commission's role in ensuring the health, safety, and welfare of participants – both adults and children.

Also in this issue are other articles of interest to California consumers. The topics include: the pros and cons of buying hearing aids online, your rights if your car is repossessed, avoiding scams that target

active duty military personnel, tips for people buying a foreclosed home, and when (if ever) you should have air ducts in your home cleaned.

Several new publications for consumers are also highlighted in this issue. The free publications cover private postsecondary education, cemetery and funeral purchases, the Smog Check program, and the role of physician assistants and registered nurses in your healthcare. *Who We Are and What We Do*, DCA's 40-page booklet covering all the professions and occupations licensed by the Department, has been updated with contact information, descriptions of services, and social media links. Read more to find out how to receive free copies of these and other consumer publications.

We hope you enjoy this issue of *Consumer Connection*, our award-winning magazine. If you'd like to be added to the mailing list to receive future issues at no charge, e-mail your name and mailing address to ConsumerConnection@dca.ca.gov. If you have questions about consumer issues, call us at (800) 952-5210 for assistance.

TIME OUT

ON YOUTH PANKRATION

California puts safety first for kids in MMA

Children love being active. As soon as they hit school age, it is natural for parents to start exploring sports and activities for their children to participate in. Around every neighborhood in almost every city you will see children participating in popular organized sports such as soccer, baseball, and football all year round. But one sport you wouldn't think to associate children with is mixed martial arts — a full body contact combat sport.

Not too long ago, children as young as five years old were participating in the sport, dedicating their free time to training hard just like the professional fighters they admire on television. Its popularity among both parent and child was growing just as fast as kids outgrow their shoes.



There was one little problem: youth mixed martial arts (also known as youth pankration) was unregulated in California. Concerned for the safety of the young fighters in the unregulated sport, the California State Athletic Commission decided to step in before somebody got hurt.

Youth pankration came as a surprise to the Commission and that triggered a statewide cease and desist on all youth pankration activities effective July 2013. The cease and desist would give the Commission an opportunity to take a look at the growing phenomenon and time to consider proper ways for children to participate in mixed martial arts. The Commission is responsible to oversee mixed martial arts in California and fighter safety is critically important. The case would be no different when it came to a child's safety.

Youth pankration involves many full force moves and direct contact with the opponent which may result in physical harm — intentionally or unintentionally. Both boys and girls are participating in the sport and often fight in mixed-gender bouts.

“The Commission's top priority is fighter safety,” said Andy Foster, California State Athletic Commission

Executive Officer. “Now that we see children are engaging in the sport, the Commission needed to press pause on youth pankration activities so that we could take a good look at safety.”

Not only was youth pankration safety a top concern for the Commission, it was also brought to the attention of the Legislature and the Governor. The Legislature passed Assembly Bill 1186 which was signed by Governor Edmund G. Brown Jr., in October 2013. This important bill supports the Commission's youth pankration concerns and authorizes and gives responsibility to the Commission to examine youth pankration activities in the State.

“The Commission is pleased the bill was passed by the Legislature and signed by the Governor,” said Foster. “This gives us the opportunity to study youth pankration to determine if regulations should be in place and proper ways to introduce children to mixed martial arts.”

California is a known leader in consumer protection and has the largest athletic commission in the nation. Following this tradition, they are blazing the trail as the first state to look at regulating youth pankration to keep young fighters safe. The youth

pankration cease and desist is still in place as the Commission moves forward with its new authority and responsibility in further examining the sport in the interest of safety.

The Commission regulates professional and amateur boxing, kickboxing, and mixed martial arts throughout the State by licensing all participants and supervising the events. The Commission is dedicated to the health, safety, and welfare of participants in regulated competitive sporting events, through ethical and professional service. California is the premier model for the safety and fairness of regulated sporting events. For more information about the Commission, visit www.dca.ca.gov/csac.

Find out more

For recent news coverage of children in mixed martial arts, visit the following:

ABC News Nightline: Cage-Fighting Kids

First aired: June 14, 2013

<http://abcnews.go.com/Nightline/video/cage-fighting-kids-19409050>

HuffPost Live, Exploring the Dark Work of Children's MMA

First aired: November 1, 2013

<http://live.huffingtonpost.com/r/segment/mixed-martial-arts-for-children/52794a3e02a7601a9e00010b>



Huh?!

Speak up!

What?!

**Do you often ask people to
repeat themselves?**

**Do you think everyone
is mumbling?**



If you believe you may have a hearing loss (especially if other people say you do), the first step is to see your doctor. A medical checkup may uncover an illness or medical condition that's affecting your hearing. If there is no underlying medical problem, your hearing loss may be simply another sign that you're getting older. More than a third of people over 65 have hearing loss; more than half of people over 75 do. In most cases, hearing loss happens gradually as a person ages, according to the National Institutes of Health. It may be as subtle as an increased sensitivity to loud noises, or difficulty hearing what people are saying.

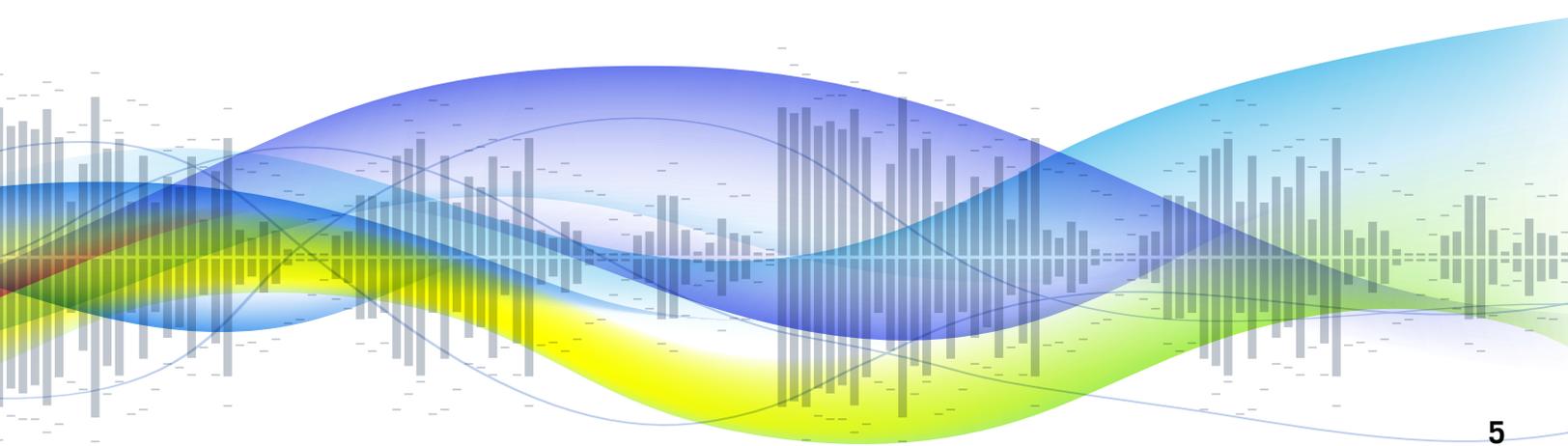
If your doctor rules out medical problems, he or she will refer you to a hearing professional who can test your hearing and recommend options. In that case, do not delay. It's best to act sooner rather than later if you suspect hearing loss, according to the National Council on Aging. The longer you wait, the harder it is for the brain to get used to hearing aids and to relearn certain sounds.

For your hearing test, you will be visiting an audiologist or a hearing aid dispenser. Both professions must be licensed by the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board, part of the Department of Consumer Affairs. The Board licenses and regulates audiologists and hearing aid dispensers who conduct hearing tests and sell and fit hearing aids.

Here's a look at the two types of professionals:

- An audiologist in California must hold a doctoral degree in audiology and must pass a State licensing exam. Audiologists are sometimes called doctors of audiology. If the audiologist has also passed the hearing aid dispensers exam, he or she may also fit and sell hearing aids. Most, but not all, audiologists in California have this additional designation. An audiologist who can also dispense hearing aids is called a dispensing audiologist.
- A hearing aid dispenser is someone who conducts hearing tests and fits and sells hearing aids. To become a hearing aid dispenser, a person usually works as an apprentice to a licensed dispenser for a while, then takes the State licensing exam. A hearing aid dispenser does not need a college degree related to hearing loss.

If the audiologist or hearing aid dispenser finds that you could benefit from a hearing aid, the person will discuss the best options for your needs. Be sure you are fully informed about the cost. Health insurance, including Medicare, may cover the exam, but not the hearing aids, and you may face costs of \$1,200 to \$3,700 or more for a pair of hearing aids according to AARP. If you are a veteran, you should check with the U.S. Department of Veterans Affairs about coverage.





Even if you think you're coping with hearing loss, you may be in danger of falls because of the role the inner ear plays in balance. A fall can be very serious for an older person. Hearing loss can also be linked to dementia and social isolation. If you can't hear, you can't participate in social interactions.

Hearing aids may be able to help you, but it's important to manage your expectations. You'll be able to hear more than you could without them, but hearing aids will not restore normal hearing because of the way the brain processes sound. Hearing aids simply amplify the kinds of sounds that are hardest to hear. When you first start using hearing aids, things sound different. Your brain will have to adjust—a process that may take weeks or months. You may have to return to the audiologist or hearing aid dispenser multiple times for adjustments.

If you think a hearing aid may be in your future, see a licensed hearing professional for an evaluation. Find out more by visiting the Web site of the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board at **www.speechandhearing.ca.gov**.

Can you get your money back if you don't like the hearing aid?

California law provides a 30-day warranty on all new and used hearing aids sold in California. The 30-day period begins from the completion of the fitting or actual delivery, whatever comes last. However, the hearing aid dispenser has the right to attempt to achieve a proper fitting by adjusting, repairing, or replacing the device. There are other limitations, too. For more information on hearing aid warranties, visit **www.speechandhearing.ca.gov/consumers/songbev.shtml**.

As the buyer, you should keep all records of your purchase and note the dates of all adjustments. If you feel you have not been treated fairly by a licensed audiologist or hearing aid dispenser, you can file a complaint or contact the Board for more information. For more information about complaints, see www.speechandhearing.ca.gov/consumers/cmpltpro.shtml.

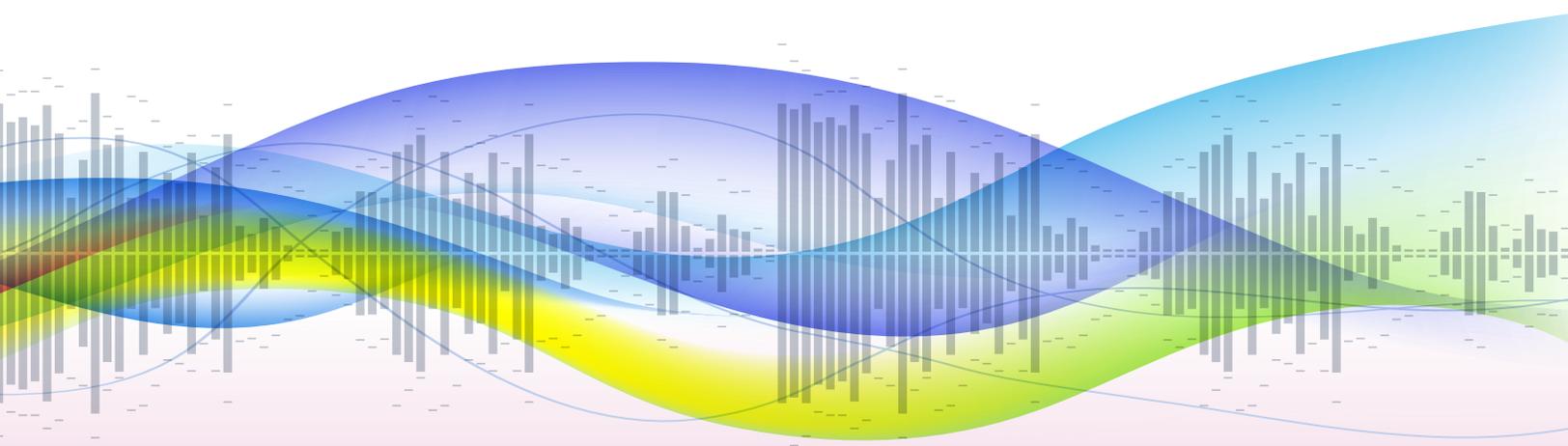
Be aware that Board does not have jurisdiction over disputes about fees and billing practices.

Should you buy a hearing aid online?

You may be able to purchase a hearing aid online, but should you? The Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board has these tips:

- California law provides that hearing aids purchased by mail order or via the Internet may only be purchased through a dispenser licensed by the California Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board.

continued on next page



Do you need a hearing test?

If you answer “yes” to three or more of these questions, you could have a hearing problem and may need to have your hearing checked.

- Do I have a problem hearing on the phone?
- Do I have trouble hearing when there is noise in the background?
- Is it hard for me to follow a conversation when two or more people talk at once?
- Do I have to strain to understand a conversation?
- Do many people I talk to seem to mumble or not speak clearly?
- Do I misunderstand what others are saying and respond inappropriately?
- Do I often ask people to repeat themselves?
- Do I have trouble understanding women and children when they talk?
- Do people complain that I turn the TV volume up too high?
- Do I hear a ringing, roaring, clicking, buzzing, or hissing sound a lot?
- Do some sounds seem too loud?

The American Speech-Language-Hearing Association also has a self-test for hearing loss that can help you decide if your hearing should be evaluated.

Find the self-test online at www.asha.org/public/hearing/Self-Test-for-Hearing-Loss.

Source: National Institutes of Health, Senior Health <http://nihseniorhealth.gov/hearingloss/symptomsanddiagnosis/01.html>

- The law states that when hearing aids are purchased via mail order or Internet there must be no fitting, selection, or adaptation of the instrument.
- By law, the seller may not give you advice about taking an ear impression. (Ear impressions are made to ensure the proper fit of a hearing aid.)
- The law also requires that, prior to purchasing a hearing aid through mail order or via the Internet, you must provide a statement signed by a physician, audiologist, or licensed dispenser that verifies direct examination of your ear.

Beware of potential risks:

- To work effectively, hearing aids must fit correctly. If a mail-order or Internet sale doesn't involve personal contact with a licensed dispenser, it's difficult for you to benefit from a proper fitting.
- A follow-up evaluation, which is important to ensure the hearing aid is working appropriately and meeting your needs, probably isn't available.
- It may be difficult to get a refund from an out-of-state seller. According to California law, if you are not satisfied with a hearing aid, and the hearing aid has not been specifically fit for your particular needs, you may receive a full refund if you return it to the seller within 30 days of receipt.

When buying a hearing aid, remember to:

- Always deal with a licensed Hearing Aid Dispenser or Dispensing Audiologist to take best advantage of California's consumer-protection laws. Ask the dispenser if he or she is licensed in California. You can call the Board or check the Board's Web site to verify license status.
- Read the fine print on advertisements. If a pitch seems too good to be true, it probably is. If you believe an ad is false or misleading, you can file a complaint with the Board.

Source: www.speechandhearing.ca.gov/consumers/mail_order.shtml



winter driving

❄️ Get your car ready!

During the winter, road conditions can change quickly; you can be driving in dry conditions one hour and be in snow the next. Before you head out, be sure your car is ready for the trip. Follow these tips from DCA's Bureau of Automotive Repair (BAR).

- ❄️ **Be sure your regular maintenance is up to date.** Have a licensed shop change your engine oil and filter, and check the coolant, brake, automatic transmission, windshield wiper and steering fluid levels at recommended intervals.
- ❄️ **Carry tire chains.**
- ❄️ **Pack a winter safety kit in the trunk:** Include the following:
 - Battery jumper cables.
 - Large flashlight and extra batteries.
 - Basic first aid supplies.
 - Extra blanket and warm clothing.
 - Battery-powered radio with spare batteries.
 - Tool kit (screwdriver, pliers, adjustable wrench).
 - Bottled water and nonperishable food.
 - Highway safety flares in good condition.
 - Windshield ice scraper.

- ❄️ **Check the car's battery.** Corrosion, cracks, and loose cables can affect the battery's performance.
- ❄️ **Have the brake system checked.** Visit the BAR Web site at www.autorepair.ca.gov to find a licensed brake station in your area. Have the licensed adjuster check the brake system, including pads and linings.
- ❄️ **Check the car's interior and exterior lights.** Make sure the turn signals, brake lights, and high beams work. Clean the lenses for maximum visibility.
- ❄️ **Inspect the hoses and belts.** Look for cracks, soft spots, or bulges. If you see a problem, have a licensed technician make any needed repairs.
- ❄️ **Test the heater/defroster.**
- ❄️ **Check the tire pressure.** Keep in mind that changes in altitude will affect your tire pressure. Look for excessive wear on all tires, including the spare. Rotate your tires according to the manufacturer's recommendation.
- ❄️ **Check the wiper blades.** Change the wiper blades if they are worn or cracked.
- ❄️ **Carry a cell phone.** Be sure your cell phone is fully charged.

By following these simple tips, you'll be ready to hit the road this winter and arrive safely to your destination.

Don't Get Soaked

Buying a flood-damaged car can leave you under water

It's estimated that there are more than 210,000 previously flood-damaged cars and trucks on the road, according to CARFAX, a vehicle history reporting firm.

Many of these cars are products of Hurricane Sandy. They were deemed total losses by insurance companies and sold to salvage yards or licensed salvage dealers.

Consumers should be on the look-out for the telltale signs of flood damage when servicing or purchasing a used car or previously owned vehicle. Typical signs of flood damage include:

- A musty odor, especially in the trunk.
- Water-spotted upholstery.
- Mud inside taillights.
- Silt around the air filter.
- Discolored or painted hood insulation.
- Brittle electrical wiring.
- Damp carpets.
- Damaged doors, speakers, windshield wipers, radios, and air conditioners.
- New or mismatched items, especially in older vehicles.
- Rust on screws in the console or areas where water normally does not reach.
- Seatbelt retractors that may be hiding moisture, mildew, or grime.
- Dirt build-up in odd spots.
- Headlamps that fog up.

The National Motor Vehicle Title Information System (NMVTIS) is designed to protect consumers from concealed vehicle histories. You can look up a vehicle through the NMVTIS Web site at www.NMVTIS.com using the car's vehicle identification number (VIN). Under this system, established in 2008, insurance companies and salvage yards must submit information on vehicles damaged by crash, fire, flood, or other calamities.

Motor vehicle departments and police have access to the data. The public can also access this information for a fee. Effective July 1, 2012, California-licensed dealers must obtain a National Motor Vehicle Title Information System (NMVTIS) report from an approved provider before a used vehicle is offered or displayed for sale.

If the NMVTIS used vehicle history report indicates the vehicle is or has been a junk or salvage, or the certificate of title contains a brand, the dealer must post a disclosure statement on the vehicle while it is displayed for sale, except when NMVTIS does not have a record for the vehicle, or it's a motorcycle, recreational vehicle, or specially identified as off-highway.

If there are any signs of flood damage or if the vehicle originates from one of the states impacted by Sandy, it is critical to have a licensed automotive repair facility carefully examine the vehicle to ensure proper safety and operational condition.

What is a salvage vehicle?

A salvage vehicle is one that has been wrecked, destroyed, or damaged to such extent that the insurance company considers it uneconomical to repair it, and the vehicle is not repaired by or for the person who owned it when the damage occurred. The California title will contain a notation — or





“brand” — identifying it as a salvage vehicle. A “revived” salvage is a salvage vehicle which has been repaired and reregistered with the Department of Motor Vehicles (DMV). A “brand” is wording on a California Certificate of Title or registration card that indicates certain conditions in the vehicle’s history. Brands indicate what has happened to a vehicle. They may indicate high mileage, significant damage, or chronic problems.

The following brands are placed on California titles and DMV records:

Salvage — Vehicles marked with a “salvaged” brand were involved in an accident or incurred considerable damage from another source, such as a flood or vandalism. This brand includes previously dismantled (junk) vehicles.

Original Taxi or Prior Taxi — Vehicles formerly used “for hire” and which usually have high mileage.

Original Police or Prior Police — Vehicles formerly used by law enforcement and which usually have high mileage.

Non-USA — Vehicles manufactured for sale and use outside the United States that have been converted to meet Federal and California safety and emissions standards.

Warranty Return or Lemon Law Buyback — Vehicles which have been returned to the manufacturer under California’s Lemon Law.

Remanufactured — A licensed remanufacturer that constructs vehicles consisting of used or reconditioned parts. These vehicles may be sold under a distinctive trade name.

While most states put history brands somewhere on their titles, the wording varies from state to state. Common title brands used by most states include:

- Damaged
- Gray market
- Lemon Law buyback
- Prior tax
- Reconditioned
- Replica
- Revived salvage
- Scrap vehicle
- Warranty returned
- Dismantled
- Junk
- Prior police
- Rebuilt
- Remanufactured
- Revived junk
- Salvage
- Totaled
- Water damage

Some of the following clues may indicate the vehicle has an undisclosed salvage history:

- Signs of major repairs on the inner fender structures.
- Vehicle identification number (VIN) plate attached with materials other than rivets.
- Safety restraint light is always on.
- Airbag covers are resealed or improperly installed.
- National Highway Traffic Safety Administration (NHTSA) labels which usually appear on the doors, inside the hood, on the tailgate, and hatchback are missing.

Additional tip:

Check a database of vehicles and watercraft affected by Hurricanes Katrina, Rita, and Sandy at the National Insurance Crime Bureau Web site at www.nicb.org

Use a free online service which identifies storm damaged vehicles, such as www.autocheck.com

Check the smog test history of a vehicle, verify a repair dealer’s license, and find information on making a wise used vehicle purchase at DCA’s Bureau of Automotive Repair Web site at www.smogcheck.ca.gov



REPO RIGHTS

What to do if your car is **REPOSSESSED**

The hit TV show *Operation Repo* has given us a look into the world of repossession. If you've ever watched an episode, you're familiar with the *Operation Repo* team; a couple of burly guys and gals with dark sunglasses and tattoos who drive around town recovering property from owners who haven't kept up with their payments.

With rent/mortgage, medical bills, credit card bills and car payments (the list goes on and on) mounting every month, it can be a challenge to have enough money to pay everything on time. Unfortunately, if you do fall behind on your car payment, it could be repossessed. In fact, your boat, motorcycle, or recreational vehicle could be repossessed if you don't fulfill your contract terms.

You may be wondering who can repossess your vehicle. The legal owner and/or an employee of a repossession agency can repossess your car, truck, or motorcycle. A repossession agency is a business that recovers property sold under contract. These agencies and their employees are licensed by the California Department of Consumer Affairs' Bureau of Security and Investigative Services (BSIS). In some cases, a bank, auto dealership, financial lender, or other legal owner will send its own employees to recover property.

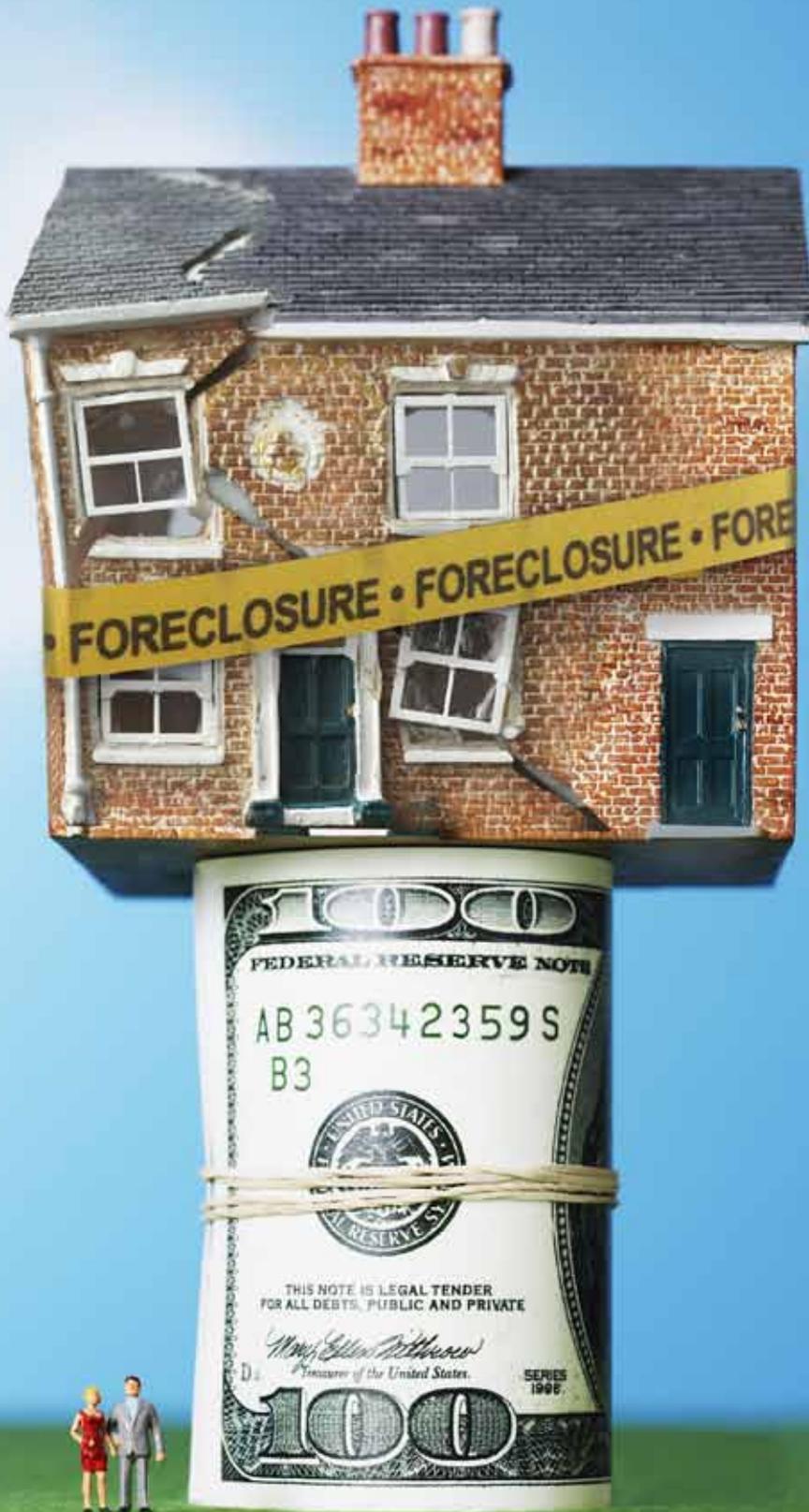
If you ever find yourself in this unpleasant situation, remember you have certain rights. You can claim your personal belongings inside the vehicle if you are present during the repossession. If you are not present, the reposessor must inventory everything found in the vehicle and store the items securely for at least 60 days. After the vehicle has been repossessed, you must be notified within 48 hours. The repossession agency employee must obey the law and can't enter a private building or secured area, such as a garage or fenced or locked area, without the consent of the owner. A repossession agency employee also may not use false statements or make threats in order to take your vehicle. If violence or force occurs, contact your local police department immediately.

Operation Repo may be entertaining for some; it can also serve as a reminder of what may happen if you are unable to make your payments on time. For more information, visit BSIS online at www.bsis.ca.gov or check out the *Consumer's Guide to Repossession Practices* at www.dca.ca.gov/publications/repo_guide.pdf, or call DCA's Publications Hotline at (866) 320-8652 to have a copy mailed to you at no charge.



Beyond the "Fixer-Upper"

Foreclosed homes may not be such a great deal after all



If you're in the market to buy a home, you've probably run across a property or two marketed as an "REO." REOs (real estate owned) are foreclosed homes that are being reintroduced into the marketplace by the banks/lenders that repossessed them. These properties, which are usually offered for sale at below-market prices, can be a tremendous investment. But if you're not careful, they may also end up being your worst nightmare — literally and financially.

Foreclosed homes often have been abandoned or neglected for months — even years — and can come with hidden costs that can turn what was first thought to be a bargain into a money pit. In addition, the current owners — the banks/lenders — have never been occupants of the properties and have no personal knowledge of their history or condition. As such, these properties are typically sold in "as is" condition. "As is" transactions are the ultimate test in the buyer-beware philosophy; acceptance of an "as is" offer means that the buyer is accepting the property in its current condition and will shoulder any expenses associated with the needed repairs.

Foreclosure sales are generally exempt from most transfer disclosure requirements. This means that buyers of REOs are provided fewer legally mandated disclosures than buyers of homes sold by private owner-occupants. Although the lender-owners must disclose all known defects and any adverse and material information they know about the property; they are under no obligation to inspect the property.

If there is a real estate licensee involved in the sale, he or she also has limited disclosure requirements in a foreclosure sale compared to a typical sales transaction. However, licensees do have the legal obligation to conduct a diligent and “reasonably competent” visual inspection of the property and to disclose to the buyer all facts found by the visual inspection which would materially affect the value or desirability of the property. That said, it is ultimately the buyers’ responsibility to thoroughly investigate the property they are purchasing.

If you are considering the purchase of a foreclosed home, make sure you know what you’re buying. Don’t assume that the disclosures on the property listing are complete or accurate. Carefully examine the home with a qualified home inspector.

Getting a home inspection is a good idea in any residential real estate transaction, but it is particularly important when purchasing a foreclosed home. An inspection may uncover problems, defects, and other adverse conditions that could affect the buyer’s decision to purchase. If an issue concerning the property’s condition goes undiscovered, it could mean costly, unexpected repairs for which you hadn’t planned or budgeted. The cost of any inspection upfront will be well worth the investment if it helps you avoid purchasing a home which you aren’t prepared, financially or otherwise, to repair.





DUCT CLEANING

A lot of hot air?

You've probably heard the radio ads and emptied your mailbox of dozens of print ads from heating, ventilation, and air conditioning (HVAC) contractors hawking the importance of this service and you might be thinking you should have it done. But the cost — \$450 to \$1,000 — might give you pause.

You'd be wise to hesitate. According to the Environmental Protection Agency (EPA), duct cleaning has never been shown to prevent health problems. In addition, says the EPA, there is little evidence to indicate that simply cleaning the duct system will increase your system's efficiency.

"Duct cleaning" generally refers to the cleaning of various heating and cooling systems components of forced air systems along with supply and return air ducts (the flexible tubes that carry the conditioned air throughout the house or system) and registers, grilles and diffusers, heating and cooling coils, drip pans and other components. The EPA says if no one in your household suffers from allergies or unexplained symptoms or illnesses and if, after visual inspection of the ducts' insides show no indication of contamination of large dust or mold deposits (no musty odor or visible mold growth), then having your air ducts cleaned is probably unnecessary.





What's more, a service provider can damage your ducts, leading to less efficiency or costly repairs.

The Better Business Bureau has received numerous complaints about firms that bait customers with low advertised prices for duct cleaning to get a foot in the door to customers' homes. Once inside, the BBB says, these cons run bogus mold detection tests and try to convince homeowners to fork over thousands to have the mold removed.

According to Angie Hicks, founder of Angie's list, that should be a red flag. Although there may be mold present, she advises in her blog dated March 4, 2013, that if mold is a concern, the testing and removal of the mold should be left to firms specializing in those services.

Beginning October 1, 2005, homeowners living in most of California who install or replace a central furnace or air conditioner must have their ductwork tested for leaks. Duct systems that leak 15 percent or more must be sealed to reduce the leaks. Leaky ducts waste energy and make energy bills higher than they should be.

The California Energy Commission estimates that duct testing and sealing should cost on average about \$660, but will vary depending on the

ductwork's condition. The resulting energy savings will more than pay for the added cost and the benefits, it says. In addition, the system will not operate efficiently if the duct system is in poor condition. Proper sealing and insulation can reduce cooling energy use by 10–15 percent, according to the American Council for an Energy-Efficient Economy.

Duct sealing is not required for systems having less than 40 feet of ductwork in unconditioned spaces like attics, garages, crawlspaces, basements, or outside the building, or if the ducts were constructed, insulated, or sealed with asbestos. Also note that the law doesn't require cleaning.

A fact sheet on HVAC duct cleaning from the National Institutes of Health states that although the value of regular duct cleaning remains questionable, the EPA and indoor air specialists agree that duct cleaning or replacement, in some cases, is appropriate when ducts have:

- Permanent or persistent water damage.
- Visible slime or microbial growth.
- Debris build-up that restricts airflow.
- Dust discharging from supply diffusers.
- Offensive odors originating from them or from another HVAC component.

You may consider having your air ducts cleaned simply because it seems logical that air ducts will get dirty over time and should be

occasionally cleaned. If done properly, this won't be detrimental, says the EPA, but take the same consumer precautions you normally would in assessing the service provider's competence and reliability.

The EPA adds that BEFORE hiring a duct cleaning contractor, make sure you can answer "YES" to all of these questions:

- Are there known or observed contaminants in the ductwork?
- Have you confirmed the type and quantity of contaminants based on testing or observation?
- Are the contaminants (or their by-products) capable of entering occupied spaces?
- Have you identified and controlled the source of the contaminant?
- Will the duct cleaning effectively remove, inactivate, or neutralize the contaminant?
- Have you considered other options, such as removal of affected ductwork?
- Is duct cleaning the only (or most effective) solution?

If you do want to have duct cleaning, servicing, or any HVAC work done, the Contractors State License Board (part of the California Department of Consumer Affairs) reminds you that these professionals must be licensed with a C-20 designation (for warm-air heating, ventilating, and air-conditioning). Check the license at www.cslb.ca.gov.

The Better Business Bureau recommends that consumers:

- Check the company out with BBB. Pay close attention to the name of the business you're researching because unscrupulous outfits often choose a name that is similar to an existing business that has a solid reputation. To check out businesses' reliability reports or locate a BBB-accredited duct cleaner, visit www.bbb.org/us/Find-Business-Reviews/.
- Check the fine print. Ads and contracts may contain fine print which the business might think will absolve them from honoring their advertised price. Always ask plenty of questions and get to the bottom line of what it's going to cost you before you sign anything.
- Get a second opinion. If the duct cleaner discovers that you have a mold problem, have this verified by a mold expert. Mold removal can cost thousands of dollars, so you'll want expert advice on how to take care of it.



Do It Right the First Time!

Tips for first-time homebuyers

For many people, buying a first home can be daunting. However, it doesn't have to be. With a bit of planning and research you can make your home-buying experience less stressful and more enjoyable.

And now that California's real estate market is recovering, many real estate agents believe this is a very good time to buy a home particularly since rates are still near historic lows.

So when buying a house, what should you keep in mind? For starters, it's important to know up front what you can actually afford to spend. Be sure to consider property taxes, insurance, and overall maintenance expenses. Also, keep in mind that as a first-time homebuyer you will need a sizeable down payment. Your goal should be to save as much money as you can. A large down payment usually means better loan rates. Plus, it's imperative that your credit is in tip-top shape. A good credit score is vital to mortgage lenders and also goes a long way in securing a competitive mortgage rate.

Getting prequalified for a mortgage takes a lot of guesswork out of the homebuying process. It lets you know in advance if you qualify for a loan and, if so, for how much. It also saves you time; you won't spend hours looking at homes that are outside of your budget.

Once you've taken these steps, you should find a real estate agent you can trust. There are plenty of real estate agents out there, however; not all licensees are created equal. Take the time to find an agent who meets your needs — you'll be working closely with





this person during the entire homebuying process. It's important that the agent you choose is a good fit for you. Ask friends and co-workers who have bought homes for recommendations.

And, while your agent knows a lot about the homebuying process, consider hiring a home inspector to check out the structure of the house. Hiring a professional home inspector — independent of your agent — may be expensive, but it's also a very wise investment. A home inspector can determine whether or not the home you're purchasing is solidly constructed and free from pests and/or a rotting foundation.

To find a reputable home inspector, check with the Better Business Bureau. Before you hire a company to perform a pest inspection, check the license online with the Department of Consumer Affairs' (DCA's) Structural Pest Control Board at **www.pestboard.ca.gov**.

The California Bureau of Real Estate (CalBRE), also part of DCA, has a Web site that provides useful information for first-time homebuyers — everything from verifying the license status of a real estate agent to protecting yourself from real estate fraud.

“Education is the key to protecting yourself against real estate fraud,” says Rick Fong, CalBRE's Enforcement Chief. “And CalBRE has the tools and information on its Web site to help homebuyers avoid common pitfalls.”

Remember, buying a home is one of the biggest purchases you'll make. It's important not to rush in and make a hasty decision. Don't fall in love with the first house you see. Be patient. Shop around. Consider the neighborhood, the school district, zoning restrictions, and whether the house will have a good resale value. After all, it's all about location, location, location.

For more information, log on to the California Bureau of Real Estate's Web site at **www.bre.ca.gov**.

Aimed at Our Troops



Combating scams targeting military personnel

Scam artists are always on the lookout for the next opportunity to rip people off. To them, everyone is fair game—even our troops. Cons like to use investment and financial scams, “get rich quick” schemes, predatory lending practices, and unsuitable insurance policies to rip off active military and veterans alike. Family members are also targets, especially while their loved ones are deployed.

The California Department of Business Oversight administers California TAP\$ — Troops Against Predatory Scams. TAP\$ educates California’s military troops and their families on how to avoid becoming a victim of financial and investment fraud.

Troop Tenants: Special protections for service members

To help tenants and landlords manage their rental housing responsibilities, DCA developed *California Tenants: A Guide to Tenants’ and Landlords’ Rights and Responsibilities in California*. Sections of the book specifically address the rights of tenants who are in the military and landlords who rent to them. Here are some of the rights that apply to tenants who are serving in the military:

- A service member may terminate a lease at any time after entering the military or after the date of the member’s military orders. This applies to a tenant who joins the military after signing a lease, and to a service member who signs a lease and then receives orders for a change of permanent station or deployment for at least 90 days.
- To terminate the lease, the service member must give the landlord written notice of termination and a copy of his or her orders. The notice may be delivered in person, or sent by a private delivery service, or by certified mail with return receipt requested. If the lease is terminated properly, the service member’s spouse and children will be relieved of any responsibility, too.

Here are some common scams and what to look out for to make sure you do not become a victim:

✦ **Affinity Marketing and Affinity Fraud**

Affinity marketing uses trust and friendship among people who share similar religious beliefs, ethnic backgrounds, military service, or other characteristics. Don't trust a salesperson just because he or she has a military background or advertises in military newspapers or magazines. Also, don't trust a company just because it uses patriotic symbols or has a military-sounding name.

✦ **Bait-and-Switch Schemes**

Verify that the paperwork matches the promise. Unethical salespeople may try to switch interest rates, terms and conditions, or other important financial details on you. They may also try to persuade you to buy financial products or investments that you cannot afford, are not in your best interest, or that are entirely different from the ones you thought you were purchasing. Never sign a blank form.

✦ **Be Wary of "Immediate Action Required" Notices**

If a financial opportunity sounds too good to be true, it most likely is. Don't believe promises of quick profits, insider information, or tactics such as "you must act now." It's better to miss a so-called opportunity than to make an uninformed decision and lose your money.

✦ **Predatory Lending and Mortgage and Foreclosure Fraud**

Predatory lending and mortgage foreclosure fraud involve a wide array of abusive practices and usually target borrowers with weak or blemished credit records. Tricks include pressuring consumers into signing loans they cannot afford, convincing consumers to sign loan agreements without reading them, and/or contracts with undisclosed or excessive interest, hidden fees, prepayment penalties, balloon payments, repetitive offers to refinance, and other deceptive practices.

Rising foreclosure rates are leading to increased foreclosure rescue scams and other related schemes. Be cautious; don't sign your property away. Some homeowners are tricked into believing they can save their home by transferring the deed to a third party, who promises to pay the up-front costs and sell the house back to the original owners when they can afford it. What really happens is that the third party re-mortgages the property, then allows the property to default a second time. The original owners lose everything.

If you believe you have been victimized, contact your local base financial counselor, military family support group, or local law enforcement immediately. Also contact the Department of Business Oversight, www.dbo.ca.gov.

- Once the notice is delivered, the termination will be effective 30 days after the next date rent is due. The landlord can charge a prorated rental amount. If rent is paid in advance, the landlord must refund any overpaid amount within 30 days.
- A service member may be entitled to delay an eviction for 90 days. A judge may order the delay or it can be requested by the service member. A judge can adjust the length and terms of the delay.

Whether you are a tenant or a landlord, it is important to be aware of the special guidelines when the tenant is a service member. To view a copy of *California Tenants: A Guide to Tenants' and Landlords' Rights and Responsibilities in California* online, go to www.dca.ca.gov/publications/landlordbook/index.shtml. To have a copy mailed to you at no charge, call DCA's Publications Hotline toll free at (866) 320 8652.

New Publications from DCA

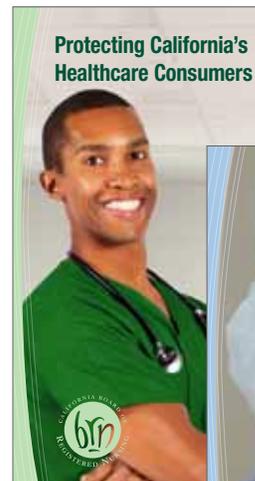
Department of Consumer Affairs

What is the Department of Consumer Affairs? What does it do? Those questions are answered in the newly revised and updated *Who We Are and What We Do*, a guide to DCA programs and services. The 40-page booklet is a list of DCA's boards, bureaus, and other entities with addresses, phone numbers, and Web sites. Also included in this edition are social media sites such as Facebook and Twitter for entities that have them. The booklet is organized alphabetically by profession, occupation, or program, and ranges from accountants to vocational schools. *Who We Are and What We Do* is available online at www.dca.ca.gov/publications/dca_booklet.pdf.

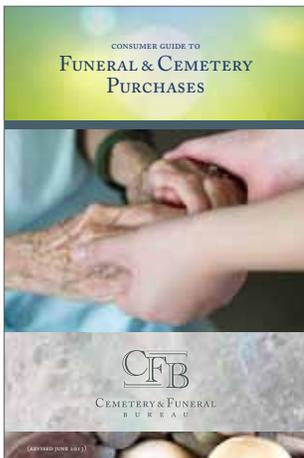


The California Board of Registered Nursing

Along with physician assistants, DCA also regulates registered nurses. The California Board of Registered Nursing wants you to know about its three new brochures: *Protecting California's Healthcare Consumers*, which explains what the Board is and what occupations it regulates, where nurses work, and how the Board protects consumers (www.dca.ca.gov/publications/brn_protecting.pdf); *Enforcement Division*, which explains the complaint process and how this division works with consumers and providers to identify nurses who have engaged in unsafe activity (www.dca.ca.gov/publications/brn_enforcement.pdf); and *Registered Nurses in Recovery*, which explains how the Board's Diversion Program protects the public by getting nurses with substance abuse problems into treatment (www.dca.ca.gov/publications/brn_diversion.pdf).



Cemetery and Funeral Bureau



The Cemetery and Funeral Bureau has updated its *Consumer Guide to Funeral and Cemetery Purchases* for 2013 and the new version is now available. The guide covers all aspects of funeral and cemetery arrangements including legal matters, pricing, making arrangements in advance, death out of State, scattering cremated remains, and more.

Funeral directors must provide a copy of the booklet to consumers who contact them about funeral or cemetery arrangements. The booklet is available online at www.cfb.ca.gov/consumer/consumer_guide.pdf. A Spanish version can be viewed online at www.cfb.ca.gov/consumer/csmr_guide_span.pdf.

Physician Assistant Board

With the Affordable Care Act now in effect, demand for healthcare services and professionals to provide them is on the rise. One such growing profession is that of physician assistant, and it's likely you'll be seeing one someday if you haven't already. DCA's new brochure, *What is a Physician Assistant?* introduces you to these licensed and highly skilled healthcare providers by describing their training, how they're regulated, what services they're allowed to give, and much more. Visit www.dca.ca.gov/publications/pac_brochure.pdf.



Bureau of Automotive Repair

California's Smog Check Program — administered by DCA's Bureau of Automotive Repair — is a critical part of the State's efforts to improve the air we breathe. Does your vehicle require a Smog Check? What if it doesn't pass and needs repairs you can't afford? Motorists often have a lot of questions about Smog Check, so that's why we produced the guide, *Some things you need to know about Smog Check in California*, to make it all clear. Access it online at www.bar.ca.gov/80_BARResources/ftp/pdfdocs/Smog%20Check%20Brochure.pdf.



Bureau for Private Postsecondary Education

The Bureau for Private Postsecondary Education has released *Success Starts Here*, which offers tips on finding a career, selecting a school, paying for your education, and even preparing for a job interview. Access it online at www.bppe.ca.gov/students/success.pdf.



To have a printed copy of any of these publications mailed to you at no charge, call DCA's Publications Hotline toll-free at (866) 320-8652, or order online at www.dca.ca.gov/publications/publications_list.pdf.

NEWS & NOTES

Smart digital shopping starts with you

This holiday season, be smart about your online holiday shopping. Take the time to do some research and avoid the hassle of becoming a victim of fraud. You'll be glad you did! The Federal Trade Commission has several tips for online shopping that will help you get the best deals and keep your personal information safe.

- **Set a Budget.** Know how much you're willing to spend on an item before you purchase it. Create a gift list to help you stay on track and not overspend.
- **Read Online Reviews.** Read several reviews from other shoppers, experts and columnists and always consider the source of the information as you make your decision.
- **Check Comparison Shopping Sites.** These sites connect you to many retailers that sell the same product. Compare your total purchase price, including taxes, shipping and handling.
- **Consider Coupons.** Some companies offer discounts via e-mail, and some Web sites collect and list codes for free shipping and other discounts. Search for the store with

terms such as "discount," "coupon," or "free shipping."

- **Read the Return Policies.** All return policies are different, so make sure you read them carefully before you make your purchase. Some stores may charge a fee for return shipping or restocking.
- **Decide How to Pay.** Make sure you understand the policies when choosing your method of payment. Sometimes credit cards can offer extra protections when purchasing online.
- **Look for a Secure Checkout.** Confirm the Web site address starts with "https" (the "s" stands for secure when you're entering your personal and financial information).
- **Keep Records.** Print and save e-mail confirmations and online receipts.

Whether your holiday gift list is long or short, you'll want to make sure you're getting your money's worth and not getting scammed. Follow these easy tips to guarantee a happy holiday shopping season. For more information, check out the Federal Trade Commission online at www.ftc.gov.

Clearing the air on carbon monoxide regulations

In 2011, *Consumer Connection* reported on the passage of the Carbon Monoxide Poisoning Prevention Act (California Health and Safety Code, sections 13260-13263), which requires owners of dwelling units intended for human occupancy to install carbon monoxide devices that sound a warning alarm if dangerous levels are detected. The second phase of the law — requiring owners of all other dwelling units (such as apartment complexes) to install them — became effective January 1, 2013.

The law applies to dwelling units with a fossil fuel burning heater or appliance, fireplace, or an attached garage. Fossil fuel means coal, kerosene, propane, oil, wood, natural gases, and other petroleum or hydrocarbon products, which release carbon monoxide (CO) when operating. In a home, CO poisoning can result from malfunctioning or improperly vented combustion appliances (such as gas heaters or stoves), according to the California Air Resources Board.

The new law imposes a \$200 maximum fine on building owners for each violation of the installation requirements after getting a 30-day notice to comply from a local authority. It also requires that the presence or absence of these devices be disclosed in residential real estate transactions.

If the carbon monoxide and smoke detectors in your home use batteries, get into the habit of changing them at the end of daylight saving time.

For more information, visit the State Fire Marshal's Web site at <http://osfm.fire.ca.gov/> or call (916) 445-8533.

Learn more carbon monoxide safety tips from the downloadable publication, *Protect Your Family and Yourself from Carbon Monoxide Poisoning* from the U.S. Environmental Protection Agency at www.epa.gov/iaq/pdfs/co_factsheet_en.pdf. Also visit the Web sites for the Centers for Disease Control and Prevention at www.cdc.gov/co, and the California Department of Forestry and Fire Protection at www.fire.ca.gov.



Start winter with a clean, safe chimney

Are you due for some chimney maintenance this season? An annual chimney cleaning and inspection can help keep your chimney operating safely and more efficiently, as well as keep you from getting carbon monoxide poisoning, according to the Chimney Safety Institute of America (CSIA).

This nonprofit, educational organization recommends that people consider a “CSIA Certified Chimney Sweep®” to do the job because these individuals have passed an intensive examination based on fire codes, clearances, and standards for the construction and maintenance of chimneys and venting systems. It also recommends asking the following questions to ensure that the person hired is a credible service technician:

- ✦ How long has the chimney sweeping company been in business?
- ✦ Does the company offer current references?
- ✦ Does the company or individual carry a valid business liability insurance policy to protect your home and furnishings against accidents?

Ask neighbors, friends and family for referrals, and check the company’s status with your local Better Business Bureau.

Repairs require a license

A chimney sweep who performs only cleaning does not need to have a State contractor license. However, if there are structural concerns such as loose bricks or mortar in the chimney or fireplace, or draft problems, a “B” general building contractor should be contacted; if there are brick or stone-related problems, a C-29 masonry contractor must do the work. For flue system problems, a C-43 sheet metal contractor should be brought in. If you need to hire one of these professionals, don’t forget to check the license first with DCA’s Contractors State License Board at www.cslb.ca.gov.



The gift of a gift card

Gift cards are always a favorite whether you are giving or receiving — for a birthday, holiday gift, or just because. We will all cross paths with a gift card or gift certificate at one time or another and they can be great, especially if you have some helpful tips in your back pocket to go along with that wonderful gift card.

If you’re buying a gift card or gift certificate:

- Ask about the seller’s redemption policy.
- In the case of a gift card usable with multiple, unaffiliated sellers (such as a mall card or a prepaid debit or credit card), ask about expiration dates and any applicable fees. In addition, ask about the locations where the unspent portion of the value can be redeemed, and how that amount can be redeemed. In California, gift cards from single stores (not multiple seller cards) cannot have an expiration date.
- In the case of a gift card, ask the seller if the recipient can add value or reload the card.
- Ask the seller about its policies on returning merchandise. A recipient who redeems a gift certificate or gift card for merchandise will be subject to those policies.

If you receive a gift card or gift certificate:

- Ask about the seller’s redemption policy. Some merchants may redeem the gift certificate for cash or a combination of merchandise and cash, while some may issue a new certificate for any balance remaining after the original certificate is redeemed.
- In the case of a gift card, ask the seller if value can be added to the card or if it can be reloaded. Also ask about any service or dormancy fee.
- Use any remaining value on a gift certificate or gift card. If a gift certificate or gift card has a low balance, make a purchase with it and pay the difference out-of-pocket.
- Ask the seller about its policies on returning merchandise.

For more information about gift certificates and gift cards, check out *FAQs and Tips on Gift Certificates and Gift Cards: Legal Guide S-11* from the Department of Consumer Affairs online at www.dca.ca.gov/publications/legal_guides/s-11.shtml. Now that you have all the 4-1-1 on gift cards and gift certificates, happy shopping!

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2009 Winner



2009 Winner
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Officers Council

Gold Award
2009, 2007
Silver Award
2013, 2012, 2011
2010, 2008