



OFFICE OF SUSAN D. REED
CRIMINAL DISTRICT ATTORNEY

ALERT TO SENIOR CITIZENS ON HOME IMPROVEMENT SCAMS

June 30, 2005

More than ever, our senior citizens are at risk of becoming the victims of fraud and scams. Unfortunately, these crimes are on the rise. Estimates nationally are that one in five seniors is now the victim of fraud. Texas ranks third among all states in fraud victims, and fourth in number of companies committing fraud. The White Collar Crime Division of the District Attorney's Office has recorded over 20 million dollars in losses to seniors in Bexar County in the last five years due to fraud.

The Bexar County District Attorney's "Elder Fraud Prosecution Project" is focused on serving seniors through education and prevention of fraud and through the prosecution of fraud crimes. I want to encourage elderly crime victims to file cases with their local law enforcement agencies immediately so that this office can prosecute these criminals and keep them from committing fraud against other seniors. In 2003 the Texas Legislature increased the penalties for crimes against the elderly. These crimes are taken seriously and will be prosecuted.

*Fraud crimes involving home renovation and repair are becoming more common. If you are planning on making home improvements or repairs I encourage you to **require each contractor to complete the form on the backside of this letter.** I also encourage you to **obtain proof of identification** by writing down the information from a driver's license or other official photo identification. By obtaining this information you are sending a message to each contractor that you are informed of your rights and will hold them accountable. Please consider the following additional recommendations made by the National Consumer Law Center and this office that will help protect you from becoming a victim of fraud:*

- **NEVER** deal with any door-to-door contractors. **Do not open your door** for a card or estimate. If you feel threatened in any way, call 911. Deal with local trades people recommended by friends or reputable building supply stores.
- The DA's office strongly suggests that you do not do business with a contractor who requests some or all of the money for the job up front. Materials for the job can be paid for when they are delivered. Do not pay for the labor until the job is completely finished.
- Before agreeing to hire any home improvement contractor, get at least a second estimate for the same work from another contractor. An estimate too good to be true is often too good to be true.
- Get references for the contractor and speak to those references. Ask about satisfaction and any problems that arose and take a look at other work performed by the same contractor.
- Get a written contract describing explicit specifications of the work, the price (including details of any financing or credit terms), the responsibility for cleaning up, and the hourly rate for any added work. Ask for guarantees and other promises to be made in writing. Do not agree to final payment until the project is finished.
- If the written documents are different from oral promises, do not sign them.
- Remember, you may have until midnight of the 3rd business day to cancel door-to-door sales and home improvement loans even after the papers have been signed. Also, the contract may be unenforceable if it does not contain notice of your right to cancel. Texas Business & Commerce Code, Chapter 39.
- Do not allow a contractor to begin work until financial arrangements to pay for the work are complete and never endorse the check over to the contractor before all work is satisfactorily completed.
- Do not consolidate other debts with a home improvement loan.

To report a fraud crime against a senior, contact your local law enforcement agency immediately. They will prepare and file the case with this office. For information on fraud crimes against seniors, you may contact the District Attorney's Office at (210) 335-2404.

Susan D. Reed

CRIMINAL DISTRICT ATTORNEY