

The background features a large, faint watermark of the Oregon Department of Justice seal. The seal is circular with "THE STATE OF OREGON" at the top and "DEPARTMENT OF JUSTICE" at the bottom. Inside the circle is a stylized eagle with spread wings, a ship on waves, and a sunburst. The entire seal is in a light blue-grey color.

Consumer Protection

Oregon Department of Justice
Civil Enforcement Division

Civil Enforcement Division

- ▶ Antitrust, False Claims & Privacy Unit
- ▶ Charitable Activities Section
- ▶ Civil Recovery Section
- ▶ **Consumer Protection Section**
- ▶ Medicaid Fraud Section

UTPA “Laundry List”

- Auctions
- Automatic renewals
- Data security
- Debt collection
- Discounts and “free” offers
- Gas price advertising
- Gift cards
- Facsimile spam
- Foreclosure consultants
- Going out of business sales
- Health spas
- Home solicitations
- Odometers
- Phishing
- Privacy policies
- Price gouging
- Pyramid clubs
- Recalled products
- Referral compensation
- Rent-to-own
- Robocalls
- Student privacy
- Self-service storage
- Shipping fees
- Sweepstakes
- Telephone sales
- Towing
- Vehicle repair shops

Enforcement Unit

Civil prosecutors: We investigate and prosecute violations of the UTPA.

- ▶ Subject matter generalists
- ▶ Post-hoc, after a pattern of violations occurs
- ▶ CIDs to obtain documents and testimony
- ▶ Absent settlement, a court decides penalties and restitution

Not a “regulator”

- ▶ No compliance staff
- ▶ No supervisory examinations
- ▶ No administrative enforcement

Enforcement Unit

Small unit

- 7 attorneys, 1 investigator, legal support staff

Self-funded

Strategic enforcement

- Emerging issues
- Widespread pattern of serious violations
- High impact

Challenging cases

- Complex factual and legal issues
- Document intensive, require outside experts
- Investigation to settlement can take 3+ years
- Understaffing causes delays, limits number of cases

Enforcement Unit

- ▶ Over 20 open investigations
 - Charity care
 - Auto sales
 - Consumer finance
- ▶ Ongoing litigation
 - Towing
 - Social media
 - Predatory lending
 - Robocalls
- ▶ Leveraging partnerships
 - Multistate practice
 - Joint investigations
 - Information sharing

Public Facing Programs



Consumer Hotline

Full-time coordinator and team of volunteers

10,000 calls every year

300+ emails every week

Purpose: to provide information and resources



Consumer Complaints

Intake and complaint specialists, office staff

9,000 complaints

Informal dispute resolution, no legal advice or findings

Purpose: help consumers obtain refunds and other relief; provide DOJ with information about the marketplace



Other Programs

Oregon Foreclosure Avoidance Program

Telephonic Seller Registration Program

Trending Issues

- ▶ Residential Rooftop Solar
 - Expensive financing with opaque terms
 - High pressure sales tactics
 - Misrepresenting affiliation, cost, value, tax benefits
- ▶ Junk Fees (Drip Pricing)
 - Advertising a price that does not include mandatory fees
 - Prevents consumers from making informed choices
- ▶ Lenders Evading Interest Rate Caps
 - Rent-a-bank schemes
 - Earned wage access products