

The background of the slide features a large, semi-transparent seal of the Oregon Department of Justice. The seal is circular with a blue border containing the text "OREGON DEPARTMENT OF JUSTICE" and "1859". Inside the border is a shield with a ship, a plow, and a sheaf of wheat. Above the shield is an eagle with spread wings. The entire seal is set against a background of blue geometric shapes.

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