

Reduce Telemarketing Calls– The “Do Not Call” List



spotlight

Telemarketing calls often interrupt consumers' family time and personal lives. Two governmental agencies provide protection from abusive and deceptive telemarketing sales practices: (1) the Federal Communications Commission (FCC) adopted rules implementing the Telephone Consumer Protection Act to protect consumers from receiving unsolicited telephone marketing calls; and (2) the Federal Trade Commission issued the Telemarketing Sales Rule to protect consumers from telephone fraud.

Consumer Protections Provided by these Rules

It is *illegal* for a telemarketer to:

- call you if you have clearly stated that you want to be added to their "**Do Not Call**" list
- call before 8 a.m. and after 9 p.m.
- tie-up your home telephone line with autodialed and prerecorded voice messages
- neglect to tell you at the beginning of the call the company name and what they are selling
- misrepresent any information or facts about their goods or services, earnings potential, profitability, risk, etc.
- ask you for payment before telling you the **total** cost of goods, whether a sale is final or non-refundable, the odds of winning a prize, and any restrictions or conditions on getting the prize
- withdraw money from your account without expressed, verifiable authorization; authorization from you must be written or tape recorded and made available to your bank upon request
- request a fee before providing the service, lie to get you to pay for **any** goods or services

These are just some of the requirements of the rules.

What actions can you take?

Contact agencies that can erase your name from marketing lists, such as *Direct Marketing Association* at PO Box 9014, Farmingdale, NY 11735-9014.

To remove your name from credit bureau mailing lists call – 888.567.8688. *You will be asked to provide personal information, including your social security number, to process your request.*

Ask the telephone solicitor to place your name on the caller's "**Do Not Call**" list. Also, obtain the name and address of the solicitor and send a written notice to verify the placement of your name on the "do not call" list. The caller must keep a record of your request for 10 years and may not make further telephone solicitations to your home.

Non-profit organizations are not required to maintain "do not call" lists. This FCC rule applies to residential telephone numbers, but **does not apply to calls placed to business telephone numbers.*

The “Do Not Call” Registry

Michigan consumers can register for the Federal Trade Commission's (FTC) **Do Not Call Registry** by phone or online. Registration is free and covers landline and wireless phone numbers. To register by phone, dial 888.382.1222 from the number you want to register. To sign up online, visit the FTC's website, donotcall.gov. Online registration requires an active e-mail. If you register online, the FTC will send a message with a link. You need to click on the link within 72 hours to finalize registration.

Reported Problems

Some consumers have reported that they never received a confirmation e-mail from the FTC after attempting to register online. If you do not receive a confirmation e-mail within 24 hours after trying to register, you should register again – you may have entered your e-mail incorrectly. If you still don't receive a confirmation, you should register by phone. It is suspected that servers are viewing the e-mail as "junk" or "spam" and deleting it.

Exceptions

Although registration is designed to prevent most unwanted telemarketing calls, it will **not** stop all sales calls. The following types of organizations and businesses are exempt from the Do Not Call List law:

Michigan Exemptions

- Charitable organizations;
- Public safety organizations;
- Companies with which a person has previously conducted business, unless the customer has specifically requested to be added to the company's do-not-call list;
- Businesses that request face to face meetings but do not urge the customer to make a decision regarding a purchase at the time of the call;
- Companies that have the recipient's prior consent;
- Companies that do not encourage the purchase, rental or investment in goods or services, such as companies conducting a survey or seeking a donation or contribution.

Federal Exemptions

- Charitable organizations;
- Political organizations;
- Organizations with which you have an established business relationship can call you for up to 18 months after your last purchase, payment or delivery – even if your name is on the national Do Not Call Registry. If you ask a company not to call you, it must honor your request, even if you have an established business relationship;
- Companies to which you've made an inquiry or submitted an application can call you for three months;
- Companies that do not encourage the purchase, rental or investment in goods or services, such as companies conducting a survey or seeking a donation or contribution.

What To Do For Continued Calls

You can file a complaint against a company violating the Do Not Call rules if 31 days have passed since you registered your telephone number on the list **and** the company is not exempt from the rules. You will need to know the date you got the call and either the name or the telephone number of the company that called you. Your complaint must include your name, address, and the phone number involved in the complaint. You must also provide a number where you can be reached during the business day. You can file complaints under Michigan's law or the Federal law.

Where To File Complaints

Michigan Attorney General

Consumer Protection Division

P.O. Box 30213, Lansing, MI 48909

michigan.gov/ag – click on “File a Complaint”
517.241.3771(fax)

Federal Trade Commission

donotcall.gov – click on “File a Complaint”
888.382.1222 or 866.290.4236 (TTY)

Federal Communications Commission

Consumer & Governmental Affairs Bureau
Consumer Inquiries and Complaint Division
445 12th Street SW, Washington, DC 20554
888.225.5322 888-835-5322 (TTY)

[FCC Complaints Website](http://FCCComplaintsWebsite)

e-mail – fccinfo@fcc.gov
866.418.0232 (fax)