

# THE ALERT

Volume 18, No. 4 July-August 2001

## It May Be Time to Update Your Living Will

If you have a Living Will, you may want to consider updating it.

The newest change in the Living Will law allows you to include a Do Not Resuscitate (DNR) comfort care order as part of it.

The order means that you do not want to be revived or have cardiopulmonary resuscitation (CPR) performed on you if your heart stops beating or you stop breathing. CPR may include chest compression, drugs, electric shock or insertion of airway tubes.

Of course, if you want to be resuscitated, you need do nothing with your old Living Will. **Your old Living Will still is good.**

A Living Will is a document that allows you to say, in advance, what type of medical care you would like to get if you become permanently unconscious or terminally ill. It only is used if you are unable to tell your doctor or family what kind of life-sustaining treatment you want to get.

A Living Will gives your doctor the authority to withhold all life-sustaining treatment when your doctor and a second doctor determine that you are permanently unconscious or that you cannot recover and death is likely to occur within a relatively short time if life-sustaining treatment is not administered. **The effect is to allow you to die naturally.**

You may or may not include provisions that say you do not want to receive food or water through feeding tubes or into your veins.

**A Living Will never allows your doctors to stop giving you “comfort care.”** They must continue to give you medical and nursing care that is aimed at making you comfortable and to relieve you from pain even if you have decided that you do not want life-sustaining treatment administered.

It’s important to let others know that you have a Living Will before you become ill. It can

### IN THIS ISSUE

<b>It May Be Time to Update Your Living Will.....</b>	<b>1</b>
<b>Check out Furnace Repairman Before You Sign.....</b>	<b>2</b>
<b>Don’t Let Debt Collectors Harass You.....</b>	<b>3</b>
<b>Free PC? Not Really .....</b>	<b>4</b>
<b>Here’s a Chance to Get on CMHA Waiting List</b>	
<b>For Section 8 Vouchers to Help Pay for Rent .....</b>	<b>4</b>
<b>Senior Citizen Centers and Legal Aid Offices .....</b>	<b>5</b>

only be enforced if others know it exists. Give a copy to your family doctor, your family and any other persons you name in your Living Will as people who should be notified if your doctor determines that life-sustaining treatment should be withheld or withdrawn.

Your Living Will becomes effective as soon as you sign it in the presence of two unrelated witnesses or of a notary public who will then notarize it.

Another document called a Durable Power of Attorney for Health Care allows you to name a person to act on your behalf in making health care decisions for you if you become unable to make them for yourself.

However, if you have both documents, your

***Call Legal Aid's Senior Helpline.***

physician must follow your wishes as expressed in your Living Will.

If you are 60 years of age or older and need help with either a Living Will or a Durable Power of Attorney for Health Care, call The Legal Aid Society of Cleveland's Senior Helpline at 216-687-1900. Call between the hours of 1 and 4:30 p.m. on Tuesdays, Wednesdays and Thursdays.

You may also call the Senior Helpline for assistance with other legal problems involving such matters as evictions, mortgages, loans, contracts, consumer issues, Social Security and SSI eligibility and termination, food stamps, Medicare, Medicaid, welfare and health insurance.

## Check out Furnace Repairman Before You Sign

Summer is a good time to have your furnace repaired if you had problems over the winter.

But before you pick a repair company you need to do some homework.

Steer clear of repairmen who come knocking at your door and offer you a so-called "good deal" at a below-market price because they are working in the neighborhood.

**Legitimate businessmen do not insist that you sign immediately to get the price offered.**

The best idea is to ask your friends and neighbors about companies which gave them good service.

Before you sign a contract, there are some questions you should ask.

Is the contractor licensed and bonded in your city?

Are the workers covered by liability insurance and workers compensation in case of an accident?

How long has the company been in business and where is its place of business?

Does it guarantee its service and will it do any needed corrections? How long is the guarantee good?

Does the equipment it installs have a warranty?

Does the contractor provide 24-hour emergency service?

Make sure you get everything in writing in the contract. The contract should spell out in detail, among other things, the work to be done and the materials to be used, the cost for each item and for labor, the payment schedule, guarantees and warranties, the deadline for completion of the work, the contractor's name, address and phone number.

The contract must be signed by the contractor, give you a reasonable time to cancel if you can't get financing and state your right to cancel in three days if you signed at home.

It's a good idea to get your own financing. Do NOT let the contractor or the mortgage broker the contractor chooses get the financing for you.

**Do NOT get a new mortgage** on your house to pay for any repairs because you could end up losing your home to unscrupulous lenders.

Before you sign a contract or take out a loan, be sure to check with your City Hall or your county offices to find out if you are eligible for free or low-cost repairs or for no or low-cost loans.

# Don't Let Debt Collectors Harass You

If you owe money, you have a right not to be hounded by debt collectors. Those are people hired by your creditors to collect money you may owe.

The *Federal Fair Debt Collection Practices Act* gives you certain rights. Those rights don't make your debt go away. But the Act requires that you be treated fairly by debt collectors. The Act generally applies to companies or people, including lawyers, who are collecting a debt for a creditor.

## You Can Stop Calls

Collectors may contact you in person, by mail or telephone. They may not contact you at inconvenient times or places. For instance, they usually can't contact you before 8 in the morning or after 9 at night.

You can stop collectors from contacting you by writing a letter (preferably by certified mail) and telling them to stop. It is a violation of the Act if collectors do not stop after getting a letter.

But your writing the letter won't keep them from suing you.

Debt collectors are allowed to contact other people; but only to find out where you live, what your phone number is and where you work. Generally they are not allowed to tell anyone but you or your attorney about your debt.

## You Can Contest A Debt that You Don't Owe

Within five days after debt collectors first contact you, they must send you a written notice telling you how much you owe, to whom you owe it and what you should do if you dispute the debt.

If you think there is a mistake, you have 30 days after you get the first written notice to send debt collectors a letter saying you don't owe the money or asking them to explain about the debt they claim you owe. Do not assume because the notice came from a lawyer that it is correct.

After you send your letter, debt collectors may not contact you unless they give you proof that you do owe the money. That proof could be something such as a copy of the original bill.

Debt collectors are not allowed to do certain things.

Debt collectors may not harass, oppress or abuse you or any other party they contact. For example, they may not:

- ◆ Threaten violence or harm.
- ◆ Use obscene or profane language.
- ◆ Repeatedly use the phone to annoy anyone.

Debt collectors may not use any false or misleading statements when collecting a debt. For example, they may not:

- ◆ Falsely imply that they are attorneys or government representatives.
- ◆ Falsely imply that you have committed a crime.
- ◆ Misrepresent the amount of money you owe.
- ◆ Indicate that papers being sent to you are legal forms when they are not.

## *Debt collectors may not say:*

- ◆ You will be arrested if you don't pay your debt.
- ◆ They will seize, attach or sell your property or garnish your wages unless they or your creditors can legally do it and intend to do so.
- ◆ They intend to sue you when they cannot legally sue or don't plan to sue.

## *Debt collectors may not:*

- ◆ Give false credit information about you to anyone.
- ◆ Send you anything that looks like an official document from a court or government agency when it is not.
- ◆ Use a false name.

*Debt collectors may not* engage in unfair practices when they try to collect a debt. For example, collectors may not:

- ◆ Collect any amount greater than your debt.
- ◆ Deposit a post-dated check early. (Writing such checks is a bad idea anyway).
- ◆ Trick you into making you accept collect calls.
- ◆ Take or threaten to take your property unless they legally can.
- ◆ Contact you by postcard.

If possible, screen your calls. If a bill

collector is calling, you don't have to answer.

For help in managing your debts, phone the non-profit Consumer Credit Counseling Service at 216-781-8624 or 1-800-355-2227.

**Stay away from companies which promise to fix your credit if you pay them money up front.**

If you are sued on a debt, contact a lawyer immediately even if you get the written notice about the debt at the same time you get notice of the lawsuit.

If you can't afford an attorney, contact The Legal Aid Society. (See addresses and phone numbers on Page 5.)

If you think a debt collector has violated the law, consult an attorney. You have the right to sue a collector within one year of a violation of the law. If you win, you may get money for damages you suffered and up to \$1000 in damages set by the Act, plus court costs and attorney fees.

**Report problems with debt collectors to the Federal Trade Commission by calling toll-free 1-877-382-4357; TDD: 202-326-2502.**

## Free PC? Not Really

You may have seen the advertisements for "free" or very low-cost computers.

The Federal Trade Commission warns that "free" does not always mean free. That is because there often are conditions and restrictions in the fine print of advertisements.

Some offers require you to pay as much as \$400 for a so-called \$199 PC (Personal Computer). You may have to wait months for a rebate.

Other offers are tied to purchase of Internet services. So your "free" computer may cost you up to \$1,000 over three years. If you cancel, you may have to pay a substantial penalty or return some or all of your rebate. The Internet service may require you to pay long-distance charges to access the Internet.

Before you buy, ask about up-front costs, rebates, essential components, Internet access costs, long-term commitments, cancellation policies and local or long distance Internet access.

## Here's a Chance to Get on CMHA Waiting List for Section 8 Vouchers to Help Pay for Rent

A lottery to get on a waiting list for a Section 8 rent subsidy will be conducted by the Cuyahoga Metropolitan Housing Authority (CMHA) in mid-July.

A total of 10,000 names will be selected from lottery participants. Those 10,000 will go on a waiting list for Section 8 rental assistance. Eligibility will be determined later.

**English and Spanish entry forms for the lottery will be available for seven days only on July 16, 17, 18, 19, 20, 21 and 22.**

Forms can be picked up during regular business hours at any public library in Cuyahoga County, Neighborhood Centers Associations locations, Cuyahoga Work and Training Neighborhood Family Service Centers, the Cuyahoga Child Support Enforcement Agency, 1640 Superior Avenue; Jane Edna Hunter Social Service Center, 3955 Euclid Avenue; Metzenbaum Children's Center, 3343 Community College Avenue and the Senior and

Adult Services Office at 1701 East 12th Street.

Income limits for the Section 8 program are \$19,950 for one person; \$22,800 for two; \$25,650 for three; \$28,500 for four; \$30,800 for five; \$33,050 for six; \$35,350 for seven; and \$37,600 for eight persons.

**Lottery forms must be mailed and postmarked no later than July 30, 2001.**

The list of lottery winners will be posted at the above-listed sites on September 4, 2001. However, getting on the list is not a guarantee of Section 8 eligibility.

The Section 8 program helps low-income persons afford privately-owned rental housing. Under it, Section 8 tenants may pay up to 30% of their income for rent with CMHA paying the balance.

There is no fee to enter the lottery. For information, call 216-830-3900.

Families who are living in public housing or those who are on the waiting list for public housing are eligible to apply for the lottery.

**SENIOR CITIZEN CENTERS AND LEGAL AID OFFICES****CUYAHOGA COUNTY**

For information or to make an appointment in Cuyahoga County  
phone the Senior Helpline  
at 216-687-1900  
on Tuesday, Wednesday or Thursday between 1 p.m. and 4:30 p.m.

**EAST SIDE****WEST SIDE**

Buckeye Senior Center  
11802 Buckeye Road  
216-491-8450

Hough Opportunity Center  
8555 Hough Avenue  
216-421-5400

Lakewood Office on Aging  
16024 Madison Avenue  
216-521-1515

Collinwood Community  
Center  
813 East 152 Street  
216-541-4400

Maple Heights Senior Center  
15901 Libby Road  
216-587-5481

Metro Health Hospital  
2500 Metro Health Drive  
216-778-5551

Emeritus House Senior  
Center  
(at Indian Hills)  
1554 East 193 Street  
216-289-8586

Martin DePorres Center  
1264 East 123 Street  
216-268-3909

Parma Senior Resource Center  
7001 West Ridgewood  
440-885-8155

Fairhill Institute  
12200 Fairhill Road  
216-421-1350

Murtis H. Taylor Center  
13422 Kinsman Avenue  
216-283-4400

West Side Legal Aid Office  
3408 Lorain Avenue  
216-961-6630

Goodrich-Gannett Center  
1368 East 55 Street  
216-432-1717

Stella Walsh Recreational  
Center  
7345 Broadway Avenue  
216-441-0111

**DOWNTOWN**

Downtown Legal Aid Office  
1223 West Sixth Street  
216-687-1900

Helen S. Brown Senior  
Center  
16100 Euclid Avenue  
216-761-8410

Woodland Branch  
Cleveland Public Library  
5806 Woodland Avenue  
216-623-7109

For information or to make appointments outside Cuyahoga County  
phone the offices listed below

**LAKE COUNTY**

Lake-Geauga Legal Aid Office, 8 North State Street, Painesville  
440-951-7240 from Cuyahoga County and western Lake County  
440-352-6200 from other parts of Lake County or 1-888-808-2800

**LORAIN COUNTY**

Lorain County Legal Aid Office, 382 West Broad Street, Elyria  
440-323-8240

**ASHTABULA COUNTY**

Ashtabula County Legal Aid Office, 121 East Walnut, Jefferson  
440-576-8120

**The Legal Aid Society  
of Cleveland  
1223 West Sixth Street  
Cleveland, Ohio 44113**