

THE ALERT

Volume 18, No. 2

MARCH-APRIL 2002

Identity Stolen? Here's What You Can Do

If you find out you are a victim of identify theft; that someone has stolen your identify and is making credit card charges in your name, there are steps you should take immediately.

First, how do you know you are a victim?

You may not have opened a particular account, but someone else did using your name, Social Security number or some other piece of your personal information. Or someone may have bought things and charged them to your existing account.

You may not even know that your identity has been stolen until you get bills for a credit card account you never opened or your credit report includes charges you never made.

If someone has stolen your identity, the Federal Trade Commission recommends that you take three actions immediately.

(1) First, contact the fraud departments of each of the three major credit bureaus. Tell them to flag your file with a fraud alert including a statement that creditors should get your permission before opening any new accounts in your name.

At the same time, ask the credit bureaus for copies of your credit reports. Credit bureaus must give you a free copy of your report if it is inaccurate because of fraud. Review your reports carefully to make sure no additional fraudulent accounts have been opened in your name or that no unauthorized changes have been made to your existing accounts. In a few months, order new copies of your reports to verify your corrections and changes and that no new fraud has occurred.

Here's how to reach the three major credit reporting bureaus:

⇔ **Equifax** 800-525-6285 (fraud line) or 800-685-1111; www.equifax.com

⇔ **Experian** 888-397-3742 (fraud line) or 888-397-3742; www.experian.com

⇔ **Trans Union** 800-680-7289 (fraud line) or 800-916-8800; www.tuc.com

(2) Second, contact the creditors for any accounts that have been tampered with or opened fraudulently. Ask to speak with someone in the security or fraud department and follow up in writing.

IN THIS ISSUE

Identity Stolen? Here's What You Can Do	1
Ohio Changes Law on Witnesses for Deeds	2
Tax Anticipation Loans Can Cost You Too Much	3
There is No Tax Refund for Slavery Reparations	3
Don't Sign Documents as Responsible Party	
When Another Person Enters Nursing Home	4
State Has New Guide on Long-Term Care	4
Watch for Important Deadlines	4
Senior Citizen Centers and Legal Aid Offices	5

Following up with a letter is one of the procedures spelled out in the Fair Credit Billing Act for resolving errors on credit billing statements, including charges that you have not made. **Don't buy credit card insurance** because Federal law limits your losses to \$50 if your card is lost or stolen and protects you against mistakes and unauthorized charges.

(3) Third, file a report with your local police or the police in the community where the identity theft took place. Keep a copy in case your creditors need proof of the crime.

Although identity thieves can mess up your personal finances, there are some things you can do to take control of the situation. Here's how to handle some of the most common forms of identity theft.

STOLEN MAIL. If an identity thief has stolen your mail to get new credit cards, bank and credit card statements, pre-approved credit offers or tax information or falsified change-of-address forms, report the crime to your local postal inspector.

ADDRESS CHANGE ON CREDIT CARD. If you discover that an identity thief has changed the billing address on an existing credit card account, close the account. When you open a new account, ask that a password be used before any inquiries or changes can be made on the account. Avoid using easily available information like your mother's maiden name, your birth date, the last four digits of your Social Security number or your phone number, or a series of consecutive numbers. Avoid the same information and numbers when you create a Personal Identification Number (PIN).

BANK ACCOUNTS. If you have reason to believe that an identity thief has accessed your bank accounts, checking account or ATM card, close the accounts immediately. When you open new accounts, insist on password-only access.

STOLEN CHECKS OR ATM CARDS. If your checks have been stolen or misused, stop payment. If your ATM card has been lost, stolen or otherwise compromised, cancel the card and get another with a new PIN.

PHONE FRAUD. If an identity thief has established new phone or wireless service in your name and is making unauthorized calls that appear to come from and are billed to your cellular phone, or is using your calling card and PIN, contact your service provider immediately to cancel the account and calling card. Get new accounts and new PINs. If you have trouble getting phone charges removed, contact the Public Utilities Commission of Ohio at 800-686-7826 about local service and the Federal Communications

Commission toll free at 888-CALL-FCC or 888-225-5322 about long distance service.

JOB FRAUD. If it appears that someone is using your Social Security number when applying for a job, get in touch with the Social Security Administration to make sure that your earnings are reported correctly. Call 800-772-1213 to check your Social Security statement.

DRIVERS LICENSE. If you suspect that your name or Social Security number is being used by an identity thief to get a driver's license, report it to the Ohio Department of Motor Vehicles. Also, if your license lists your Social Security number, you can have it removed for a small fee or for no additional fee if your license is being renewed.

It's a good idea to order a copy of your credit reports from the three credit bureaus every year to check on their accuracy and whether they include only those debts and loans you've incurred. A credit bureau may charge you up to \$8.50 for a copy.

If you've been a victim of identity theft, file a complaint with the Federal Trade Commission by contacting its Identity Theft Hotline by telephone: toll free 877-IDTHEFT (877-438-4338); TDD: 202-326-2502; by mail: Identity Theft Clearinghouse, Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580; or online: www.consumer.gov/idtheft.

Ask for a copy of "*ID Theft: When Bad Things Happen to Your Good Name*," a free comprehensive consumer guide to help you guard against and recover from identity theft.

Ohio Changes Law on Witnesses for Deeds

Ohio has changed the law which formerly required that a deed be witnessed by two persons. Witnesses no longer are required.

Nor are witnesses required for some other documents, including mortgages, land contracts and leases.

However, the law still requires that signatures on such documents be notarized.

The new law became effective on February 1, 2002. But it is retroactive so that documents signed without witnesses before that date are legal.

You should be aware that sometimes it still will be a good idea to have witnesses. Having witnesses won't make the document void.

Tax Anticipation Loans Can Cost You Too Much

Steer clear of companies that promise you instant money or a down payment on a car, furniture or jewelry if you let them file your income tax return.

What may look like a great deal could cost you much of your refund.

Don't be fooled by flashy ads or TV commercials. Instead of the instant refund or down payment they offer, you get a very expensive "refund anticipation loan" that could cost you anywhere from 67% to 774% in annual interest rates.

It pays to wait for the IRS to give you your check.

Why pay anything when you can get free tax help?

Get free help from the IRS or at a VITA (Volunteer Income Tax Assistance) site. Phone toll free 800-829-1040 for information. Seniors can call toll free 888-227-7669 for the closest AARP tax aid site.

Another place to go for tax filing help is the Friendship Foundation whose Low-Income Tax Clinic is especially geared to aiding those for whom English is a second language. It also assists English speakers. For information, call 216-651-6748.

The Foundation charges \$5 for each form, but there is no charge for persons below 150% of the poverty level.

If you choose to go to a private tax preparer, select one who is reputable. Here are some guidelines:

- ◆ Pick a preparer who has a permanent office and will be around if your tax return gets audited.
- ◆ Pick someone recommended by friends or co-workers and one who is properly trained. Ask how recently the preparer took tax classes.
- ◆ Avoid any one who suggests that you lie about figures. **You** will be responsible for errors or lies—**not** the preparer.
- ◆ Don't sign a blank tax return form or one done in pencil.
- ◆ Ask how much the preparer charges and whether there are extra costs for additional forms or schedules **before** hiring him or her.
- ◆ Check out the preparer with the Better Business Bureau.

- ◆ Make copies of all of your papers **before** you give them to the preparer.
- ◆ Make sure the preparer signs your completed return.
- ◆ Sign your return only after you look it over to make sure it is honest and correct. Keep a copy of your return and proof that you submitted it to the IRS.

If IRS disputes your return or says you didn't file and you are a low-income person, come to one of the offices of The Legal Aid Society of Cleveland or phone us. The offices are listed on the last page.

There Is No Tax Refund for Slavery Reparations

If someone offers to file a tax return for you to get you money for slavery reparations, don't agree to do it and don't pay any fees.

If you do pay the fee, you will end up with no slavery reparations refund because there is no such thing—AND you will be out the fee.

Additionally, it could cause you trouble with the Internal Revenue Service (IRS) and you could be fined \$500, especially if you refuse to withdraw your claim and allow additional reparations claims to be filed for you.

The IRS is warning that there has been an increase in these false claims in which unscrupulous promoters deceive people into paying money for advice on how to file claims for \$40,000 to \$80,000.

There is no tax law that provides that African-Americans get tax credits or refunds related to slavery reparations.

Last year IRS got almost 80,000 returns claiming more than \$2.7 million in false reparations refunds.

The IRS commissioner said, "Promoters are shamelessly preying on people. These snake-oil salesmen build false hopes and charge people good money for bad advice...In the end, the victims discover their refund claims are rejected and their money and the promoters are long gone."

Don't Sign Documents as Responsible Party When Another Person Enters Nursing Home

When someone checks into a nursing home, there will be papers to sign.

Among the documents will be a contract for the nursing home's services and an agreement to pay for the services. The latter may be part of the contract or may be separate.

It's the agreement to pay that we want to warn you about if you are a friend or relative of the patient.

If the patient has Medicare or Medicaid, the nursing home should be certified for the program that covers the patient so his or her bills can be paid.

In that case, it is against the law for the nursing home to require anyone else to agree to be responsible for payment as a condition of admitting the patient to the nursing home or allowing him or her to stay there.

Unfortunately, it's common practice for some nursing homes to ask the relative (or even a close friend) who comes in with the patient to sign a payment guarantee. This is especially true if the patient is unable to read or understand the papers.

Some nursing homes try to evade the law by using contracts that say a "responsible party" signature is not required but the person who signed as a "responsible party" *volunteered* to become financially responsible.

You should be aware that no one except the patient (or someone signing on his or her behalf) can be required to sign an agreement to be personally

responsible for the patient's bill. If you have a Power of Attorney, you should sign the patient's name then write "by (your name) POA" or write "(your name) as POA for (the patient's name)."

For more information that deals with your own special situation, contact the Long Term Care Ombudsman at 216-696-2719 or 800-365-3112 in Cuyahoga, Geauga, Lake, Lorain and Medina Counties or at 800-282-1206 in other areas.

State Has New Guide on Long-Term Care

A new internet-based resource for information about long-term care is being made available through the Ohio Department of Aging website at www.state.oh.us/age as of March 1.

The Long-Term Care Consumer Guide will link to Ohio long-term care facility websites and numerous other resources and aging services.

If you do not have a computer, you can access the information at your library.

Now accessible are the location, size, special programs and services, costs and accepted sources of payment of facilities. In June, the guide will include customer satisfaction surveys for the facilities.

Watch for Important Deadlines:

HEAP (Home Energy Assistance Program). The deadline is **March 31**. Your income must be at or below 150% of the federal poverty guidelines to get help with your winter heating bill. Call toll free 800-282-0880 or TDD 800-686-1557 for information.

SUMMER SPRINKLING HELP. The deadline is **April 30** to apply for a reduction in your sewer service charges if you use water to sprinkle your lawn. Call the Northeast Ohio Regional Sewer District at 216-881-8247. **You can apply at any time for a reduction in your water and sewer bill** if you are 65 or permanently disabled, have an income below \$24,100, own and live in your house in Cleveland or in a suburb where you are billed by the City of Cleveland for water. For information, call 216-664-3130.

HOMESTEAD TAX EXEMPTION. The deadline is **June 3** to apply for a reduction in your real estate taxes if you are 65 or older or permanently disabled, own and occupy your home and have a household income of \$24,100 or less.

MEDICARE PART B. The deadline is **March 31**. If you didn't sign up for Part B (insurance that helps pay for doctors' fees and other medical services and supplies) when you were first eligible for Medicare, you can sign up during the annual General Enrollment Period that runs until March 31. You may have to pay 10 percent more if you could have enrolled earlier, but didn't. Call 800-772-1213 for information.

SENIOR CITIZEN CENTERS AND LEGAL AID OFFICES

CUYAHOGA COUNTY

For information or to make an appointment in Cuyahoga County
 phone the Senior Helpline
 at 216-861-5479
 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

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

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

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

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

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

Fairhill Institute
 12200 Fairhill Road
 216-421-1350

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

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

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

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

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

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

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

DOWNTOWN

Downtown Legal Aid Office
 1223 West Sixth Street
 216-687-1900
 Extension 5336
 TTY: 216-696-3081

Hough Opportunity Center
 8555 Hough Avenue
 216-421-5400

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

LAKE COUNTY

Lake-Geauga Legal Aid, 8 North State Street, Painesville
 440-352-6200 or TOLL FREE 888-808-2800

LORAIN COUNTY

The Legal Aid Society of Lorain County, 538 West Broad Street, Elyria
 440-323-8240 or TOLL FREE 800-444-7348

ASHTABULA COUNTY

Ashtabula County Legal Aid, 121 East Walnut, Jefferson
 440-576-8120 or TOLL FREE 866-873-9665

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