

GENERAL INFORMATION ON CONSUMER PROTECTION IN FLORIDA

A number of Florida state agencies work to protect consumers in their special areas of responsibility, but two state agencies have a special interest in consumer protection on a statewide basis: the Florida Department of Agriculture and Consumer Services and the Florida Department of Legal Affairs. The Division of Consumer Services of the Florida Department of Agriculture maintains a toll-free statewide consumer hotline and handles certain complaints. The hotline number is 1-800-435-7352. The Division will continue to receive and process complaints within the areas it regulates: Business Opportunities, Game Promotions/Sweepstakes, Intrastate Moving Companies, Telemarketing, Sellers of Travel, No Sales Solicitation (Florida's Do Not Call law), Dance Studios, Health Clubs, Motor Vehicle Repair Shops, Pawnshops and Charitable Organizations/Solicitation of Contributions.

The Division refers complaints to other agencies if the agency exercises jurisdiction over the dispute. It is also responsible for intake on the Florida Automobile Lemon Law. The Lemon Law hotline is 1-800- 321-5366.

The other state agency with general consumer interest responsibilities is the Florida Department of Legal Affairs, in the office of the Florida Attorney General. The Department of Legal Affairs' Economic Crime Division and Citizens Services at 850-414-3990 oversees state regulations which protect consumer interests in a number of different types of transactions. The Department can file suit on behalf of the public, although it does not act as a private attorney would in handling individual cases on behalf of individual consumers. The Economic Crime Division has specific enforcement authority and interest in some major consumer problem areas, including misleading advertising and deceptive trade practices. There is a consumer hotline for fraud at 866-966-7226.

You may be able to tell which agency might have an interest in your problem simply by looking up the listings of state agencies in your telephone directory. You can call the local listings to ask for help in determining whether the agency can assist you with your particular problem. Here is a short list of different agencies and their toll-free 800 numbers.

DOT Auto Safety Hotline 1-800-424-9393

U.S. Consumer Product Safety Administration 1-800-638-2772

Florida Division of Consumer Services 1-800-435-7352

Florida Department of Financial Services 1-800-342-2762

Client Relations/Human Rights Advocacy 1-800-342-0825

Agency for Health Care Administration, Consumer Assistance Unit 1-888-419-3456

The Public Service Commission 1-800-342-3552

The Toxic Substances Information Center 1-888-232-8635

If you cannot determine who might assist you with your problem, call the Division of Consumer Services.

Some of the more highly populated counties, such as Miami-Dade, Broward, Palm Beach, Hillsborough, Pasco, Orange, Pinellas and City of Jacksonville Counties, also have county consumer protection or consumer service agencies. You can check for them in the telephone directory under your county's listings. Your State Attorney also may have a consumer fraud or white collar crime unit.

Of course, local Better Business Bureaus or similar organizations may be able to assist you as well. In many cases, consumers with legitimate complaints will have to pursue their problems through an attorney or attempt to go to court on their own behalf by using the Small Claims Court which is available in every county in Florida.

If you are considering Small Claims Court, call or visit the Office of the Clerk of the County Court. You will usually find the members of the Clerk's staff quite helpful in answering your questions regarding procedures and fees for handling your own case. Also, some counties have small claims clinics to assist in the preparation of small claims cases. Contact your local bar association or consumer agency to find out if a clinic is available in your area.

The amount of money you can sue for in Small Claims Court is limited and you should bear in mind that if the value of what is involved is substantial, you may find that the time required to consult with an attorney may prove to be a very wise investment. If you do not have an attorney, we recommend you listen to tape number 1001 for information on the Lawyer Referral Service. For information on small claim procedures listen to tape number 1101.

If you believe you need legal advice, call your attorney. If you do not have an attorney, call The Florida Bar Lawyer Referral Service at 1-800-342-8011, or the local lawyer referral service or legal aid office listed in the yellow pages of your telephone book.