

CHARITY FRAUD

As sad as the title sounds, there are individuals who will take any opportunity to take advantage of the kindness of others. While there are many reputable organizations that foster the true spirit of charity, there are other organizations and individuals who are less than honorable, and should be avoided at all costs. Both the Florida Attorney General's Office and the Department of Agriculture and Consumer Services have pursued litigation in the past against unregistered charities and individuals who were improperly trying to get donations in the name of "a good cause". Scammers will use any type of event that they know will get people to feel sympathetic to others, such as a natural disaster (hurricane, floods, etc), a particular illness, or just a story about someone down on their luck. E-mails and websites asking for donations may appear legitimate, but could be a ploy to gain personal information. Consumers are encouraged to verify the validity of charitable organizations before making any donations.

Florida law requires charities to register with the Department of Agriculture and Consumer Services and to provide financial information about income and expenses (Florida Statutes Chapter 496, the Solicitations of Contributions Act). Just as with any other use of your money, you need to be careful to know as much as you can about the charity or individual you are giving your money to, and that it will be used as promised and as you intended it to be. In order to determine whether the cause you are supporting is legitimate, use these tips to assist you in making a decision about whether to donate to a particular charity:

- Always make sure a charity is registered before donating and check how the charity spends its money. Consumers have the right to ask for an organization's financial report and its federal tax identification number, which is necessary to claim contributions as tax deductions.
- Don't judge an organization based on an impressive-sounding name. Find out what it actually does. Additionally, be careful of emotional appeals and organizations that have only vague plans for spending the funds they collect.
- Never give cash. Write a check payable only to an organization, not an individual. Be careful of organizations that offer to send a 'runner' to pick up donations. Reputable charities are willing to wait for contributions.

To check out whether a charity is registered in Florida you can call the Attorney General's toll-free hotline at 1-800-HELP-FLA (1-800-435-7352).

Complaints about fraudulent charities can be directed to either agency's consumer services division. The Attorney General's Office receives consumer complaints through the agency's fraud hotline: 1-866-9-NO-SCAM (1-866-966-7226), or through the website at <http://www.myfloridalegal.com>. The Department of Agriculture and Consumer Services can be reached at 1-800-HELP-FLA (1-800-435-7352), or online at <http://www.800helpfla.com>. Consumers can also contact the Department of Agriculture and Consumer Services to determine whether or not a particular organization is registered. Penalties include fines of \$10,000 per violation, or \$15,000 if the victim is a Senior citizen or disabled individual.

This informational mailout was prepared by the Florida Senior Legal Helpline in August 2007 and is current as of that date. Please be aware that state law may have changed since that time.