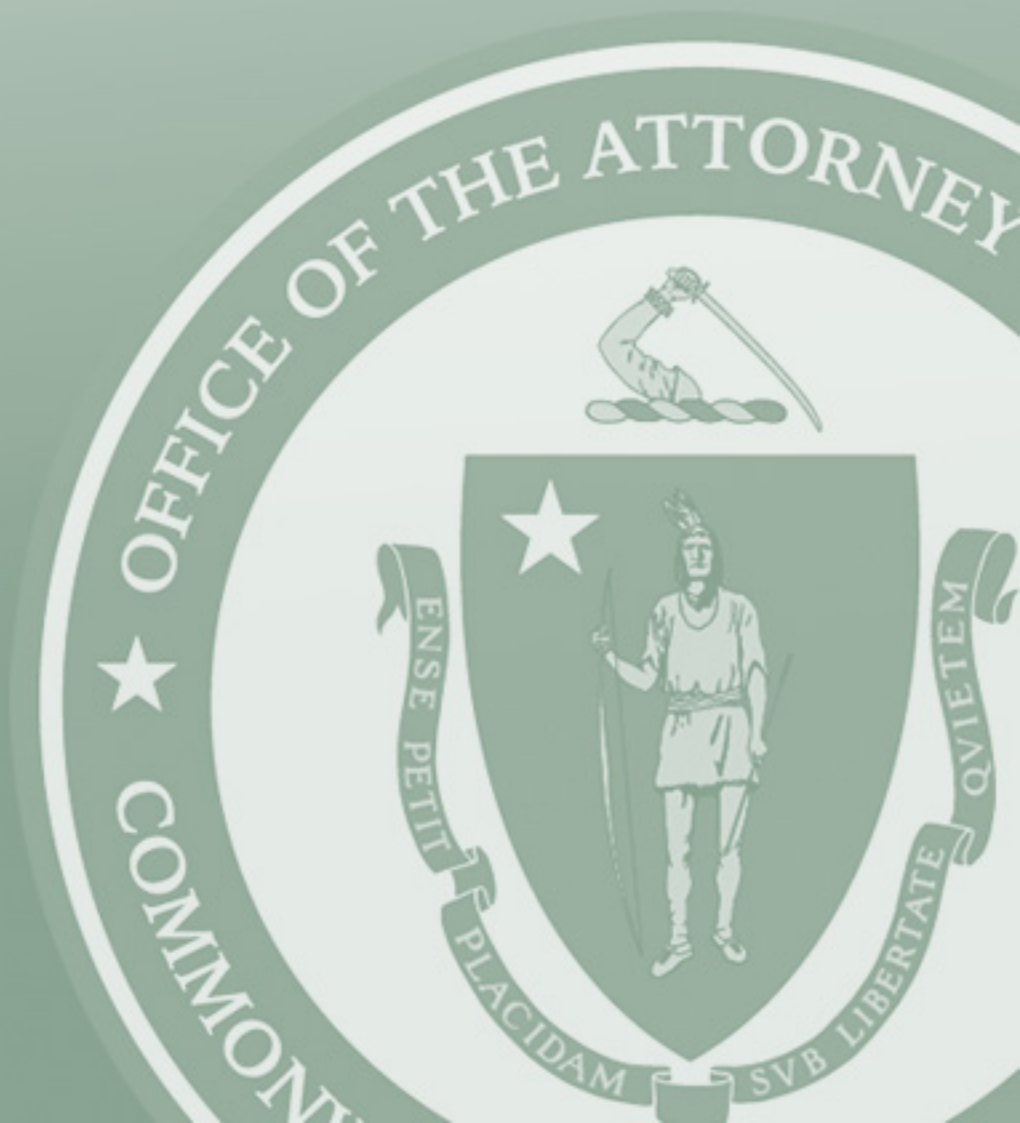


2023 Consumer Advocacy Report

Office of Attorney General

Andrea Joy Campbell





**Consumer Advocacy Annual Report
A Report on Consumer Complaints Received in
Calendar Year 2023**

**Massachusetts Attorney General
Andrea Joy Campbell's Office**

A NOTE FROM ATTORNEY GENERAL CAMPBELL

It is a privilege to share the 2023 Consumer Advocacy Annual Report and reflect on the work of the divisions across my office that protect Massachusetts consumers from unfair business practices. I'm proud of our dedicated staff and their wholehearted and steadfast commitment to public service and the mission and values of this office.

Advancing economic opportunity and consumer justice for all, particularly for those who are often overlooked or underserved, is a crucial and strategic goal of my office. We will continue to use all the tools at our disposal—education, mediation, advocacy, investigation, and litigation to achieve this goal. Through a community-driven approach to our work, we aim to identify and eliminate the unfair business practices that take advantage of those who are most vulnerable.

This National Consumer Protection Week we recommit ourselves to eradicating unfair, deceptive, and discriminatory business practices in Massachusetts, so the residents of this Commonwealth have the opportunity to enjoy economic security and reach their full potential.

I am honored to continue this important work.

A handwritten signature in dark green ink, appearing to read 'AJC', with a long horizontal stroke extending to the right.

Andrea Joy Campbell
Attorney General of Massachusetts



CONSUMER ADVOCACY AT THE ATTORNEY GENERAL'S OFFICE

The Attorney General's Office is charged with enforcing many of the Commonwealth's consumer protection laws. To aid this work, the AGO accepts consumer complaints from the public and maintains a Consumer Hotline that is free, confidential, and open to the public. These interactions with the public help AGO staff learn about the problems that consumers are facing in the marketplace. This helps the AGO set enforcement priorities, make policy recommendations, and protect Massachusetts consumers from unfair and deceptive business practices.

The AGO offers direct assistance to consumers in response to many of the complaints filed with the office. Mediators and Consumer Specialists working at the AGO can often help consumers resolve disputes with merchants without the need for litigation. The AGO also works closely with grant funded Local Consumer Programs ("LCPs") located throughout Massachusetts. LCPs accept complaint referrals from the AGO and provide mediation services to consumers.

To get help addressing an unfair business practice, consumers are encouraged to file a complaint online at mass.gov/ago. Consumers can also call the AGO's consumer hotline at **617-727-8400** to request a mailed complaint form or to learn more about filing a complaint.

2023 BY THE NUMBER

25,435 Consumer Complaints
filed.

24,040 calls into the Consumer
Hotline.

1,142 Student Loan Help
Requests received.

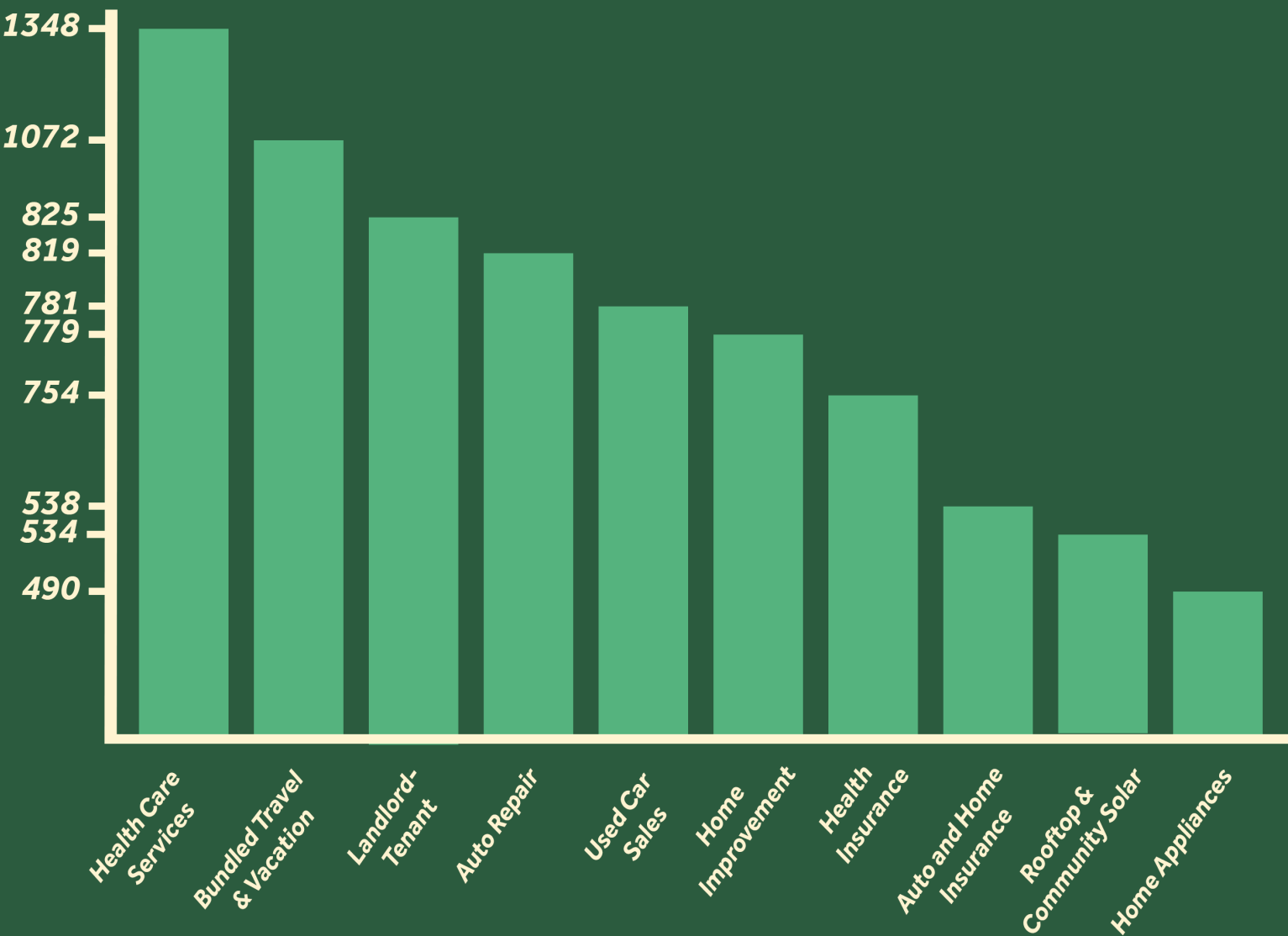
\$9,029,509 saved or recovered
through individual assistance.

\$90.1 million in penalties,
restitution, and consumer debt
relief through judgement
and settlements.

2023 Top Consumer Complaint Trends

In 2023 consumers filed more than 25,435 consumer complaints with the AGO—a 10% increase from calendar year 2022.

Top 10 Most Complained About Products or Services



Health Care Billing Complaints Frustrate Consumers

Health care services was the most complained about product or service of 2023.

The AGO's Health Care Division received at least 1,348 complaints related to health care services in 2023 and 754 additional complaints about health insurance products. Billing issues for health care continued to frustrate consumers while Massachusetts consumers also reported a growing problem of unlicensed health insurance providers trying to scam consumers into paying for fake insurance products.

Through individual complaint mediations the AGO's Health Care Division helped consumers save or recover more than \$2.1M.

Hundreds of Consumers Impacted by Vantage Deluxe World Travel Bankruptcy

The second most complained about product or service of 2023 was "bundled vacation and travel services."

This sharp increase in complaints was driven by a single business bankruptcy. In 2023, the AGO received 928 complaints against Boston-based Vantage Travel Services, Inc., a provider of international cruises, river cruises, and tours. The AGO opposed part of the bankruptcy case in order to increase the number of consumers who would be eligible for cash refunds.



Auto Repair Complaints Surged

2023 also saw a sharp increase in complaints concerning auto repair shops. Complaints increased by more than 55% when compared to the same period in 2022, rising to 819 complaints. Consumers reported problems with the quality of repairs, problems getting repairs covered by warranties, and long delays. Repair shops also reported that supply chain disruptions were causing long delays in obtaining necessary parts for repairs.

The AGO's Consumer Advocacy and Response Division and the AGO's Local Consumer Programs provided direct assistance in response to 668 of these auto repair complaints. Through mediation 302 consumers obtained refunds or savings totaling \$345,538.

Consumer Issue Spotlight — Cryptocurrency Scams Are on The Rise

Often promoted in flashy advertisements featuring celebrities, cryptocurrency has become more mainstream in recent years and is now viewed by some as an easy investment yielding high returns. Scammers use this misconception to their advantage. The AGO's Insurance and Financial Services Division ("IFSD") has seen more and more consumers reporting crypto scams. In 2023, the volume of crypto-related complaints was up 167% compared to 2022; 44% of these complaints were submitted by veterans; and 55% of these complaints were submitted by people over the age of 60. The median amount consumers reported losing to a crypto scam was around \$29,500.

Where possible, IFSD pursues recovery of funds stolen in cryptocurrency scams through litigation. In addition to litigation to recover funds, just in the last six months of 2023, IFSD halted operations of 25 crypto investment scams targeting Massachusetts consumers by disabling their websites.

Most Common Crypto Scams

Most crypto-related complaints filed with the Attorney General's Office involve an **investment scam**, a **romance scam**, or an **impersonation scam**.

In an **investment scam**, scammers contact potential investors claiming to be successful "investment managers." These "investment managers" claim they have made exorbitant profits from successful cryptocurrency investments and further claim that they can help you the investor make money. Once the investor invests with the scammer, the scammer will show the investor fake returns on the investment to entice them to invest additional funds. The scammer may even allow the investor to withdraw a small amount of that investment to further build the investor's confidence. Once the investor is unable or unwilling to pay more into the scam, the scammer will abruptly cease communication and take the investor's entire investment with them.

In a **romance scam**, the scammer forms a romantic relationship with an individual, typically through social media. These relationships often develop extremely quickly, with the scammer professing strong feelings, even love, early in the relationship. Scammers use various manipulative techniques to build trust. Once the scammer has developed a hold on the individual, they claim to need money for any number of reasons, including to visit the person, to assist a sick family member, or to help with another financial hardship. The scammer claims they need the funds urgently, convinces the individual to send the funds using cryptocurrency, and upon receiving them, is never heard from again.

There are also scams that combine aspects of investment and romance scams, in which the scammer claims that they made lucrative profits from a crypto investment enterprise and uses their romantic relationship with the person to convince them to invest in the underlying crypto investment scam.

Impersonation scams are often executed through crypto kiosks, also known as “crypto ATMs,” which are physical machines that allow customers to exchange cash for different cryptocurrencies. In impersonation scams, the scammers usually pose as law enforcement, the IRS, pension agencies, utility companies, established businesses, financial institutions, or similar organizations. Under these guises, scammers create a false sense of urgency by claiming that their target needs to settle debts back taxes or an outstanding bill. The scammers then threaten their targets with imprisonment or other penalties unless they pay the debt by sending cryptocurrency purchased at a crypto kiosk to the scammer’s crypto wallet..



When we read about these kinds of scams, they may appear easy to identify; but they are harder to spot in real life situations. Here are tips that may help.

How To Spot and Avoid Crypto Scams

1. Do not respond to personal solicitations involving cryptocurrency from an unknown source, including through messages on WhatsApp, Signal, Telegram, Facebook, email, and text message.
2. If you have not met the person, do not send them cryptocurrency, and even if you have met them, be wary.
3. Verify all requests for payment of a debt independently: if someone claims to be from a company or government agency, hang up and call the published customer service phone number of the company or agency.
4. Remember that legitimate entities do not demand payment by cryptocurrency or promise any type of reward for sending cryptocurrency.
5. Keep in mind that if a cryptocurrency investment proposal seems too good to be true, it probably is.
6. Be aware that cryptocurrency transactions are almost always irreversible.

If you have been a target of a cryptocurrency scam, [file a consumer complaint here.](#)

Consumer Issue Spotlight — Unlicensed Health Plans Put Consumers at Risk

Unlicensed health plans that do not meet Massachusetts standards for insurance coverage may put you at risk. Here are some ways you can spot potential scams or determine if you have already purchased scam insurance.

Tips for avoiding health insurance scams:

- Watch out for advertisements that do not provide information about the insurance company offering the plan, including essential details like the company's name and address.
- Beware of sales tactics that push you to buy health insurance immediately. Some examples include:
- A salesperson may tell you a low monthly price is a limited-time offer and will expire soon.
- Telephone marketers may ask for your personal financial information before giving you the opportunity to decide if the offered plan is right for you.
- These salespeople may also refuse to give you any written information about the health plan unless you pay first.
- Pay attention to the type of product that a salesperson is trying to sell to you. If they try to sell you short-term, supplemental, sharing ministry, or discount plans, these plans may not fit your needs or meet Massachusetts standards for health insurance coverage or our state requirement that all individuals have health insurance.
- When searching for health insurance plans through MassHealth (the Massachusetts Medicaid program) or the Massachusetts Health Connector, look for official website URLs and official Massachusetts government logos, examples of which can be found [here](#).

How to identify if you are dealing with a scam:

- Did the insurance plan cover the service the way you were told it would?
- Have you received your policy card?
- Does the plan name and information on the card match what you were told when you bought the plan?

If you answer “no” to any of these questions, you should verify that your insurance product is legitimate. For MassHealth, the Health Connector, or private insurance, check with your insurer by calling them at their publicly available numbers to make sure they have you in their system. For MassHealth, contact the MassHealth Customer Service Department at (800) 841-2900 to verify your coverage. The Division of Insurance can also confirm that the insurer is licensed in Massachusetts.

Report Scams to the AGO and Division of Insurance

- File a [health care complaint](#) with the AGO’s Health Care Division.
- Contact the Division of Insurance at (617) 521-7794 or [file a complaint online here](#).
- If you thought you bought the insurance from the Health Connector, contact the Health Connector at (617) 933-3079, or [file a complaint with the Health Connector here](#).
- For online scams, report them to the FBI’s [Internet Crime Complaint Center](#).

Get Health Insurance from a Licensed Insurance Company

If you need health insurance coverage, you can learn more about MassHealth by calling (800) 841-2900 or visiting [this website](#). You can learn more about receiving coverage through the Health Connector by calling (877) 623-6765 or visiting [this website](#).

And remember: ALWAYS ASK QUESTIONS! Keep track of everyone you speak to and when, ask for a direct phone number, and end any conversation that does not feel right.

Consumer Issue Spotlight— Avoiding Problems with Auto Repair

Bringing your car in for repair – whether for a normal routine oil change, after a car accident, or any other problem – can be a time-consuming and intimidating experience. Taking a few minutes to get organized and following these tips can help you save time, money, and a lot of stress in the long run.

Know Your Car's Warranties

A warranty is a guarantee to repair or replace covered defects in your car. Warranties can come from the dealership who sold you the car, the company that built the car, the repair shop that repaired the car, or a third-party who you paid to provide an extra warranty. State and federal laws, known as the “Lemon Laws,” can also provide warranty rights to consumers when they buy a car. Learn more about the obligations of dealerships and the Massachusetts Lemon Law at [Lemon Laws | Mass.gov](#).

Where can I find my Warranties?

Check the “Buyers Guide.” Per federal law the Buyers Guide would have been on the window or dashboard of the car when you bought it. When buying a car, make sure you receive and keep a copy of the Buyers Guide.

Check the paperwork you received when you bought the car. Did you pay for an extended warranty (also called a service contract) and, if so, what does that contract cover? If you purchased your car new or certified pre-owned, the paperwork should also contain a copy of the manufacturer’s warranty.

For warranties under the Lemon Laws, you’ll need to know how many miles the car had when purchased and how many miles the car had when the defect was noticed and brought to the attention of the dealership or manufacturer. You can then find the warranty limits at: [mass.gov/topics/lemon-laws](https://www.mass.gov/topics/lemon-laws).

Lastly, if the issue you’re experiencing is common for your type of vehicle, it’s possible the problem is covered by a manufacturer’s safety recall. You can check for open recalls at [nhtsa.gov](https://www.nhtsa.gov).

Find a Repair Shop You Trust

If your repairs are under warranty, you may need to get them done at a specific facility. If not, consider these tips when selecting a repair shop:

1. Ask local friends and family members with similar cars for recommended shops.
2. The American Automobile Association ("AAA") and the Better Business Bureau ("BBB") post-consumer complaint information and ratings for auto repair shops.
3. Check for certifications from trade organizations, such as the ASE (National Institute for Automotive Service Excellence).
4. Ask the repair shop if they have experience servicing your type of car.
5. Schedule a "test appointment" at the shop when you're in need of small, routine maintenance, like an oil change. Decide whether the business is communicative and organized, whether the services are reasonably priced, and whether you're satisfied with the work.
6. For damage repairs, use a registered repair shop. Auto body and collision repair shops must be registered with the [Division of Standards](#).



Communicate Your Car Concerns

Communicating clearly with the repair team is important. Before speaking with the shop, make specific notes about your car's behavior if it isn't normal to you. At what speed, in what weather conditions, or with what frequency does the issue come up? Telling the shop about strange noises, smells, or damages, instead of telling them your own conclusions about what's wrong, can help the mechanic keep an open mind and ensure you get the right fix.

Once you get the shop's opinion about what repairs your car needs, it's okay to disagree. If the repairs suggested are not what you expected, take the time to get a second opinion from a different shop. If the mechanic tries to create a sense of fear or urgency, that's a sign that the mechanic may be trying to get you to pay for repairs that are not critical or necessary. Of course, if the mechanic tells you the car is unsafe to drive, consider having it towed instead of driving it to the next repair shop.

Your Repair Shop Rights

- A right to an agreed upon price
- A right to an itemized bill
- A right to same day repairs
- A right to a written estimate before the repair is made
- A right to know basic information about the repairs
- A right to not be misled
- A right to have shoddy repair work repaired at no charge
- A right to have your old parts returned.

Ask for Help

If things go wrong, you should ask the repair shop to address your concerns. Know your rights, save paperwork from previous repairs, and identify a reasonable resolution to rectify your concerns. If the business is not honoring a warranty, consider if the law or your contract provide redress. If there's a delay in repair, can the dealership provide a free rental car?

If the business isn't cooperative and you need assistance, you can file a consumer complaint with the Attorney General's Office, at [mass.gov/ago](https://www.mass.gov/ago).

Consumer Issue Spotlight— Student Loan Debt Relief Opportunities

Some federal student loan borrowers have opportunities to lower their monthly payments and benefit from time-limited federal loan debt relief initiatives.

To benefit or maximize forgiveness, some borrowers need to apply to consolidate their federal loans by April 30, 2024. The steps borrowers need to take depend on their federal loan types, and whether some of their loans are older than others.

Consider Consolidating by April 30, 2024 to Access or Maximize Debt Relief

Income-Driven Repayment (IDR) plans forgive any remaining loan balance after 120-300 qualifying payments. Your IDR forgiveness timeline primarily depends on your original loan balance, and whether you took out federal loans to attend graduate school.

The Public Service Loan Forgiveness (PSLF) Program forgives the remaining balance on your Direct Loans after you've made 120 monthly payments under a qualifying repayment plan, while working at least 30 hours per week for the government or certain types of non-profits.

To help borrowers get closer to IDR and PSLF loan forgiveness and to address past misconduct by student loan servicers, the U.S. Dept. of Education will be giving borrowers credit toward forgiveness under IDR and PSLF for past repayment periods that would not otherwise qualify. Through this payment count adjustment, some borrowers will receive loan forgiveness while others will get closer to receiving forgiveness. However, to receive the payment count adjustment, borrowers need to apply to consolidate non-Direct Loans (e.g., FFEL and Perkins Loans) into the Direct Loan Program by April 30, 2024.

Even if borrowers already have Direct Loans, forgiveness will come faster on their more recent loans if they consolidate them with their older loans. For example: if you consolidate a loan that's been in repayment for 50 months with a loan that's been in repayment for 100 months by April 30, 2024, the resulting Direct Consolidation Loan will receive 100 months toward IDR forgiveness.

More than 28,000 Massachusetts borrowers have already received over \$1 billion in loan forgiveness through the adjustment and related programs. The final adjustment is expected to occur in July 2024. Borrowers can expect to see the result of the adjustment in their studentaid.gov accounts toward the end of 2024.

To keep earning credit toward PSLF and IDR forgiveness after June 2024, most borrowers will need to enroll in an Income-Driven Repayment (IDR) plan, such as SAVE.

Can't Afford Your Payments or Need More Credit Toward IDR Forgiveness? Explore the SAVE Plan

Borrowers may be able to lower their payments by enrolling in the new, more affordable Income-Driven Repayment (IDR) plan, called SAVE. IDR plans base your monthly payment on your income and family size. They also offer the possibility of loan forgiveness after a certain number of qualifying payments.

The new SAVE plan is the most affordable IDR plan in history. Rather than protecting income under 150% of the federal poverty line, it protects income under 225%. This means it will cut monthly payments to \$0 if you make less than \$32,801 individually (or under \$67,501 for a family of four).

Additionally, the SAVE plan eliminates any remaining interest after a scheduled payment is made, preventing your loan balance from growing. Starting in July 2024, SAVE payments on undergraduate loans will go down by half.

You can estimate your payments under the new SAVE plan using [this chart](#).

- Only Direct Loans are eligible for SAVE. But you can consolidate non-Direct Loans into the Direct Loan Program to make them eligible.
- Parent PLUS loans aren't eligible for the new more affordable SAVE Plan or any other IDR plan. However, if they are consolidated into a Direct Consolidation Loan, Parent PLUS loans can become eligible for the Income-Contingent Repayment (ICR) plan.
 - Additionally, borrowers with at least one Parent PLUS loan and one other federal loan (of any type, including another Parent PLUS loan), can use a "double consolidation loophole" to get access to the new more affordable SAVE plan. Borrowers must complete all the necessary consolidations by July 1, 2025 to access SAVE. Applying for all the consolidations before April 30, 2024 may help maximize credit toward loan forgiveness under the payment count adjustment. You can learn more about how to access SAVE through the double consolidation loophole [on our website](#).

Notable Judgments and Settlements

January 5, 2023 – The Health Care Division (HCD) resolved a lawsuit alleging Aspen Dental Management, Inc. used bait-and-switch advertising campaigns to cheat thousands of Massachusetts consumers. Under the consent judgment, Aspen Dental will pay \$3.5 million, return up to \$750,000 to its patients, and be subject to new advertising restrictions.

January 31, 2023 – The Consumer Protection Division (CPD) and Civil Rights Division (CRD) resolved allegations that the auto dealership Hometown Auto Framingham, Inc. used discriminatory pricing for 'add-on' products sold to Black and Hispanic consumers. Hometown agreed to pay \$350,000 and change their business practices to reduce the likelihood of price discrimination in the future.

February 2, 2023 – The Insurance and Financial Services Division (IFSD) resolved claims that Toyota Motor Credit Corporation failed to provide post-repossession information to consumers. This settlement secures over \$7.6 million, including approximately \$5.5 million in debt relief to over 500 borrowers in Massachusetts.

February 9, 2023 – CPD resolved a lawsuit alleging that Safe Home Security and its sister companies deceptively trapped Massachusetts consumers in long-term auto renewal contracts and used illegal debt collection practices. Under the settlement, Safe Home Security is required to pay \$1.8 million, provide \$4.7 million in debt relief, and has agreed to significantly change its business practices.

February 16, 2023 – CPD and the Medicaid Fraud Division (MFD) resolved allegations that Regional Home Care, Inc. used deceptive and abusive debt collection practices and improperly collected money from members of MassHealth. The company is required to pay \$500,000, vacate an expected \$2.1 million worth of judgments, provide refunds to certain MassHealth consumers, and change its practices to comply with state and federal laws.

March 22, 2023 – CRD resolved an investigation of Our Lady's Guild House, Inc. and MRR Management, settling allegations of age and disability discrimination against long-term residents. The settlement provides tenants broad protections from eviction and rent increases and ensures the property will always be used for affordable housing.

April 3, 2023 – The Energy and Ratepayer Advocacy Division (ERA), in its role as ratepayer advocate, negotiated a settlement with Constellation Mystic Power that will save Massachusetts ratepayers approximately \$9 million on their electric bills.

April 12, 2023 – CPD resolved its litigation against JUUL Labs Inc. for their role in contributing to the youth vaping epidemic nationwide. Under the consent judgment, negotiated in collaboration with other states, JUUL is required to pay \$41 million to Massachusetts and follow strict guidelines to protect and prevent minors from underage smoking.

May 11, 2023 – IFSD resolved allegations against Recording Radio Film Connection, a for-profit educational corporation, that it failed to provide students with necessary lending and enrollment information. The company is required to pay \$250,000 in restitution, wipe out approximately \$340,000 of student debts, and assist harmed students with credit repair. of student debts, and assist harmed students with credit repair.

May 15, 2023 – IFSD resolved claims against CVS Pharmacy, Inc. related to allegations that it failed to follow prescription pricing procedures that keep costs low in the Massachusetts workers' compensation insurance system. CVS has agreed to pay \$6.15 million and will work with the AGO to improve the system and prevent future overcharges.

October 5, 2023 – The Data Privacy and Security Division (DPSD) entered a multi-state settlement against Blackbaud to resolve allegations that it failed to implement reasonable data security practices and responded improperly to a data breach affecting millions of consumers. The company agreed to pay \$49.5 million to the participating states, including nearly \$900,000 to Massachusetts, and will strengthen its data security and breach notification practices.

November 28, 2023 – CPD and CRD resolved claims against Rent-A-Center that it engaged in a pattern of abusive debt collection practices that targeted low-income communities. Under the settlement, Rent-A-Center will pay Massachusetts \$8.75 million and significantly change its business practices to comply with state consumer protection laws.

December 5, 2023 – CPD resolved allegations that real estate company EasyKnock engaged in an unfair, deceptive sale-leaseback scheme: stripping consumers of home equity and violating landlord-tenant laws. Under this precedent-setting settlement, the company will permanently cease its sale-leaseback business in Massachusetts, return money to consumers, and pay \$200,000 to the Commonwealth.

December 19, 2023 – The Antitrust Division (ATD) resolved a nationwide lawsuit against Google over its anticompetitive conduct involving the Google Play Store. The settlement requires Google to distribute approximately \$630 million in restitution to consumers, pay Massachusetts more than \$1.4 million in penalties, and institute procompetitive business practices.

Consumer Resources

The AGO encourages consumers who have concerns with a business, whether it be a health care provider, a landlord, a repair shop, a store, an energy company, an insurance company, or a debt collector, to:

- Call the AGO's Consumer Hotline: 617-727-8400
- File a Complaint Online at: www.mass.gov/how-to/file-a-consumer-complaint
- Mail a complaint form to:
 - Office of the Attorney General
 - Consumer Advocacy and Response Division
 - One Ashburton Place, 18th Floor
 - Boston, MA 02108

Attorney General's Elder Hotline

Call the Elder Hotline at (888) AG-ELDER or (888) 243-5337. The Elder Hotline is open Monday through Friday from 10:00 a.m. to 4:00 p.m. The hotline is staffed by volunteers who can help you find answers to questions and assist with consumer issues relevant to seniors.

Healthcare Helpline

Call the Healthcare Helpline at (888) 830-6277 Monday through Friday, 9:00 am to 5:00 pm.

Student Loan Assistance Unit

To get help, please submit a Student Loan Help Request at mass.gov/service-details/student-loan-assistance.

If you have questions, please call the Student Loan Helpline at (888) 830-6277.

