



WHEN NATURAL DISASTERS STRIKE

by Texas Attorney General Greg Abbott

OVER THE YEARS, NATURAL DISASTERS SUCH as hurricanes, tornadoes and wildfires – which were particularly devastating this year – have wreaked havoc on communities across Texas. In the wake of a natural disaster, the victims' needs are great and their experiences are compelling. Equally moving is the way Texas disaster victims always manage to rebuild – often with the help and support of their fellow Texans.

At the Office of the Attorney General (OAG), we are also committed to helping victims. Whether it's taking up a collection for OAG families affected by the wildfires, dispatching our state police officers to help fill in for overwhelmed local authorities, or ensuring that scam artists do not unlawfully profit from disasters, we stand ready to do our part.

With that in mind, there are some things that disaster victims should know as they endeavor to rebuild their homes – and their lives.

Home repair. For most Texans, a home isn't just a place to live and raise a family – it's their most valuable asset. And when disasters strike, scam artists can easily identify a damaged home and target its owners.

Disaster victims always should be cautious when door-to-door salesmen visit their damaged property and offer to perform repair work. Homeowners

should be particularly skeptical when unsolicited contractors resort to high-pressure sales tactics. Legitimate contractors know that customers need time to think about significant decisions – and maybe even ask a few questions. A trustworthy salesman from a legitimate firm will always welcome customers' questions.

To help protect Texans who need property improvements after a natural disaster, Rep. John Davis and Sen. Mike Jackson recently passed a new law that imposes certain restrictions on out-of-town disaster remediation contractors. As a result, when affected contractors offer to perform disaster remediation work, they are prohibited from requiring advance payments from homeowners. Until the contractors actually begin work, they cannot demand a payment. Further, once they begin working on a home damaged by a disaster, out-of-town contractors can only request a partial payment that is consistent with the amount of repair work that has already been performed.

Texas residents who have damaged homes should avoid contractors who do not have established physical addresses or only offer cell phone numbers. If problems later arise with the repairs, a fly-by-night contractor with no address may skip town and be impossible to locate.

Equally important, homeowners should always read a contractor's proposed contract before they sign it. No one should ever sign a contract that contains blank terms – because those blank portions later could be filled in with unfavorable terms. As with any home repair work, homeowners may be asked to pay a portion of the repair costs as a down-payment. That practice is generally acceptable – unless the contractor is offering disaster-related repairs and lives more than two counties away – but homeowners should never pay the entire repair cost in advance.

Charitable giving. Earlier this fall, newspapers and television broadcasts across the state were filled with deeply moving stories about raging wildfires' impact on Texas families. Fortunately, Texans are a generous bunch – which is why so many folks volunteered their time and dipped into their bank accounts to help fire victims.

Unfortunately, scam artists are not above attempting to profit from a natural disaster – so Texans should do some research to ensure their hard-earned dollars are supporting the right cause.

First, potential donors should investigate how the recipient plans to use the money. For example, are the organization's main goals education and research, or service and distribution? Savvy Texas donors may want to review how much

an organization spends on administrative fees, fundraising and expenses so they know how much of their money will actually go to disaster victims. Donors should never succumb to high-pressure tactics or demands for an immediate commitment. Legitimate charities welcome inquiries about their operations.

Finally, Texans should never give their credit card or bank account numbers to an unknown solicitor – and they should never give a cash contribution to door-to-door solicitor unless they know the person and are familiar with his or her charitable organization. Donors should write their check directly to the charity – not the soliciting individual – and always get a receipt.

Natural disasters – such as Hurricane Ike or this year's wildfires – may leave devastated families and neighborhoods in their wake. But thanks to Texans's resilience and neighborly spirit of volunteerism, our fire-ravaged communities will recover and emerge stronger than ever.

Texans who believe they have encountered a suspicious charity or contractor should call the Office of the Attorney General's toll-free Consumer Complaint Hotline at (800) 252-8011 or file a written complaint online at www.texasattorneygeneral.gov.

- November 2011