

After The Storm

Don't Fall Victim To Scammers Or Price Gouging

As our community works to recover from those losses, the Volusia County Sheriff's Office (VCSO) is reminding everyone that the days and weeks following a hurricane create prime opportunities for scam artists to take advantage of people already hit hard by the storm.

Those scammers are out there today. Some are driving through neighborhoods offering tree removal or other cleanup services at exorbitant prices. Anecdotally, the VCSO has heard of solicitors offering to remove individual trees for amounts approaching \$4,000 – for a job that should cost closer to \$500. Many people in Volusia County, though, have experience repairing their homes after storms and know to turn down these offers.



But just ask the victims of the “Hurricane Handy Man” how convincing some of these scammers can be. Still wanted on several outstanding warrants on charges of exploiting the elderly, 44-year-old fake handyman Russell Bannister took more than \$20,000 from five victims between May and June. Those victims were between the ages of 70 and 85.

Although his “Hurricane Handy Man” business cards promised he was “licensed and insured,” Bannister never performed any repairs for anyone and even stole cash from a 78-year-old woman's bedroom.

If you believe you've fallen victim to a scam artist, call the Sheriff's Office at 386-248-1777. To find out if a contractor is locally licensed or state certified – or to report unlicensed contracting in unincorporated areas of the county – call Volusia County's Contractor Licensing Office at 386-736-5957, option 2. You can also visit the county's Connect Live site at connectlivepermits.org and click the contractor tab. Or search for state-certified or registered contractors by clicking on the “Verify a license tab” at www.myfloridalicense.com/dbpr. You can also report unlicensed activity at that link.

For more on common post-storm scams, visit www.consumerreports.org/money/after-a-storm-beware-of-scammers.

The VCSO also advises everyone of state law on price gouging. Florida Statute 501.160 states that during a state of emergency, it is unlawful to sell, lease, offer to sell, or offer for lease essential commodities, dwelling units, or self-storage facilities for an amount that grossly exceeds the average price for that commodity during the 30 days before the declaration of the state of emergency, unless the seller can justify the price by showing increases in its prices or market trends. Examples of necessary commodities are food, ice, gas and lumber.

The law compares the reported price of the commodity or service during the state of emergency to the average price charged over the 30-day period prior to the declared state of emergency. If there is a “gross disparity” between the prior price and the current charge, it is considered price gouging.

The Price Gouging Statute covers only essential commodities. A commodity is any good, service, material, merchandise, supplies, equipment, resources, or other article of commerce; it includes food, water, ice, chemicals, petroleum products, and lumber necessary for consumption or use as a direct result of the emergency. The law also requires those selling goods and services to possess an occupational license. Examples of nonessential luxury items are alcoholic beverages and cigarettes.



If you suspect price gouging, obtain as much information as possible in the form of estimates, invoices, receipts or bills. When comparing products, note as much information as possible, including the product name, size or quantity, manufacturer, item number and unit price. For lumber products, note the grade, thickness and quality. If it is a service such as storage or towing, note the per-mile (or other distance) charge, removal charges, per-day storage charges and other charges such as security, clean up or other add-ons.

Report this information to the Attorney General's Price Gouging Hotline at 866-9NO-SCAM (866-966-7226) or visit www.myfloridalegal.com/Contact.nsf/PriceGouging!OpenForm. You can also mail documents to:

Office of the Attorney General
The Capitol, PL-01
Tallahassee, FL 32399-1050

Include your name, the name of the company or individual, and a complaint number, if you received one.

Source: www.myfloridalegal.com.

More on Unlicensed Contractors

Officials from Volusia County's Emergency Management and Building and Zoning divisions urge residents to be extra careful when hiring unknown contractors.

Residents should be especially alert for door-to-door solicitors who promise to speed up the permit process or ask for large cash deposits or advance payments in full. Look first to licensed local contractors who have performed well in the past. If they cannot help you, ask them to recommend another reputable contractor.

Most contractors in the building industry are honest, but disasters attract scam artists.

Residents should hire contractors who are licensed by the state and/or the county. If a contractor is not properly licensed, the homeowner could be sued if he or she is injured on the job. Most homeowners insurance policies will not pay a claim if the homeowner has contracted with an unlicensed individual.

Additional tips:

- Get a written estimate. Compare services and prices before making a final decision. Read the fine print. Some contractors charge a fee for a written estimate, which may be applied to the price of subsequent repairs they make.
- Check references. Contractors should be willing to provide the names of previous customers. Call several former customers who had similar work done to make sure they were satisfied with the job.
- Ask for proof of insurance. Make sure the contractor carries general liability insurance and workers' compensation. If the contractor is not insured, the homeowner may be liable for accidents that occur on the property.
- Insist on a written contract. A complete contract should clearly state all the tasks to be performed, all associated costs and the payment schedule. Never sign a blank contract or one with blank spaces.
Make sure the contract clearly states who will apply for the necessary permits or licenses. Have a lawyer review the contract if substantial costs are involved, and keep a copy for your records.
- Get guarantees in writing. Any guarantees made by the contractor should be written into the contract. The guarantee should clearly state what is guaranteed, who is responsible for the guarantee and how long the guarantee is valid.
- Obtain a local building permit. Permits may be required for site work, demolition and reconstruction. For permit information, call Volusia County's Permit Center at 386-736-5929, option 5, or visit www.volusia.org/permitcenter

- Have work inspected. If excavation work is being performed, make sure a city or county building inspector examines the work before it is hidden from view to avoid problems in the future.
- Make final payments when the work is completed. Do not sign completion papers or make the final payment until the work is completed to your satisfaction.

Source: Volusia County Emergency Management