

LAWRENCE G. WASDEN ATTORNEY GENERAL STATE OF IDAHO



2021 ANNUAL REPORT

CONSUMER PROTECTION, COMPETITION, CHARITIES, TELEPHONE SOLICITATIONS, AND TOBACCO ENFORCEMENT



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2021 — in — Review

Annual Highlights

Accomplishments

- Recovered **over \$7.1 million in restitution** for consumers, which equates to **\$7.25 for each taxpayer dollar appropriated** (\$988,500) for the Consumer Protection Division in FY 2021.
- Completed **12 enforcement actions** concerning a variety of consumer protection issues, including health claim advertising, tax preparation services, the opioid epidemic, and privacy.
- Filed a **third multistate antitrust complaint** against Google LLC.
- Joined three opioid settlements, totaling **\$26 billion** nationally and **\$120 million for Idaho**.

Notable Activities

Received more than **12,564** public contacts.

Mediated **853** consumer complaints.

Received over **\$22 million** from tobacco manufacturers under the Master Settlement Agreement.

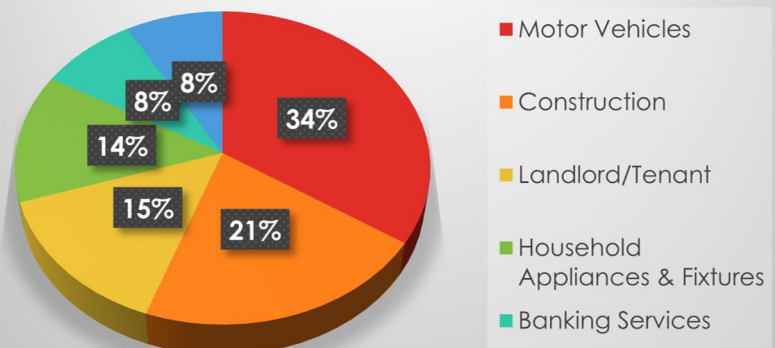
Transferred over **\$6 million** to the General Fund.

Registered **14** telephone solicitors.

Community Education and Outreach

- Conducted **nine** in-person and virtual educational presentations and activities.
- Reached more than **1,170 Idahoans**.
- Impacted communities between **Coeur d'Alene and Mountain Home**.

Top Consumer Complaint Categories



Idaho Laws Enforced

Consumer Protection Statutes (Idaho Code)

Idaho's unfair or deceptive acts or practices law, as well as protections and disclosures covering specific seller-purchaser transactions or consumer issues.

Idaho Consumer Protection Act	Title 48, chapter 6
Idaho Lemon Law	Title 48, chapter 9
Bad Faith Assertions of Patent Infringement	Title 48, chapter 17
Residential Solar Energy System Disclosure Act	Title 48, chapter 18
General Contractor Disclosure Law	§ 45-525
Consumer Foreclosure Protection Act	Title 45, chapter 16
Home Loan Modification Review Notice Law	§ 45-1506C
Credit Report Protection Act	Title 28, chapter 52
Loan Broker Law	Title 26, chapter 25
Security Breaches	Title 28, chapter 51
Pyramid Promotional Schemes	§ 18-3101
Service Repair Contracts & Legal Expense Plans	§§ 41-114A & 41-114B

Competition (Idaho Code)

Idaho's antitrust law.

Idaho Competition Act	Title 48, chapter 1
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Charitable Solicitations and Charitable Trust Assets (Idaho Code)

Idaho's deceptive charitable contributions law and statutes to protect charitable trust assets.

Idaho Charitable Solicitation Act	Title 48, chapter 12
Idaho Nonprofit Hospital Sale or Conversion Act	Title 48, chapter 15
Idaho Charitable Assets Protection Act	Title 48, chapter 19
Prudent Management of Institutional Funds Act	Title 33, chapter 50
Supervision of Charitable Trust Assets	§ 67-1401 (5)
Modification of Charitable Trusts	Title 68, chapter 12

Telephone Solicitations (Idaho Code)

Idaho's deceptive telephone solicitation and telephone solicitor registration statute, as well as its law governing 1-900 calls.

Idaho Telephone Solicitation Act	Title 48, chapter 10
Idaho Pay-Per-Telephone Call Act	Title 48, chapter 11

Tobacco (Idaho Code)

Idaho's Master Settlement Agreement Act and laws regulating the importation, distribution, sale, and use of tobacco and tobacco-related products.

Prevention of Minors' Access to Tobacco Act	Title 39, chapter 57
Idaho Tobacco Master Settlement Agreement Act	Title 39, chapter 79
Idaho Tobacco Master Settlement Agreement Complementary Act	Title 39, chapter 84
Reduced Cigarette Ignition Propensity Act	Title 39, chapter 89

Enforcement Activities

CONSUMER PROTECTION DIVISION ACTIVITIES

Enforcement of Idaho's consumer laws protects and promotes a free and competitive marketplace and ensures a level playing field for all businesses. A marketplace unfettered by false, deceptive, and misleading practices and void of unreasonable restraints of trade yields the best allocation of Idaho's economic resources, the lowest prices, the highest quality, and the greatest innovative and material progress.

The Attorney General, acting on behalf of the state of Idaho and pursuant to his authority under the Idaho Consumer Protection Act, initiated and concluded a number of noteworthy enforcement actions in 2021. This section summarizes the office's consumer protection settlements and actions during the past year.

GENERAL CONSUMER PROTECTION MATTERS

S & R Leavitt LLC, d/b/a PMS Dune Rentals, and Reynold Leavitt

In **January 2021**, the Attorney General announced a settlement agreement with S & R Leavitt, LLC, d/b/a PMS Dune Rentals, a company that rents recreational vehicles (UTVs/ATVs) at the St. Anthony Sand Dunes. The settlement also includes Reynold Leavitt, who manages day-to-day operations at PMS Dune Rentals.

The Attorney General's investigation into the company's business practices began in June 2020 and was based on multiple consumer complaints. Consumers complained that PMS Dune Rentals charged them for unnecessary repairs to allegedly damaged vehicles and failed to provide itemized billing or work orders for the purported repairs.

The settlement requires the company and Leavitt to make changes to their business practices. Leavitt also paid the Attorney General \$3,500 to reimburse the office for its investigative fees and costs.

David D. Flowers

The Attorney General filed a lawsuit in August 2020 against David D. Flowers, alleging Mr. Flowers falsely advertised the health benefits of his “True Wisdom True Immunity Cure.” Flowers claimed his treatment was “100% effective in curing all disease and repairing malfunctions if the client’s glands and organs are still viable.” Flowers could not provide the Attorney General with documented substantiation of his claims and ultimately failed to respond to the Attorney General’s lawsuit. A default judgment was entered in **March 2021**, prohibiting Flowers from making unsubstantiated health claims.

Bushambale Kashunga

In **March 2021**, the Attorney General entered into a settlement agreement with Texas tax preparer Bushambale Kashunga, resolving allegations that Kashunga engaged in unfair tax return preparation practices. The Attorney General’s investigation into Kashunga’s practices revealed that he grossly overstated his clients’ deductions and expenses and caused them to incur tax liabilities.

Kashunga, who is barred from preparing Idaho tax returns, paid \$51,640 in restitution to his Idaho clients, all of whom are members of Idaho’s refugee community. The settlement also included a payment of \$5,000 to the Attorney General to reimburse the office for its investigative costs.

Boston Scientific Corp.

The Attorney General joined a multistate settlement involving Boston Scientific Corp. in **April 2021**. The settlement resolved a lawsuit against Boston Scientific Corp., alleging it deceptively marketed its transvaginal surgical mesh products for women. Boston Scientific Corp. paid \$1,645,775 to the state and agreed to change its marketing practices so consumers may better understand the risks and potential complications of receiving surgical mesh implants.

Gem State Mobile RV Repair and Wesley Rives

In **August 2021**, the Attorney General announced a consumer protection settlement with Gem State Mobile RV Repair and owner Wesley Rives. Consumers reported paying Rives more than \$9,000 for repair services they never received. Rives also failed to refund consumers their pre-payments. The settlement requires

the Boise company to cease operations and prohibits Rives from owning or managing another repair business in Idaho.

Senior Supplemental Referral Service, LLC

Senior Supplemental Referral Service, LLC, a lead-generation company operating nationwide from Boise, signed a settlement agreement with the Attorney General in **August 2021**. The company mails solicitations to consumers to generate customer leads for insurance agents and other third parties.

The Attorney General had concerns that the graphics in Senior Supplemental Referral Service's solicitation made it appear as if the solicitation originated from a government office rather than from a commercial entity. Also, the solicitation failed to include necessary disclosures and used words like "time sensitive" and "second notice" to create a false sense of urgency.

The settlement requires Senior Supplemental Referral Service to change its envelope and solicitation designs so they comply with the Idaho Consumer Protection Act. The company also paid \$3,000 to the Attorney General to reimburse the office for its investigative fees and costs.

Michael Scott, d/b/a Appliance Corral

The Attorney General obtained a judgment against Michael Scott, d/b/a Appliance Corral, in **October 2021**. Michael Scott operated a household appliance repair service in Hayden. In August 2021, the Attorney General filed a consumer protection action against Scott, alleging he took more than \$1,600 from consumers for repair services he failed to provide.

The judgment prohibits Scott from operating a business in Idaho and requires him to provide refunds to consumers who filed complaints. Scott also must pay \$10,000 in civil penalties and reimburse the Attorney General for investigative fees and costs the office incurred in the case.

Veasy E. Glenn, d/b/a Glenn Construction

Veasy E. Glenn, the owner of Glenn Construction, was a contractor in Cocolalla who accepted large deposits from consumers for construction services he never completed. In **November 2021**, Glenn entered into a settlement agreement that

permanently prohibits him from providing contractor-related goods or services within Idaho or to Idaho consumers and requires Glenn to pay refunds to consumers who filed complaints with the Consumer Protection Division. The Attorney General agreed to suspend \$20,000 in civil penalties and \$2,000 in attorney's fees and costs as long as Glenn complies with the settlement.

OPIOID SETTLEMENTS

In the summer of 2019, the Attorney General filed two consumer protection lawsuits against the nation's largest opioid drug distributors and manufacturers, including Purdue Pharma, Johnson & Johnson, Janssen Pharmaceuticals, Inc., and Teva Pharmaceuticals USA Inc. The Attorney General's lawsuit against Purdue Pharma, filed in state court, also includes board members Richard and Teresa Sackler, as well as other members of the Sackler family, who oversaw, participated in, and profited from Purdue Pharma's alleged unlawful actions.

The complaints allege the pharmaceutical companies, beginning in the 1990s, engaged in sophisticated marketing campaigns to deceive doctors and the public about the safety and efficacy of opioids. The Attorney General contends the companies' deceptive conduct constitutes multiple violations of the Idaho Consumer Protection Act, as well as negligence and a public nuisance under Idaho law. The Attorney General reached three significant settlements with opioid manufacturers and distributors in 2021.

McKinsey & Company

The first opioid settlement reached by the Attorney General was a multi-state settlement in **March 2021** with McKinsey & Company, one of the world's largest consulting firms. The settlement resolved investigations into the company's role in working for opioid companies, helping those companies promote their drugs, and profiting from the opioid epidemic.

Idaho's total share of the settlement is \$2,894,912 and will be distributed in five payments. The settlement funds are intended to be used for abatement purposes.

In addition to providing funds to address the crisis, the agreement calls for McKinsey to disclose online tens of thousands of its internal documents detailing its work for Purdue Pharma and other opioid companies. McKinsey also agreed to adopt a strict document retention plan, continue its investigation into

allegations that two of its partners tried to destroy documents in response to investigations of Purdue Pharma, implement a strict ethics code that all partners must agree to each year, and stop advising companies on potentially dangerous Schedule II and III narcotics.

Cardinal Health, McKesson, AmerisourceBergen, & Johnson & Johnson

On **August 21, 2021**, the Attorney General joined two multistate settlements, totaling \$26 billion. The agreements include Cardinal Health, McKesson, and AmerisourceBergen—the nation’s three major pharmaceutical distributors—and Johnson & Johnson, which manufactured and marketed opioids. The settlements also require significant industry changes, including implementation of oversight measures, that will help prevent this type of crisis from ever happening again.

Idaho and its participating political subdivisions stand to receive approximately \$120 million of the national settlements.

Cardinal Health and McKesson will nationally pay up to \$21 billion over 18 years. Johnson & Johnson will pay up to \$5 billion over nine years with up to \$3.7 billion paid during the first three years. The substantial majority of settlement funds are to be spent on opioid treatment and prevention programs.

SECURITY BREACHES

Retrieval-Masters Creditors Bureau, Inc., d/b/a American Medical Collection Agency

Operating under the name American Medical Collection Agency (AMCA), Retrieval-Masters Creditors Bureau specializes in small balance medical debt collection primarily for laboratories and medical testing facilities. An unauthorized user gained access to AMCA’s internal system between August 2018 and March 2019 and collected personal information of more than 7 million people nationwide, including 3,068 in Idaho.

The Attorney General joined a multistate settlement agreement in **March 2021** that requires AMCA to implement and maintain data security practices to better safeguard consumers’ personal information. AMCA may be liable for a \$21 million total payment to the states if it violates certain terms of the settlement.

CHARITABLE ASSET ACTIVITIES

The Attorney General enforces the Idaho Charitable Assets Protection Act (ICAPA), which became effective on July 1, 2020. ICAPA prohibits a person from knowingly using charitable assets for personal purposes or in a way that contradicts the organization's charitable purpose or the donor's intent. The law also requires charitable organizations to give written notice to the Attorney General at least 30 days before the organization dissolves, converts to a noncharitable entity, or terminates and distributes its charitable assets. To enforce ICAPA, the Attorney General may initiate investigations, file lawsuits, and enter into settlement agreements.

Detailed FAQs about ICAPA are available on the Attorney General's website, as is an online form that charitable organizations may use to notify the office about the organization's plan to dissolve, convert to a noncharitable entity, or terminate and distribute its charitable assets. Questions about ICAPA may be directed to the Consumer Protection Division via telephone or email at consumer_cg@ag.idaho.gov.

In 2021, the Consumer Protection Division reviewed five notices from charitable organizations reporting their intent to terminate and distribute their charitable assets. The Attorney General did not object to any of the proposed terminations/distributions. The Consumer Protection Division also addressed 18 complaints concerning nonprofits, charitable solicitations, and charitable trusts.

TELEPHONE SOLICITATION ACTIVITIES

Recognizing the potential for abuse that is inherent in telephone sales, the Legislature enacted the Idaho Telephone Solicitation Act (ITSA), title 48, chapter 10, Idaho Code, in 1992. The ITSA safeguards the public against deceit and financial hardship, encourages competition and fair dealing among the telemarketing industry, and prohibits telemarketers from using representations that have the tendency or capacity to mislead purchasers.

Idaho's Do Not Call law, which established the state's "no telephone solicitation contact list," predates the National Do Not Call Registry and subjects violators to civil penalties of up to \$5,000 per violation. When the National Do Not Call Registry was created in 2004, all Idaho numbers registered on the Idaho-only list were transferred to the National Registry. The Federal Trade Commission last reported

the National Do Not Call Registry contains 1,265,992 active Idaho telephone numbers.

The Consumer Protection Division received 98 emails from consumers who reported receiving unwanted telephone calls. Almost all of the reported calls came from callers who are not “telephone solicitors” under the ITSA’s definition. Such callers include appointment setters, debt collectors, survey companies, charities, and persons engaged in criminal conduct (e.g., government imposter scams, illegal lotteries/sweepstakes, grandparent scams).

Because it manages the Do Not Call Registry, the Federal Trade Commission receives the bulk of consumers’ telephone call complaints. In its most recent Do Not Call report, the Commission reported it had received 25,729 complaints from Idahoans regarding unwanted calls.¹ It is significant to note that over 4,000 of these complaints concerned imposter scams, not deceptive telephone solicitations or Do No Call Registry violations. Of the “call types” reported, 17,761 were robocalls, and 5,267 were live callers.

In addition to prohibiting telephone solicitors from calling numbers on the National Do Not Call Registry, the Idaho Telephone Solicitation Act requires telephone solicitors to register with the Attorney General’s Consumer Protection Division before they begin soliciting in Idaho. In 2021, the Consumer Protection Division processed 23 telephone solicitor registrations. Fifteen telephone solicitors presently are registered to telephone solicit in Idaho.

TOBACCO ENFORCEMENT

The Attorney General enforces Idaho’s Tobacco Master Settlement Agreement (MSA), Tobacco Master Settlement Agreement Complementary, Prevention of Minors’ Access to Tobacco, and Reduced Cigarette Ignition Propensity Acts. Enforcement of these laws includes prosecuting violators and defending the laws against constitutional challenges in state and federal court actions.

Each year the tobacco industry makes a payment to the state to help it cover costs related to treating tobacco-related illnesses. In 2021 the tobacco industry paid \$22,099,917 to Idaho, which was deposited into the Millennium Fund. Since

¹ Federal Trade Commission, National Do Not Call Registry Data Book FY 2021 (Oct. 2021).

the MSA was entered into in 1998, Idaho has received payments totaling \$542,223,929.

Under Idaho's tobacco sales laws, the Attorney General maintains and administers a directory of tobacco manufacturers and brands (Idaho Directory) that are in compliance with Idaho law. At present, the Attorney General has certified 24 tobacco manufacturers and 110 tobacco brands. The Idaho Directory is available on the tobacco webpage of the Attorney General's website. In the past year, the Office of the Attorney General has received and reviewed 25 certifications from tobacco product manufacturers seeking to add or remove brand families to the Idaho Directory. In addition, in the past year the Attorney General has received and reviewed 495 monthly and quarterly reports from Idaho permitted cigarette wholesalers and tobacco distributors detailing shipments and sales of cigarettes and roll-your-own tobacco in Idaho. Finally, three notices were disseminated regarding changes and updates to the Idaho Directory.

The Attorney General continues to litigate with the tobacco industry over the state's enforcement of certain Idaho tobacco laws. Tobacco companies who are parties to the state's MSA have disputed Idaho's diligence in the enforcement of its Master Settlement Agreement Act (MSA Act) in certain years and, as a result, are seeking to eliminate potentially tens of millions of dollars of Idaho's MSA payments used to fund Idaho public health endeavors.

2004 Diligent Enforcement Arbitration

Discovery and pre-trial motion practice concerning the sales year 2004 commenced in 2016. A two-week multistate hearing was held in 2017, and Idaho's state-specific evidentiary hearing was held in early 2018. A three-judge arbitration panel ruled in September 2021, finding the Attorney General diligently enforced the state's MSA Act in 2004.

2005-2007 Diligent Enforcement Arbitration

A similar dispute covering the sales years 2005 to 2007 began in 2020. The parties are presently engaged in discovery and motion practices

The resolution of the 2005-2007 arbitration will not necessarily end the tobacco companies' efforts to reduce or eliminate future Idaho MSA payments. Rather, the tobacco companies appear intent on advancing new challenges to Idaho's

receipt of its MSA payments, making further litigation with the tobacco companies inevitable.

UPDATES AND PENDING MATTERS

State of Idaho v. Purdue Pharma L.P., et al., and State of Idaho v. Mallinckrodt PLC, et al.

As noted previously, in the summer of 2019, the Attorney General filed two consumer protection lawsuits related to the opioid crisis. Defendant Purdue Pharma filed Chapter 11 bankruptcy in September 2019, and Defendant Mallinckrodt PLC filed Chapter 11 bankruptcy in October 2020. The Attorney General has appeared in these bankruptcies to protect Idaho's interests, negotiating proposed settlements for the benefit of the State. Those settlements are pending objections or appeals brought by other parties in the bankruptcies. Although the bankruptcy court stayed the Attorney General's lawsuit against Purdue Pharma and Mallinckrodt, his action against other opioid manufacturers and distributors remains pending in federal court.

Generic Drugs Multistate Investigation and Litigation

Idaho is part of ongoing multistate antitrust lawsuits against numerous manufacturers of generic pharmaceuticals. The states' three filed complaints involve over 30 generic drug manufacturers, over 20 current and former employees from several generic drug companies, and over 200 generic drugs. The lawsuits are part of a multidistrict litigation in the U.S. District Court for the Eastern District of Pennsylvania.

The states allege a number of specific illegal agreements among the defendants to fix prices and allocate customers for several generic drugs. The states further allege that these conspiracies were part of a much broader, overarching industry code of conduct that enabled the defendant manufacturers to divvy up the market for specific generic drugs in accordance with an established, agreed-upon understanding for assigning each competitor their share of the market.

Defendants allegedly coordinated their schemes through direct interaction with their competitors at industry trade shows, customer conferences, and other events, as well as through direct email, phone, and text message communications. The alleged anticompetitive conduct—including efforts to fix and maintain prices, allocate customers, and otherwise thwart competition—has resulted in artificially increased prices for generic drugs reimbursed by federal and state healthcare programs, such as Medicaid, and raised the coverage costs for

employer-sponsored health plans and the out-of-pocket costs for consumers. The states allege that the conduct caused significant, harmful, and continuing effects in the country's healthcare system.

Facebook, Inc. (Meta Platforms, Inc.), Multistate Litigation

In December 2020, a coalition of nearly all U.S. States, including Idaho, sued Facebook, Inc. (Meta Platforms, Inc.) in federal district court. That lawsuit alleged that Facebook, for over 10 years, unlawfully acquired competitors and unlawfully exercised market power to crush competition and monopolize other lines of commerce. The legal action sought to hold Facebook accountable for its anticompetitive conduct and protect consumers from further harm.

After the lawsuit was filed, Facebook filed a motion to dismiss the case. In June 2021, the district judge precipitously granted Facebook's motion. The states appealed to the D.C. Circuit Court of Appeals and anticipate oral argument later this year. Through the appeal, the Attorney General, along with other state attorneys general, seeks to overturn the district court's dismissal in order to once again pursue litigation to stop Facebook from creating or maintaining illegal monopolies.

Google, LLC, Multistate Litigation

The Attorney General has joined three multistate antitrust lawsuits against Google, LLC. Two lawsuits were filed in December 2020 and a third lawsuit was filed in July 2021. The three lawsuits are ongoing and present unique allegations of anticompetitive conduct that constitute multiple violations of Section 2 of the Sherman Act, 15 U.S.C. § 2, and sections of the Idaho Competition Act.

- ***Search Engine Lawsuit***

The first lawsuit against Google was filed by 38 attorneys general in the U.S. District Court for the District of Columbia. This action alleges the design of Google's search engine robs consumers of valuable information and obstructs businesses from connecting with potential customers. By bringing the lawsuit, the attorneys general seek to end Google's unlawful monopoly of internet search services, including search advertising and search text advertising.

- **Ad Tech Lawsuit**

Ten attorneys general filed a lawsuit in the U.S. District Court for the Eastern District of Texas concerning Google's ad tech practices. The Texas-led action alleges that Google monopolized or attempted to monopolize products and services used by advertisers and publishers in online-display advertising. These anticompetitive and deceptive practices diminish publishers' ability to monetize content, increase advertisers' costs to advertise, and directly harm consumers.

- **In-App Payments Lawsuit**

In July 2021, the Attorney General joined with other attorneys general in a third antitrust lawsuit against Google. Filed in the U.S. District Court for the Northern District of California, this lawsuit alleges, among other things, that Google has unlawfully tied app developers' use of the Google Play Store to the company's in-app payment system. By requiring developers to use its payment system, Google inhibits competition with other app marketplaces, stifles innovation, and harms consumers.

State of Idaho v. Karabell Industries, LLC, and Eli B. Karabell

Idaho State Senator Mark Harris alerted the Attorney General in April 2021 to a St. Louis, Missouri, company's deceptive advertising practices. Karabell Industries, LLC, emailed an invoice to Senator Harris, claiming he owed the company \$480 million for political consulting services. Senator Harris, however, never solicited Karabell Industries for its services and had never done business with the company.

To make it appear as if Senator Harris agreed to the pay for services, Karabell Industries' owner, Eli B. Karabell, forged Senator Harris's signature in a general service agreement. Karabell also submitted the fraudulent invoice and agreement to a collection agency.

The Attorney General filed an amended complaint in July 2021 alleging Karabell Industries and Karabell, individually, committed multiple violations of the Idaho Consumer Protection Act. Neither defendant answered the Attorney General's complaint. The Attorney General, therefore, is pursuing a default judgment to prohibit the company and Karabell from doing business in Idaho.

Consumer Education and Outreach

Public awareness and education remain the best defenses against consumer fraud. Providing Idaho's consumers with timely, accurate information about their rights under Idaho's consumer laws and warning consumers about pervasive scams encourage Idahoans to maintain their personal and financial vigilance. Educated consumers are better equipped to monitor and judge a business's practices, thereby promoting a more compliant and competitive marketplace.

Consumer information is provided through the Attorney General's website, social media, public service announcements, pamphlets and consumer tip sheets, consumer alerts, and public speaking engagements. The Attorney General's educational and outreach efforts do not use tax dollars. Civil penalty payments and reimbursements for the Attorney General's fees and investigative costs are deposited into the consumer protection account. Funds from this account, pursuant to legislative appropriation, pay for the Attorney General's educational activities.

COMMUNITY EDUCATION ACTIVITIES

Each year the Attorney General and the Consumer Protection Division's attorneys and consumer specialists give educational presentations to Idaho's consumers,



businesses, organizations, and agencies. The Division provides Idahoans with timely and accurate information about their rights under Idaho's consumer laws and educates them about scams, fraud, and deceptive business practices. This year, the Consumer Protection Division's outreach efforts impacted communities statewide, reaching more than 1,170 individuals.

COVID-19 continued to affect the Consumer Protection Division's ability to visit Idaho's communities in person. However, the Division staff ensured consumers still

received vital educational information. The Division released consumer alerts this year concerning COVID-19 stimulus payment debit cards, mailers which appeared to be from Idaho courts, and online pet scams. Division staff wrote Twitter posts throughout 2021 to share consumer protection tips and scam warnings.

In September 2021, the Consumer Protection Division hosted an information booth at Northwest Nazarene University's Community Fair, providing consumer protection information to approximately 300 incoming freshmen and their parents from across Idaho and the country.

In October and November, consumer specialists represented the office at the Idaho Scam Jam Alliance's "Fraud Bingo!" program at three Treasure Valley senior centers. This educational activity allows attendees to learn about fraud and scams in an engaging manner while winning prizes.



The Consumer Protection Division works cooperatively with organizations to support Idaho's consumer protection and education community. These include the Idaho Scam Jam Alliance, Idaho Financial Literacy Coalition, and Justice Alliance for Vulnerable Adults. During 2021, the Division also partnered with the Better Business Bureau, Boise Police Department, and Senior Medicare Patrol to provide virtual consumer education presentations.



Photo courtesy of Kate Ragsdale, The Center in the Park/Meridian Senior Center.

Public Contacts

Each year, the Consumer Protection Division has thousands of contacts with the public, the media, other government agencies, and law enforcement. The Division logs each of these contacts so it can:

- identify patterns of law violations,
- evaluate areas where additional resources are required,
- account for the Division's annual budgetary expenditures, and
- report the data to the public.

In 2021 the Consumer Protection Division processed **12,564 public contacts**. The table below summarizes the variety of contact types we received.

CONTACT TYPE	No. RECEIVED
Bankruptcy Filings <i>(initial notices filed in business bankruptcies)</i>	28
Charitable Trust Accountings <i>(trustees' quarterly statements)</i>	40
Class Action Notices <i>(private lawsuit settlements)</i>	495
Consumer Complaints <i>(mediated & non-mediated complaints)</i>	1,165
Email Inquiries <i>(consumer protection-related questions & requests)</i>	517
FYIs <i>(complaints received for informational purposes only)</i>	161
I.C. § 48-1907 Notices <i>(ICAPA charitable conversion & dissolution forms)</i>	5
IRS Form 990-PF Returns <i>(annual Idaho foundation filings)</i>	245
Other Written Correspondence <i>(miscellaneous general contacts)</i>	255
Public Record Requests <i>(requests for copies of public documents)</i>	64
Security Breach Notices <i>(reports of government and business data breaches)</i>	32
Telemarketing Registration Applications <i>(new & annual applications)</i>	21
Telephone Calls <i>(inquiries and information requests)</i>	9,431
Telephone Solicitation Complaints <i>(do-not-call & criminal issues)</i>	98
Unsolicited Fax Complaints <i>(unwanted commercial fax ads)</i>	7
GRAND TOTAL 2021 PUBLIC CONTACTS: 12,564	

Consumer Complaint Data

The Attorney General's Consumer Protection Division accepts written complaints from consumers who wish to report an alleged violation of a law the Attorney General enforces. In, 2021 the Division received **1,165 consumer complaints**.

Complaint Review Procedure

The Division's consumer specialists process and review all incoming complaints. If a complaint is appropriate for the Division's informal dispute resolution program, the complaint is sent to the identified business with a request for a written response. The assigned consumer specialist reviews the business's response and determines what further action, if any, is appropriate. Most businesses understand the benefits of addressing their customers' concerns and voluntarily respond to complaints.

Not every complaint is appropriate for the Division's mediation process. Such complaints include those involving businesses licensed by government agencies or boards (e.g., the Idaho Department of Finance or Idaho State Bar) or complaints involving issues beyond the Division's scope of authority (e.g., criminal matters). When appropriate, the Division refers complaints to other agencies or organizations that may be able to assist the consumer.

The Division reviews every complaint it receives and categorizes each complaint into one of over 140 categories that best reflects the subject of the allegations. In some instances, a complaint is subcategorized into an even more specific topic, such as a type of good or service (e.g., household appliances or consignment services). By categorizing incoming complaints and analyzing trends, the Division can better determine where to focus its limited enforcement resources.

Of the 1,165 complaints the Consumer Protection Division received in 2021, 853 of the complaints were forwarded to businesses or individuals as part of the Division's dispute resolution process. The remaining 358 complaints were filed as "complaints," but were not appropriate for the Division's mediation process.

It is important to note that the Consumer Protection Division also receives "FYIs" from consumers. "FYIs" are similar to consumer complaints, but are not forwarded

to businesses or individuals at the consumer's request. In 2021, the Consumer Protection Division received 161 FYIs.

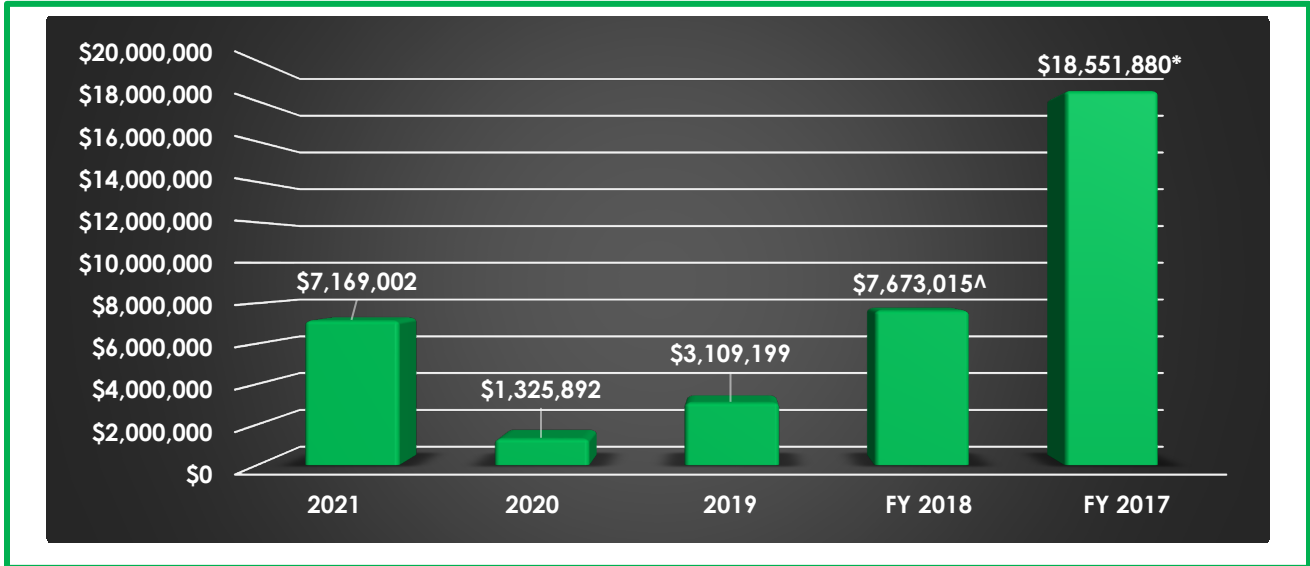
Top 10 Complaint Categories

For comparison purposes each year, the Consumer Protection Division publishes the top 10 categories in which it classified a majority of the year's complaints. The following table summarizes our 2021 complaint data compared to that of 2020. The category numbers include both mediated and unmediated complaints.

TOP 10 COMPLAINT CATEGORIES			
RANK	COMPLAINT CATEGORY	2021 TOTAL	2020 TOTAL
1	MOTOR VEHICLES ADVERTISEMENTS, SALES, & REPAIRS	144	140
2	CONSTRUCTION & CONTRACTORS NEW CONSTRUCTION, REMODELS, & LANDSCAPING	89	100
3	LANDLORD & TENANT ISSUES LEASES, REPAIRS, & SECURITY DEPOSITS	61	96
4	HOUSEHOLD APPLIANCES & FIXTURES EXTENDED SERVICE CONTRACTS, PURCHASES, & REPAIRS	56	48
5	BANKING SERVICES ACCOUNTS, CREDIT CARDS, & MONEY TRANSFERS	35	40
(TIE)	HEALTH CARE: MEDICAL/DENTAL/OPTICAL BILLING, PRICE DISCLOSURES, & TREATMENTS	35	NOT RANKED
6	INTERNET SERVICE PROVIDERS BROADBAND, CABLE, & FIBER	34	36
(TIE)	NON-CONSUMER MATTERS ISSUES OUTSIDE OF CONSUMER PROTECTION	34	34
7	RECREATIONAL VEHICLES ATVS/UTVS, TRAVEL TRAILERS, WATERCRAFT	30	NOT RANKED
8	CELLULAR PHONES & SERVICES ADVERTISING, BILLING, SALES	28	NOT RANKED
9	LOANS & MORTGAGE LENDERS COMMERCIAL & PERSONAL LOANS	27	35
10	MOVING COMPANIES CONTRACTS, ESTIMATES, & DAMAGES	24	NOT RANKED
	ALL OTHER COMPLAINT CATEGORIES OVER 100 OTHER ISSUES/OCCUPATIONS	568	644
	TOTAL COMPLAINTS RECEIVED	1,165	1,235

FIVE-YEAR COMPARISON CHARTS

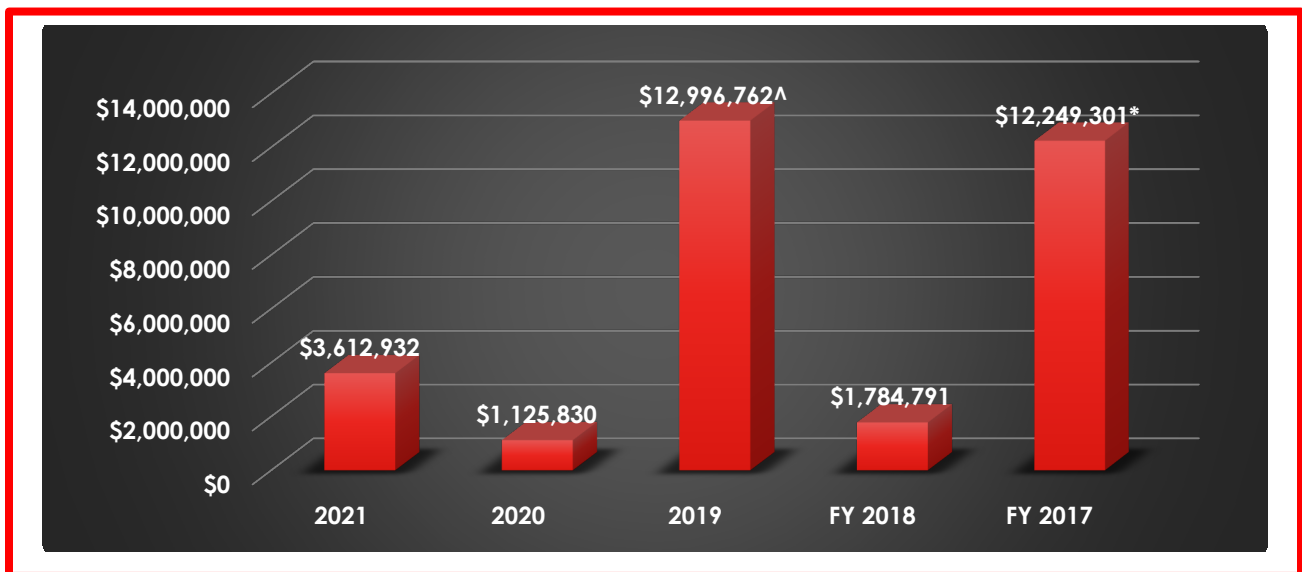
Consumer Restitution Recovered



*In FY 2017, Idaho consumers received \$15,537,982 in restitution through the Attorney General's settlement with Volkswagen.

[^]In FY 2018, Idaho consumers received an additional \$5,904,408 in restitution through the Attorney General's settlement with Volkswagen.

Civil Penalties, Attorney's Fees, & Costs Recovered



*In FY 2017, the Attorney General's Office, in addition to recovering its fees and costs from various 2017 settlements, received cost-share reimbursements from multistate settlements filed in 2016.

[^]In 2019, the Attorney General's Office received several large multimillion dollar payments through various settlement actions.

CONSUMER PROTECTION NUMBERS: FIVE YEARS AT A GLANCE

ACTIVITY	2021	2020	2019	FY 2018	FY 2017
Complaints Received	1,165	1,235	1,179	1,223	792
Other Consumer Contacts	11,399	12,105	13,847	13,036	13,650
Consumer Dollars Lost	\$1,396,032	\$606,974	\$900,753	\$2,860,225	\$1,909,914
Consumer Dollars Recovered	\$7,169,002	\$1,454,939	\$3,109,199	\$7,673,015	\$18,551,880
Penalties & Costs Recovered	\$3,612,932	\$1,126,830	\$12,996,762	\$1,784,791	\$12,249,301
Enforcement Actions	12	14	18	12	13
Registered Telemarketers	15	16	15	15	14
Numbers on DNC Registry	1,265,992	1,247,854	1,234,970	1,171,358	1,146,623

For more information about this report, to file a consumer complaint, or to request a consumer education presentation, please:

VISIT:	Consumer Protection Division 954 W. Jefferson St., 2 nd Floor Boise, ID 83702
WRITE:	Consumer Protection Division P.O. Box 83720 Boise, ID 83720-0010
CALL:	(208) 334-2424 (or) (800) 432-3545 (toll free in Idaho)
EMAIL:	consumer_protection@ag.idaho.gov www.ag.idaho.gov

LAWRENCE G. WASDEN

ATTORNEY GENERAL
STATE OF IDAHO

