

# Protecting the Public

*From the files of the Iowa Citizens' Aide/Ombudsman*

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## MISSION

The Ombudsman helps citizens understand and maneuver through the often complicated depths and layers of government. In many cases, assistants facilitate citizen dialogue with an agency, explain the reasons for laws or policies, recommend revisions to unfair policies or unreasonable decisions, and resolve disputes informally. In some cases, the Ombudsman will pursue more formal investigations, take sworn testimony, and issue public reports.

Here, in this periodic newsletter, you'll find a small sampling of the Ombudsman's work over the previous two months. If you need help resolving a problem with state or local government, please see our contact information at the bottom of the page.

## Police who sold salvaged car without warning issue refund after Ombudsman inquiry

The Iowa Attorney General's office asked us to look into a complaint it received from a southeast Iowa man who paid \$2,850 for a car at a police auction, only to learn later that the car had previously been badly damaged and repaired.

The man felt he should have been warned about the vehicle's history, and he wanted a refund. He said he left a message with the drug task force representatives who initiated the sale, but had received no return call.

When we contacted the task force, an officer acknowledged receiving the message, but said the responsibility for the sale lay with a private auctioneer who handled the sale for police. The officer noted that the car was advertised "as is" and he insisted that this was not the task force's problem.

We subsequently discovered that the state's Consumer Fraud Act requires sellers of

certain motor vehicles to provide a "damage disclosure statement" to potential buyers as a condition of the sale. The statement is intended to inform the buyer of a vehicle less than 8 years old whether it had been involved in any accident in which repairs exceeded half the cost of the vehicle's retail value before the accident. Our complainant told us he never received any such statement at the time of his purchase.

In light of this information, we asked the Iowa Department of Transportation to investigate the sale. Two days later, the drug task force decided to reverse course and issue a full re-



*Iowa's Consumer Fraud Act requires sellers of newer motor vehicles to inform potential buyers of any prior major damage.*

fund to the man. Upon further reflection, the agency admitted an oversight of the law and agreed a refund was "the right thing to do."

We confirmed two weeks later that the man received his money back when he returned the car to the drug task force.

## Repeated "robocalls" are called off

Over the course of three months, we received calls from five different people who said they were receiving automated phone messages from a state agency urging their prompt reply. In each case, the citizens returned the calls, only to learn that they had been contacted by mistake. Yet

the calls continued, in some cases, as often as twice a day.

The agency, which collects debts for the state, told us that new software prevented them from easily removing the mistaken phone numbers from their calling system. Soon after the agency thought it found a fix to the

problem, the calls started up once again.

We reported the scope of the problem to the agency's director and asked for a response. Almost immediately, the agency recognized the annoyance it was causing some citizens and put a halt to the calls until it could devise a permanent solution.

## Unemployment benefits paid when missing number found

A Des Moines man who was laid off from his job around Thanksgiving told us in late December that the state had still not processed his claims for unemployment. Each time he called, he said, the agency provided a different reason for the delays.

We contacted the agency's administrator to inquire about the holdup. Within a day, the issue was thoroughly researched and the problem was pinpointed. The agency had inadvertently omitted the last digit of the man's bank account number, which prevented the payments from being delivered. The man received his money later that day.