

Monthly Columns

by Attorney General Jack Conway



April 2011

My thoughts and prayers have been with the families here in Kentucky and across much of the south affected by the recent storms that spawned deadly tornadoes, torrential rains and flooding. Lives have been lost, homes destroyed and families are hurting.

The situation has been particularly tenuous for residents in Fulton County and other areas of Western Kentucky threatened by the rising water along the Ohio and Mississippi rivers. Adding to their worries was a federal lawsuit filed by Missouri Attorney General Chris Koster to block detonation of a levee on the Mississippi River that would protect parts of Kentucky, Tennessee and Illinois from potentially catastrophic flooding.

On April 28, I intervened in the lawsuit. As this was a matter of life and death for Kentucky residents living along the river, my staff and I worked closely with Fulton County Attorney Rick Major to quickly and diligently address this matter.

On May 2, 2011, the Corps of Engineers detonated the Birds Point Levee. Although there is no perfect solution in the face of a disaster such as this, I believe the decision to breach this levee, permitted by the U.S. Supreme Court, will save lives and prevent significant property damage in Kentucky.

In light of the recent severe weather and flooding, my office has been focused on protecting Kentuckians from storm-related scams. As part of his April 25th emergency declaration, Gov. Beshear agreed to trigger the price-gouging provision to help prevent unscrupulous businesses from raising prices on essential goods needed during times of disaster. This provision remains in effect for 30 days and empowers me as Attorney General to investigate and prosecute, where appropriate, allegations of price gouging.

Be assured, I will not allow families that have been hurt by severe weather to be victimized a second time by criminals looking to take advantage of widespread devastation in the Commonwealth.

Common natural disaster scams include outright fraud, shoddy construction, charity scams, impersonating officials and loan scams. The following tips can help protect consumers from falling victim to disaster-related scams.

- Never pay in advance for repair work or materials. Scam artists often take advance payments from consumers and never return to complete the work.
- Use local, reputable contractors for repairs, if possible.
- Ask if the contractor is licensed, bonded and insured.
- Demand a written contract.
- Check unknown companies out with the Better Business Bureau (Louisville/Western KY 1-800-388-2222; Lexington/Eastern KY 1-800-866-6668) or call my Consumer Protection Hotline at 1-888-432-9257.
- Be suspicious of unfamiliar, out-of-state vehicles and those who offer repair work at unreasonably low prices. Contact local law enforcement about your suspicions.

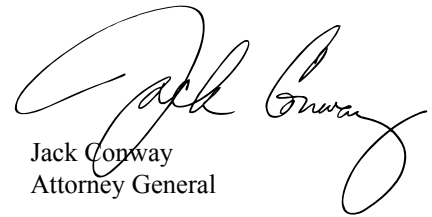
Consumers who experienced flooding need to be aware of the health concerns associated with water damage, such as mold mitigation and prevention. Detailed information about mold removal is available on Kentucky's Department for Public Health website at <http://goo.gl/ioMUa>.

Kentuckians should also utilize the following tips if their vehicles have suffered water damage:

- Check your oil. A reading of an oil level that is too high may indicate water in the engine. Do not start or run your car, it could cause severe damage. Contact your insurance company immediately. Comprehensive coverage of a vehicle includes losses other than collision, such as flood, fire, theft, vandalism, falling objects and colliding with animals.
- If you have a car loan, notify your lender of the damage.

- Act quickly to determine the vehicle's current NADA average prior to the flood damage. You will need to know this when dealing with an insurance provider or lender.

To report suspected price-gouging, email pricecomplaints@ag.ky.gov.



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