

Legal Advice

The Division of Consumer Affairs and the Attorney General's office cannot give legal advice or represent private individuals. If you feel that you need legal assistance, consider contacting a private attorney, your local Legal Aid office, or other organizations that may offer legal guidance. You may visit the Division's website at www.tn.gov/consumer or the organizations listed below for more information regarding legal advice. You should act quickly because law limits the time you have to file a lawsuit.

LEGAL AID SOCIETY OF MIDDLE TENNESSEE AND THE CUMBERLANDS

With offices in Clarksville, Columbia, Cookeville, Gallatin, Murfreesboro, Nashville, Oak Ridge and Tullahoma, Legal Aid Society is a private, non-profit organization that provides free legal services to people with low income. Visit www.las.org or dial (800) 238-1443 for more information.

LEGAL AID OF EAST TENNESSEE

The mission of Legal Aid of East Tennessee is to ensure equal justice for elderly, abused, and low income persons, providing a wide range of civil legal assistance and advocacy. With offices in Chattanooga, Cleveland, Knoxville, Johnson City, Maryville, and Morristown, LAET provides civil legal representation to East Tennesseans who cannot afford a private attorney. Visit www.laet.org for more information.

WEST TENNESSEE LEGAL SERVICES

With locations in Jackson, Dyersburg, Huntingdon, and Selmer, West Tennessee Legal Services is a non-profit organization that provides assistance in civil cases to individuals, families and communities. Visit www.wtlls.org or dial (800) 372-8346 for more information.

ONLINE TENNESSEE JUSTICE

OnlineTNJustice is a joint project of the Tennessee Alliance for Legal Services and the Tennessee Bar Association. These entities share the goal of increasing access to legal advice to those who cannot afford it. Visit www.onlinetnjustice.org for more information. Phone: (888) 395-9297 Email: help@tals.org

NOTICE: All complaints submitted to the Tennessee Division of Consumer Affairs will become part of our permanent records, and are subject to the Public Records Act.



Department of
**Commerce &
Insurance**

Consumer Affairs

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The Consumer Complaint Process



ADVOCATE | EDUCATE | PROTECT



Department of
**Commerce &
Insurance**

Consumer Affairs

The Tennessee Division of Consumer Affairs serves as the clearinghouse for complaints by Tennessee consumers alleging fraudulent, deceptive or dangerous practices. The Division was created in 1977 and works diligently to advocate, educate and protect consumers on business fraud, identity theft and scams within the marketplace. The Division advocates for complainants through its mediation process. Disputes vary from consumer issues related to financial transactions to consumer purchases of products, goods and services. The mediation process is intended to foster settlements acceptable to both parties and to ultimately resolve the dispute before litigation. If there is a determination that a complaint is out of our jurisdiction or could be referred to another agency for assistance, the Division forwards those complaints to the appropriate agencies, especially when there is regulatory oversight. It is important to note, the Division cannot assist in matters where there is pending or prior litigation commenced by either party.

If you have a consumer complaint, you must contact the business first...

Try talking to a manager. Most problems can be resolved at this level. If you are still not satisfied, try contacting the owner of the business or the business's corporate headquarters. If you are still not satisfied after contacting the business, file a complaint with the Division at www.tn.gov/consumer.

What is the first step to filing a complaint?

The consumer must live in Tennessee OR the business must be located in Tennessee.

Follow these four steps to help prevent delays in processing your complaint:

1. Answer **all questions** on the complaint form. Briefly describe your complaint and include all important facts. Either type or **print clearly and legibly** when using the printable complaint form.
2. Provide **copies** of any documents that would support your complaint. **DO NOT MAIL ORIGINAL DOCUMENTS**; these will not be returned.
3. Take the time to black out information, such as Social Security numbers, bank and credit card numbers and any other sensitive information.
4. Remember to **date and sign the complaint form** before faxing, mailing or submitting over the internet.

Will you notify me when you receive my complaint?

After the Division receives your complaint form, it takes about fourteen (14) days to fully set up your file. The Division will then notify you through the mail or by email when your file has been created. At that time, your complaint will be assigned to a Consumer Protection Specialist.

How long will it be before I hear an update?

The Consumer Protection Specialist who has been assigned to your case will send a copy of your complaint to the business. The business will be given twenty-one (21) days to respond to this office.

What if the business does not respond to my complaint?

If the Division does not receive a response from the business after the first attempt, a second letter will be sent. The Division will also seek a response through other various means.

May I call or email for an update on my complaint?

Yes. In an effort to keep your complaint file current, please email your questions and additional documentation to the Consumer Protection Specialist assigned to your complaint. Please visit the Division's Contact Page at www.tn.gov/consumer to locate your Consumer Protection Specialist's email address. You can email them directly by clicking on their name. Please list your name and file number in the subject field of the email.

Due to our call volume, it may take you longer to receive a response by phone than by email as it is sent directly to your Consumer Protection Specialist.

What happens next?

If the business replies, a copy of their response will be sent to you.

What if I am not satisfied with the response I received from the business?

You may send a written notification requesting further mediation to the Consumer Protection Specialist handling your case. The Consumer Protection Specialist will determine on a case-by-case basis what further action, if any, the Division may take to help resolve the dispute.

What if I am still not satisfied?

This Division, by law, cannot force a business to satisfy your complaint. The mediation process that the Division provides relies on the voluntary cooperation of both the consumer and the business. Consumers who wish to seek formal legal actions based on their claims should seek a private attorney.

Should I contact another government agency?

The Division cooperates and works closely with other government agencies. If appropriate, the Division will forward your complaint to another agency for assistance. If your complaint is referred to another agency, you will be advised of the referral. In any event, your complaint will be kept on file so the Division can monitor the complaint history.

Formal Actions

When there is a potential violation of the Tennessee Consumer Protection Act or a pattern of complaints against a business, the Division collaborates with the Attorney General's Office as the enforcement authority who ensures and upholds the Consumer Protection Act for the State. These communications with the Attorney General's office are confidential. Consumers who wish to seek formal legal actions based on their claims should seek a private attorney.

If a lawsuit or settlement is filed, that information will be publicly available, and the Division generally attempts to notify consumers that legal action has been taken. The goal is to obtain money to repay consumers what they have lost. Even after litigation, however, consumers sometimes may not receive restitution. For example, a company facing a lawsuit may go out of business and the owners may not be found, the entities may file bankruptcy, or they may not be held legally responsible by a court of law.