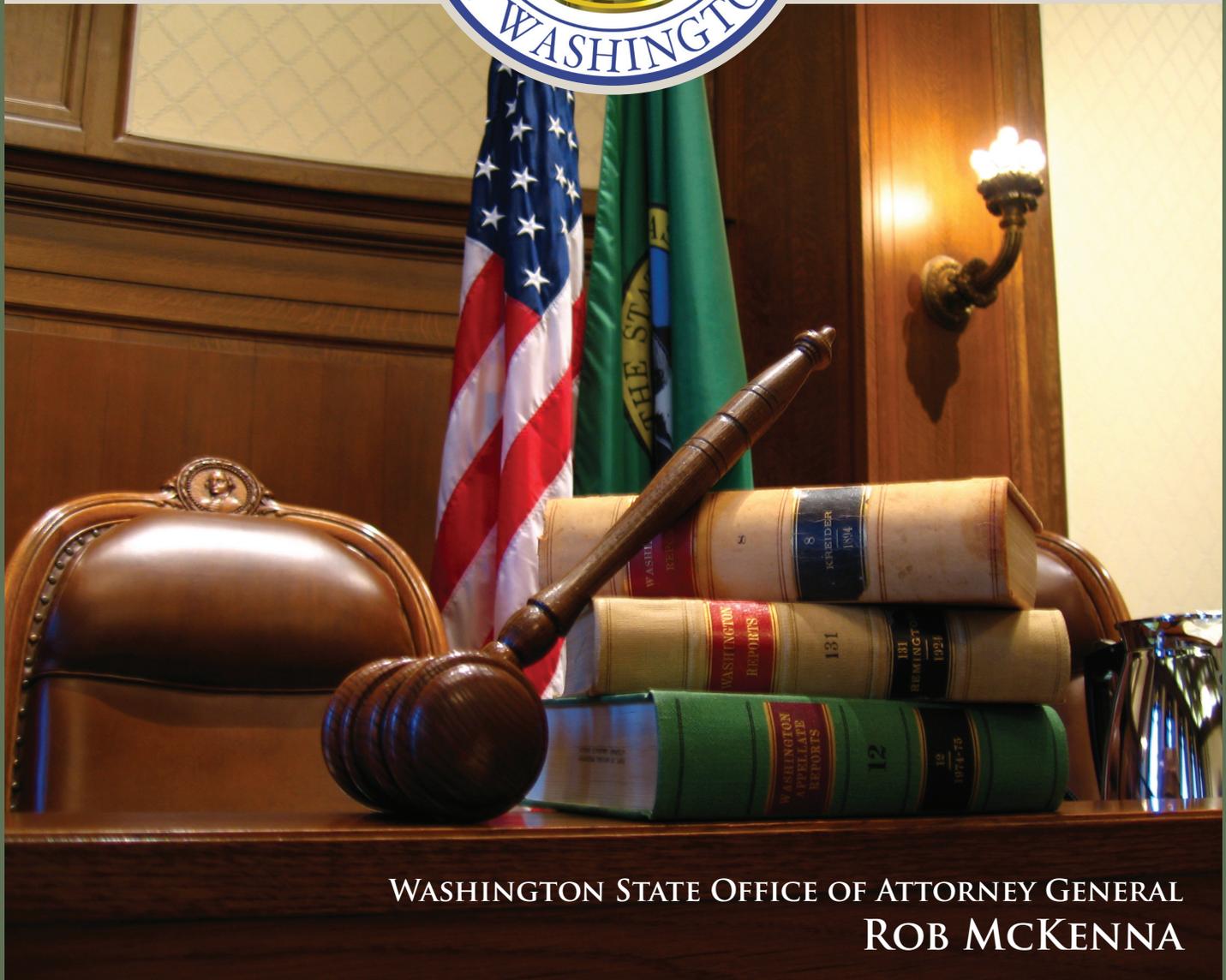
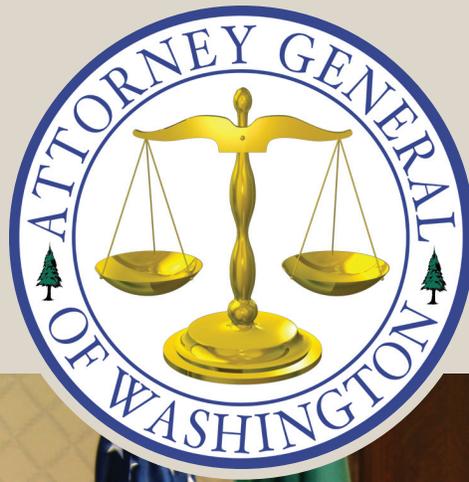


# CONSUMER PROTECTION STUDY RESULTS

SURVEY ANALYSIS FOR SATISFACTION AND SANCTION REVIEW



WASHINGTON STATE OFFICE OF ATTORNEY GENERAL  
ROB MCKENNA





2009 LEGISLATIVE SESSION

## CONSUMER PROTECTION STUDY RESULTS

### FELLOW WASHINGTONIANS,

Thank you for the opportunity to engage citizens who have contacted the Consumer Protection Division of the Attorney General's Office.

The Attorney General's Office is committed to protecting consumers by providing a marketplace free from unfair and deceptive business practices. We accomplish this by educating the public, providing informal mediation between businesses and consumers, working for changes through the legislative process, and taking legal action against those that violate the Consumer Protection Act.

In addition to those ongoing efforts, we have recently completed analysis of a customer satisfaction survey aimed at identifying areas where improvements could be made to the current Consumer Protection Act enforcement process.

As you know, the Attorney General's Office plays a neutral role in processing consumer complaints through informal dispute resolution. This is often a source of frustration for consumers, who would like us to represent them in their dispute. It is always challenging to explain that, by law, we may bring actions under the Consumer Protection Act only in the name of the State of Washington, and not on behalf of individual consumers.

In fact, our attorney staff can bring only 25 to 35 judicial resolutions per year in cases where either patterns of complaints or market conditions indicate the most harm to the marketplace, or the need to affect general or specific deterrence.

Thanks to work study students and volunteers, we are also able to additionally handle approximately 20,000 written complaints from consumers each year. Fortunately, many of those consumers participated in the Hebert Research survey, and their responses were invaluable to our efforts to enhance consumer services.

While our Consumer Protection Division already uses consumer complaints as one basis for determining which matters to investigate, we are now developing more complaint-driven contacts with businesses.

Businesses who do not voluntarily participate in our mediation process will now be informed of the benefits of working with our Office and possible consequences for non-cooperation. And, we will also be issuing more attorney or investigator contact with businesses who receive substantial complaints against them.

The full report of the survey, conducted by independent research company Hebert Research, Inc., is available on our website. I commend Hebert Research for its first rate independent, professional and cost-effective survey skills.

Again, thank you for this opportunity. We look forward to working with you to review these proposals in 2009.

Sincerely,

Rob McKenna







2009 LEGISLATIVE SESSION

# CONSUMER PROTECTION STUDY RESULTS

STUDY CONDUCTED BY HEBERT RESEARCH, PREPARED BY KENNETH KLIMA,  
RESEARCH DIRECTOR AND KEITH EVERETT, SENIOR RESEARCH ANALYST.

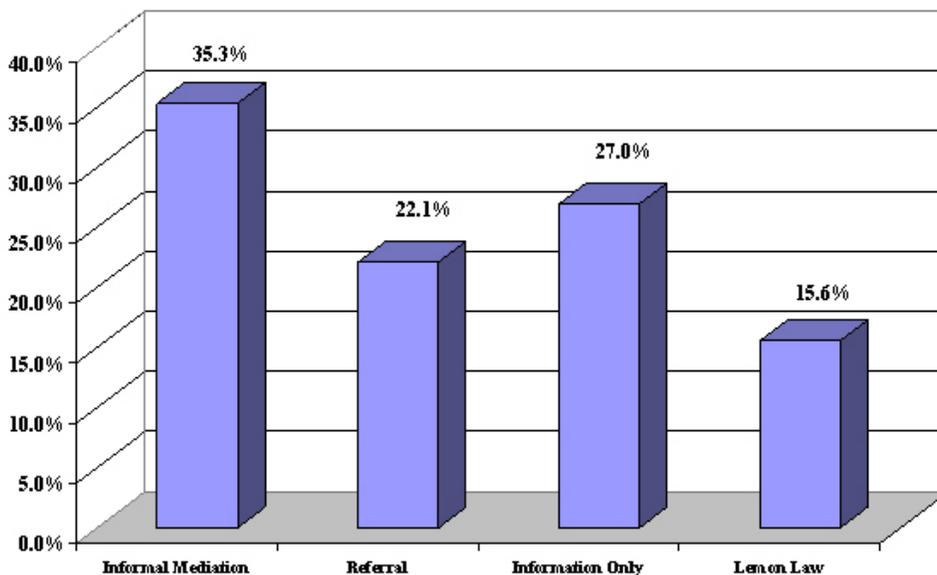
The 2008 Legislature, in Substitute House Bill 3144, requested my Office conduct a study to determine the percentage of consumer complaints of possible consumer protection act violations received by our consumer resource centers that are resolved to the consumer’s satisfaction; and to develop possible sanctions that we may use if we determine that a consumer’s complaint is legitimate and the business fails to provide the consumer with an adequate remedy or response. We conducted the study and have developed the possible sanctions within existing resources in accord with the law. Below are the survey results and our analysis of those results.

## PROCESS USED IN THE SURVEY

Through the competitive state bidding process, Hebert Research was selected to conduct the survey portion of this legislation. The Attorney General’s Office provided Hebert Research with a list of 17,146 consumers whose complaints to the Consumer Resource Center were closed between January and December 2007. Hebert Research determined how many telephone interviews were needed for a valid survey and then randomly determined which consumers to interview. Hebert Research conducted structured interviews from a questionnaire developed in conjunction

with the Consumer Protection Division. The questionnaire is attached in Appendix A to this report. Consumer contacts with our office typically fall into four service categories: those that may be handled through informal mediation (Mediation), those that require referral to other government agencies (Referral), those which involve the exchange of information (Information), and requests for information or arbitration covered by the state’s Lemon Law (Lemon Law). Of the 1,053 individuals interviewed for this survey, 35.3% of the interviews were of consumers who used our Mediation

Segmentation of Survey Respondents by Category



*\*\*All Graphs are from Hebert Research Survey Report*

Services, 22.1% were from Referrals, 27% were classified as Information Only complaints, and the remainder of 15.6%, were consumers who utilized our Lemon Law services. These percentages reflect the information in our raw data—our highest service request is for Mediation, then Referrals, Information Only complaints and last is Lemon Law services.

## CONSUMER PROTECTION DIVISION BACKGROUND

The primary function of the Consumer Protection Division of the Attorney General’s Office is to enforce Washington State’s Unfair Business Practices Act—Consumer Protection Act, RCW 19.86 (“CPA”). The Division also enforces various other trade and consumer protection laws which are enforced by filing actions under the CPA. The Act governs all transactions between consumers and businesses or individuals unless the transaction is specifically exempted by



# WASHINGTON STATE ATTORNEY GENERAL - ROB MCKENNA

statute. The chief purpose of the CPA is to foster a fair and non-deceptive marketplace. The primary tool to accomplish this is obtaining a court issued injunction which controls future behavior. The Act also provides for a civil penalty to be assessed in the discretion of the court. These tools have the effect of promoting general deterrence. The Division has authority to file lawsuits to enforce the CPA on behalf of the state of Washington but not as the attorney for individual consumers.

Private damage actions filed by private attorneys on behalf of individual citizens are the primary legal tools for vindicating individual or class rights and for obtaining damages. Consumers must retain an attorney or represent themselves to pursue damage actions or participate in class action suits. Private suits provide far broader relief for individual Washington State consumers than the AGO is able to provide because of our constitutional restrictions over filing on behalf of individual consumers.

To be a resource to the thousand of consumers who encounter difficulties of all types with businesses, the Division operates 5 Consumer Resource Centers (CRC). Here, each year consumers file over 20,000 complaints. The vast majority these complaints do not clearly allege a violation of the CPA occurred. Rather, these complaints state a specific difficulty a consumer has had with a business—ranging from poor customer service to unfair advertising. To quickly and efficiently assist the consumer with their specific complaint, the CRC provides voluntary informal mediation services. This is done for two reasons: to assist consumers with a quick, informal resolution of their dispute and to make businesses aware of complaints filed against them with our Office. The Office cannot compel a business to participate in our voluntary informal mediation services.

Frequently, it is through complaints filed in the CRC that our Office learns of the existence of potential problems in the marketplace. Complaints are one source of information that we use to determine whether a business's practices may violate the CPA. While "numerosity" of complaints is not a necessary requirement to show that a business's practices may violate the law, a number of complaints filed against a particular firm is often invaluable to demonstrate a "pattern of practice" which helps substantiate that the business activities in question do, in fact, violate the CPA. Such complaints can also be evidence of a public interest (i.e. likelihood of repetition) which is an element in a private consumer protection action.

The complaint filing process also serves to create a database of consumer concerns. Our Office uses this information to establish priorities for education and outreach as well as for enforcement. We also make this information available, upon request to private litigants, other regulators and the public. Finally, the process affords our Office opportunities to carry out business training to foster voluntary compliance and to provide consumer education to reduce the risk of consumer fraud.

Here are additional benefits resulting from a consumer filing a complaint:

- Almost 60% of complaints are resolved in a manner favorable to the consumer.
- Consumers can receive no-cost informal dispute resolution.
- Consumers do not need to retain a lawyer.
- Complaints provide policy makers with information on current or emerging commercial activity.
- Businesses can address the issues their practices raise and be more accountable to their consumers.
- Businesses can achieve customer satisfaction on specific complaints with no cost to them.
- Businesses can receive good business reputation from the consumers whose complaints they resolve.

Below is our Complaint Adjustment (or resolution) rate for mediation services provided by our CRC.

<b>Complaint Adjustment Rate: 2004-2008</b>						
	2008	2007	2006	2005	2004	Average Rate
<b>Adjustment Rate</b>	56.1%	61.6%	63.9%	63.8%	59.0%	60.9%

The Office pursues legal action in about 25-35 cases per year. The Office also conducts numerous enforcement conferences and sends numerous letters of admonition in appropriate cases.

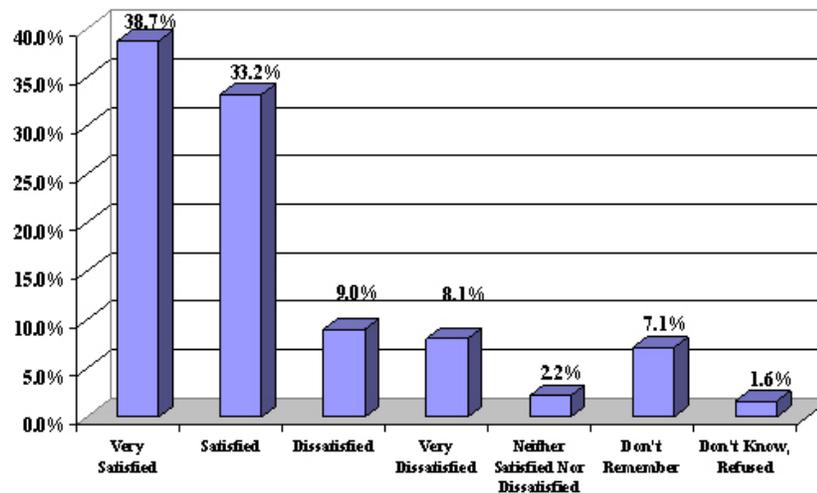
## SURVEY RESULTS

Hebert Research's full report is available upon request at our website. The survey questions, analysis and observations form the first 48 pages of the 237 page report. This first section of the Report is contained in Appendix A to this report. The telephone survey questionnaire contained 12 questions for each consumer, depending upon which of the four kinds of service needs the consumer had in filing a complaint with our Office. Consumer contacts with our office typically fall into four service categories: those that may be handled through informal mediation (Mediation), those that require referral to other government bodies (Referral), those which involve the exchange of information (Information), and requests for information or arbitration covered by the state's Lemon Law (Lemon Law). This distinction was important because the Office has differing statutory authority in handling complaints regarding the Lemon Law. We operate an arbitration assistance program to resolve substantial warranty repair problems with new car, truck, large motorcycles and motor homes. A private Arbitration Board, independent of our Office, provides arbitration services. The Arbitration Board issues a binding decision whether the vehicle qualifies as a lemon and should be replaced or repurchased or whether the owner's claim should be dismissed. Our role is to make sure the arbitration decision is implemented. We also oversee the resale of these vehicles by manufacturers to consumers. The Lemon Law unit cannot provide legal advice or representation to consumers but can answer questions about the process and provide general information to facilitate access to arbitration.

Here are the 10 substantive questions and answers from the survey, in order of the questions asked.

1. More than 7 out of 10 respondents (71.9%) expressed satisfaction with how quickly the AGO acknowledged receiving the complaint or information and identifying the staff member who would be handling it. Satisfaction within each service category was also similarly high: Mediation, 73.0%; Referral, 70.4%; Information, 65.1%; and Lemon Law 81.7%. The highest dissatisfaction was noted in the Referral category with 21.4% of the respondents expressing dissatisfaction. Please note all graphs in this report are from Hebert Research's report.

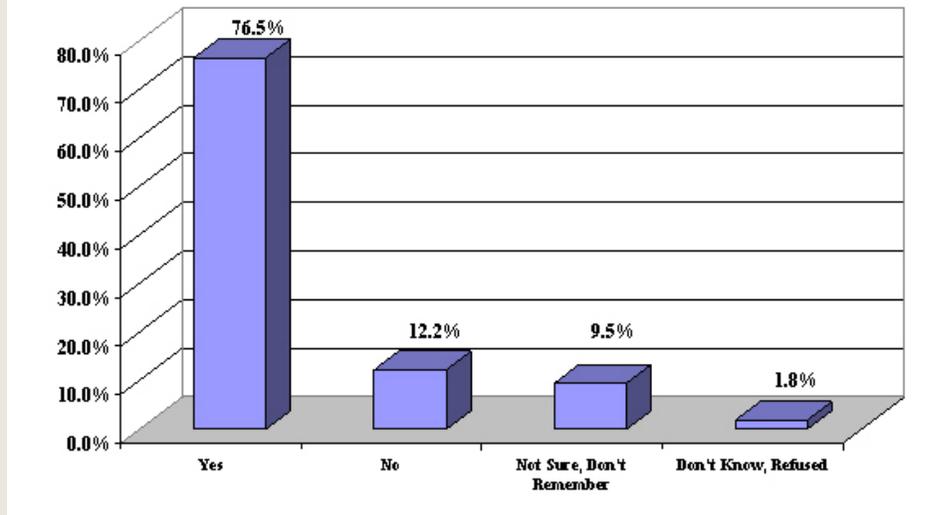
**Question 3. How satisfied are you with how quickly the AGO sent its first letter or email acknowledging receipt of your complaint and telling you the name of the staff member who was going to handle it?**



2. Overall, more than three out of four respondents (76.5%) who received Mediation, Referral or Lemon Law services considered the letter or email sent by the AGO to communicate a clear understanding of the limits of our authority and actions over their complaint. A similar result is seen in each service category where a very high percent of respondents believed they understood the limits on our legal authority and actions based on the letter or email they received (Mediation, 76.3%; Referral, 73.0%; Lemon Law, 81.7%).

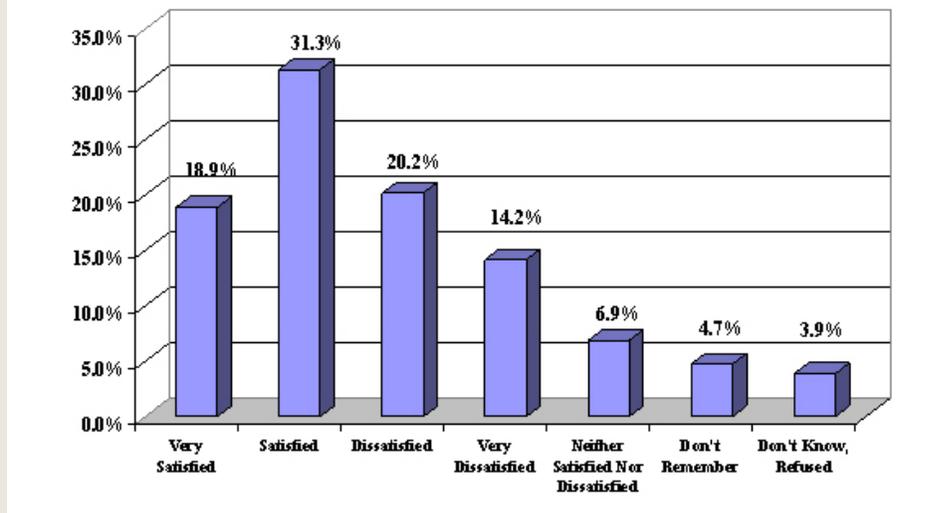


**Question 4. Was the letter or email, which the AG O sent to you, clearly written so you understood the limits of the authority and actions the AG O could actually take to assist you with your complaint?**



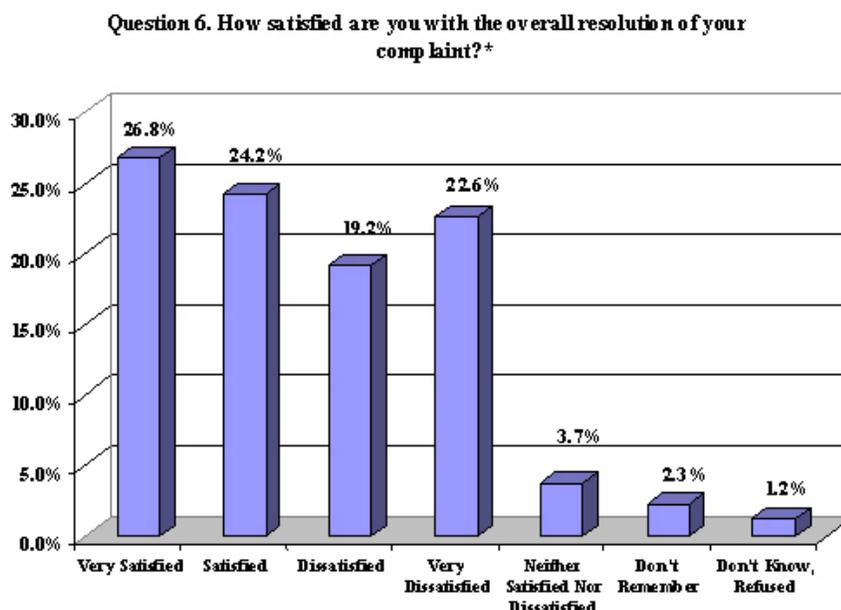
3. Half of the respondents (50.2%) who were referred to a different state agency which had the legal authority over their complaint expressed satisfaction with our Office's actions leading up to their referral and 34.4% expressed dissatisfaction. Survey data suggest that dissatisfaction with referrals is influenced not only by the Attorney General's absence of authority to handle these complaints, but by a breakdown in following through by the other state agency consumers had been referred to. A poor subsequent response by a referred-to agency may reflect back negatively on the AGO as the responsible party making the referral.

**Question 5. At the time the AGO referred you to a different state agency which had the legal authority over your complaint, how satisfied were you that the AGO had done all it could do within its authority?**



4. A little over half of all respondents (51.0%) expressed satisfaction with the overall resolution of their complaint. Respondents in the Referral service category were least satisfied with the overall resolution of their case with far more respondents being dissatisfied (56.3%) compared to satisfied (36.5%) All other groups showed higher

satisfaction than dissatisfaction with the highest satisfaction appearing in ratings for the Information service category (58.5%) followed by the Lemon Law group (57.3%). Over half of the respondents in the Mediation group (51.6%) expressed satisfaction while 43.0% expressed dissatisfaction.



\*Information Only respondents were asked a satisfaction question with different wording: "How satisfied are you with your overall experience of providing information to the AGO."

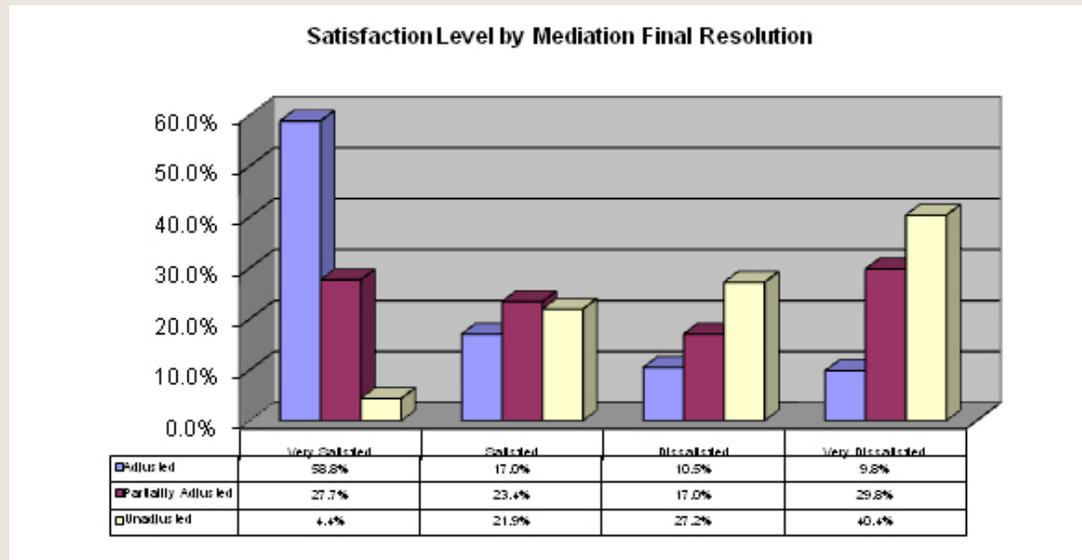
5. The table below shows consumer satisfaction with the resolution of Mediated cases. Resolutions include Adjusted or fully resolved, Partially Adjusted, Unadjusted and Other. The Other category contains individuals who filed multiple cases with different outcomes, gave or received information only, were referred to another agency, or whose case involved an investigation, inquiry or other disposition. Respondents whose case was Adjusted expressed significantly higher satisfaction than respondents whose case was Partially Adjusted or Unadjusted. Respondents whose case was Partially Adjusted expressed significantly higher satisfaction than respondents whose case was Unadjusted. Clearly, reaching a full or partial adjustment leads to significantly higher consumer satisfaction compared to cases that are unadjusted.

Table 4: Satisfaction Level of Mediated Cases by Resolution:

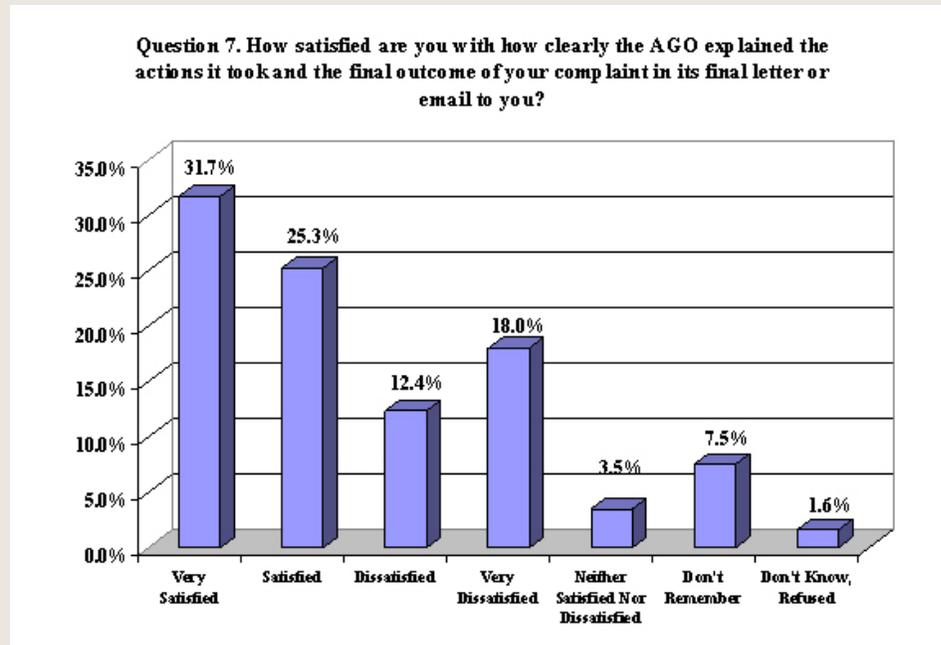
Response Category	Resolution from Informal Mediation			Other
	Adjusted	Partially Adjusted	Unadjusted	
Very Satisfied	58.8%	27.7%	4.4%	19.0%
Satisfied	17.0%	23.4%	21.9%	19.0%
Dissatisfied	10.5%	17.0%	27.2%	17.2%
Very Dissatisfied	9.8%	29.8%	40.4%	34.5%



The advantage of reaching an adjustment for purposes of satisfaction of a consumer is evident. Increasing the AGO's ability to use Mediation to adjust future cases that are now unadjusted offers a substantial opportunity to significantly raise consumer satisfaction.



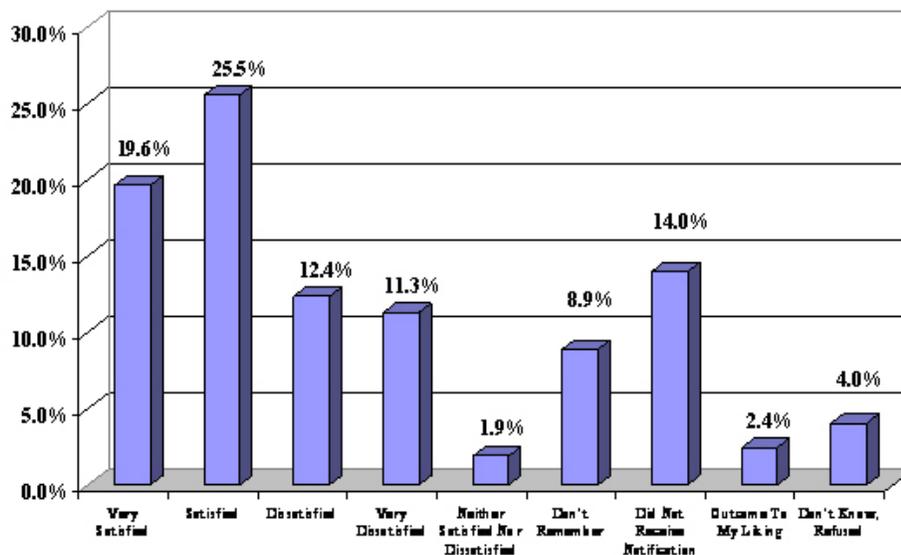
6. Nearly six out of ten respondents in the Mediation service category (57.0%) expressed satisfaction with the clarity of the AGO's final email explaining the actions taken by the AGO and the final outcome. About three out of ten respondents (30.4%) expressed dissatisfaction.



7. Less than half of Mediation respondents (45.1%) expressed satisfaction with the AGO's explanation of other actions respondents could take on their own to obtain a more favorable resolution. Only 23.7 percent expressed dissatisfaction with the AGO's explanation. However, 14% could not render a satisfaction rating since they did not receive any explanation regarding additional actions they may take and 2.4% did not need such information. Eliminating these two categories allows for the calculation of satisfied/dissatisfied percents based on those who

actually received the communication. With this adjustment, 54.0% of Mediation respondents who received the explanation expressed satisfaction and 28.3% expressed dissatisfaction.

**Question 8. How satisfied are you with the explanation the AGO gave regarding other actions you may take on your own to obtain a resolution?**

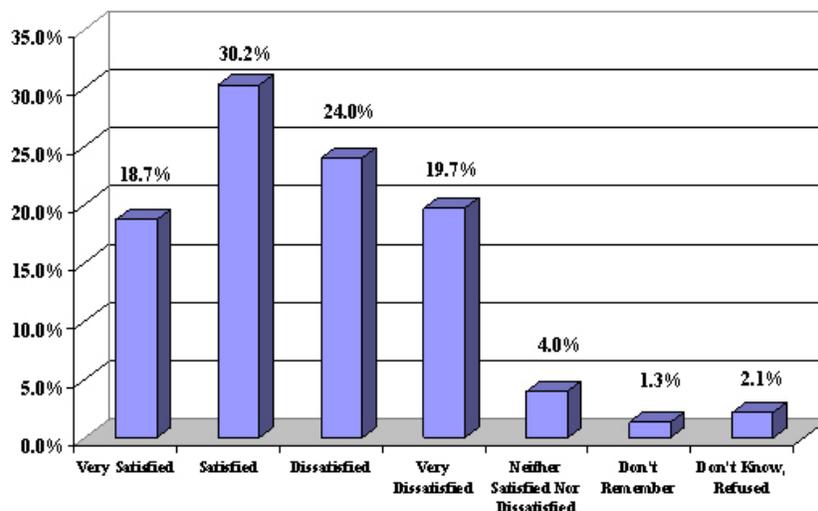


8. Respondents in the Mediation and Referral categories were read a brief description of the extent of the AGO's authority in handling consumer complaints to remind them of the specifics regarding its authorized role. The description paraphrases what appears on the AGO website for the consumer complaint program:

Many people believe the Attorney General's Office has the power to force businesses into satisfying a consumer's complaint. In actuality, the AGO does not have the authority to force a business to fix a consumer's problem. The AGO cannot act as an attorney for any individual. It cannot give advice. It cannot give opinions or interpretations of the law. In nearly all complaints it receives, the AGO is limited to writing a letter or telephoning a business and simply asking the business to satisfy their customer. The AGO cannot compel a business to cooperate.

With this information in mind, respondents were asked to assess the adequacy of the AGO's authority in their particular case. About half of the combined Mediation and Referral subgroups (48.9%) rated the AGO's range of actions and authority as satisfactory with nearly as many (43.7%) rating it as dissatisfactory.

**Question 9. How would you rate your satisfaction with the range of actions and authority the AGO is authorized to use to help you with your case?**

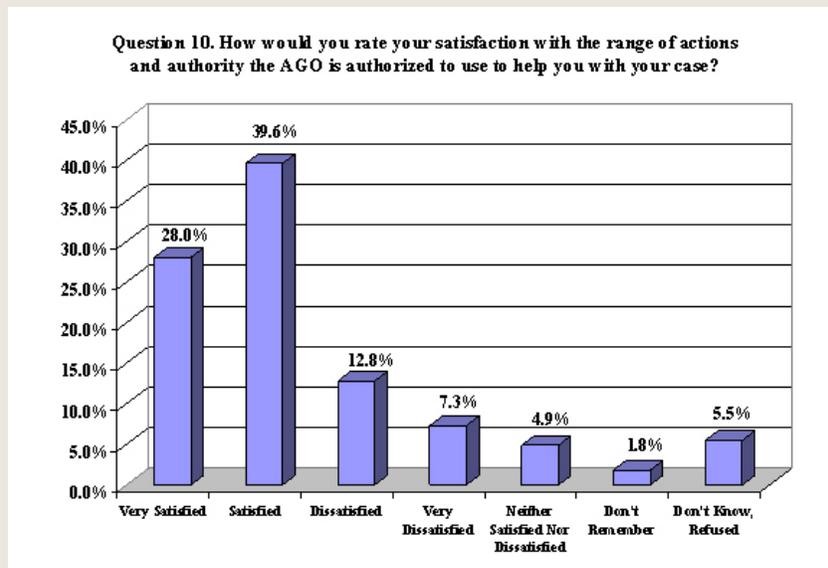


# WASHINGTON STATE ATTORNEY GENERAL - ROB MCKENNA

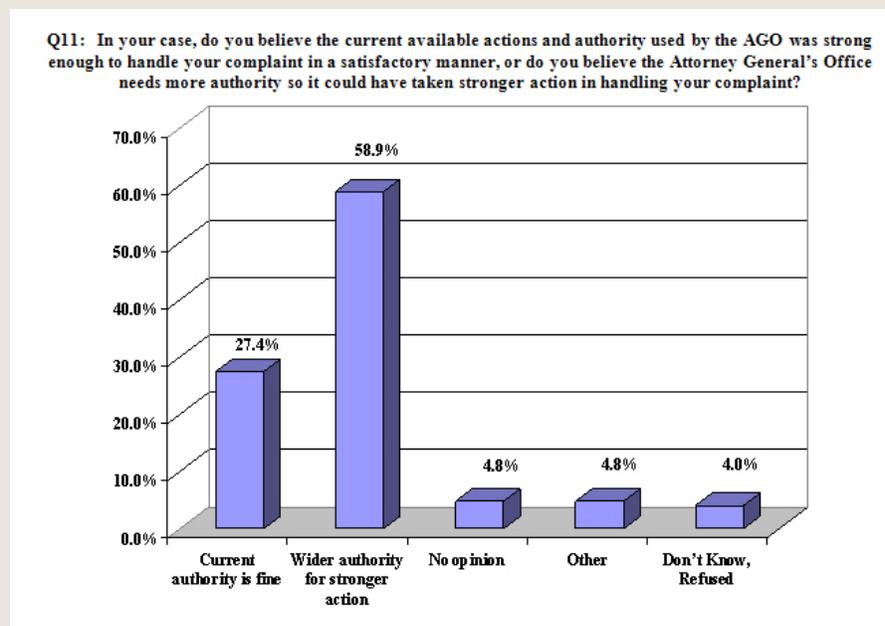
9. Lemon Law respondents were read a brief description of how Washington State's Lemon Law works, what the program covers and does not cover, the responsibilities of an independent arbitrator, and the extent of the AGO's authority in taking punitive action under the Lemon Law:

The Lemon Law does not cover all vehicles. The AGO is limited in what it can do to help a consumer with a vehicle that does not work or that needs repairs. The Lemon Law arbitration program covers only new vehicles for 30 months. The Lemon Law does not cover small motorcycles or the living space inside motor homes. The Lemon Law allows an arbitrator who is NOT a part of the AGO, to decide the outcome of a complaint. This process is called arbitration. This independent arbitrator decides if a consumer gets to have a replacement vehicle, if the business has to repurchase the vehicle or if the consumer's claim is dismissed. The AGO's role is only to make a business follow the decision the independent arbitrator makes in arbitration. The Attorney General has the authority to impose a fine of up to \$1,000 per day on the business that does not comply with an arbitration decision within the deadline. The maximum fine is \$100,000, all of which goes into an arbitration fund—not to the consumer. The AGO cannot act as an

With this information in mind, Lemon Law respondents were asked to assess the adequacy of the AGO's authority in their particular case. Over two out of three Lemon Law respondents (67.6%) rated the AGO's current range of actions and authority as satisfactory while 20.1% rated it as dissatisfactory.



10. By a margin of more than two to one (58.9% to 27.4%), respondents in the Mediation, Referral and Lemon Law groups favored wider authority being given to the AGO to act on their complaints.



## SANCTION ANALYSIS

To provide parameters for our action plan as a result of the survey, below is a brief overview of the Office's current constitutional authority. The state constitution requires the Attorney General to be the legal advisor for state officers and perform other duties that are prescribed by law. Wash. Const. Art. III, § 21. The Attorney General specifically is authorized to enforce the CPA by bringing a civil action. RCW 19.86.080. In investigating and bringing actions pursuant to the CPA the Attorney General must comply with the Civil Rules and all legal requirements that allow defendants and potential defendants to receive due process of law. Providing due process (formal written discovery, court imposed deadlines, trial, appeals) is mandatory when our Office seeks formal enforcement actions. Like all litigation, this method is very time consuming and costly. The formal enforcement process is not practical to utilize for the 20,000 consumer complaints we receive a year, many of which do not implicate violations of law. To cost effectively work with consumers and businesses, we provide no-cost, rapid mediation services within the CRC using volunteers and work study students.

Our formal investigative actions are summarized below, with the most cost-effective and least time consuming methods listed first.

- **Admonishment letter.** This device notifies the person or business that its conduct likely violates the CPA and warns of investigation or further action of the person or business continues with the conduct.
- **Enforcement conference.** Representatives of the Consumer Protection Division meet with a person or business, and their counsel if applicable, to explain concerns about the business practices. The person or business is cautioned against engaging in the conduct. This meeting is most often followed up with an admonishment or enforcement letter.
- **Assurance of Discontinuance.** This is a written agreement authorized by RCW 19.86.100 in which the person or business agrees not to engage in specified conduct that violates the CPA. It is signed by the business or person and an Assistant Attorney General and filed with the superior court. A violation of the assurance is evidence of violation of the CPA.
- **Consent Decree.** This is a judgment filed with the Superior Court in which the defendant person or business agrees to the imposition of injunctions and other relief. Typically, the defendant does not agree and the court does not find that the defendant engaged in conduct that violates the CPA. Violations of the injunctive provisions can result in a civil penalty of not more than \$25,000. (RCW 19.86.140).
- **Stipulated Judgment.** This is a judgment filed with the Superior Court in which the defendant person or business agrees to the imposition of injunctions and other relief. In this judgment, the defendant also stipulates and the court finds that the defendant engaged in conduct that violates the CPA. This judgment can be used as evidence in a private right of action brought pursuant to RCW 19.86.090. (RCW 19.86.130).
- **Judgment.** The superior court may enter a judgment when the Attorney General brings an action pursuant to RCW 19.86.080 and prevails on the allegations. The judgment can be issued after a trial or arguments before the court. Appeal rights follow.

## ACTION PLAN AS A RESULT OF THE SURVEY

### LEGISLATIVE CHANGES:

To provide any change in our legal authority to respond to the survey's data that consumers would like to see the Office's authority increased, there are two orthodox methods for accomplishing this. While these are not endorsed by the Attorney General, they are summarized below.

1. **Cease and Desist Authority.** In order to secure compliance with the CPA, currently the Attorney General must either convince the violator to comply with the act by an Admonishment Letter or hold an Enforcement Conference or proceed with an action in superior court. Unlike other state agency regulators of businesses or professions (such as the Department of Licensing or the Department of Financial Institutions), the Attorney General does not



have the authority to order regulated persons to cease and desist from unlawful conduct. However, due process requirements in our state require a method to appeal cease and desist orders and most often they are appealed through the Administrative Procedure Act.

**2. Rulemaking Authority.** Unlike the Federal Trade Commission, the Attorney General does not have rulemaking authority regarding consumer protection. If the Attorney General had such authority, it could promulgate rules that would put the marketplace on notice of specific conduct that is a violation of the Consumer Protection Act. Violation of the Attorney General's rules could be deemed a violation of the CPA.

Both of these legislative sanctions are costly, as they would require additional professional and legal staff to develop and implement. No proposed changes to current law or fiscal notes have been determined at this juncture.

## **AGO OPERATIONAL CHANGES:**

To increase customer satisfaction in the Referral service area we proposed the following operational changes. They correspond to the lowest area of consumer satisfaction.

**1. Consumer Protection Agencies Consortium to occur twice a year.** In response to the survey and to fulfill one of the general purposes of the SHB 3144, our Office proposes that all consumer protection state agencies meet biannually to develop better understandings of the kinds of consumer services each provide. This will increase the quality and depth of referrals among the state agencies who provide consumer protection services and who have consumer protection enforcement authority. Our Office would take the lead on convening this consortium of agencies and to develop methods for increase consumer satisfaction in referrals to other governmental entities.

**2. Statewide Coordination of Commercial Regulation and Civil Enforcement Meeting of AGO employees and clients.** Our Office proposes to develop, plan and hold biannual meetings first with assistant attorneys general who provide advice and representation to commercial regulators (e.g. Department of Financial Institutions, Department of Licensing, Department of Labor and Industries, and Office of the Insurance Commissioner) and who engage in civil enforcement (our own Consumer Protection Division and the Anti-Trust Division). Next we proposed expanding these meetings to include employees with our client agencies or other agencies, such as the Federal Trade Commission. These meetings would include a component of improving the quality and kind of consumer protection services that these government agencies could improve.

**3. Consumer Protection Division to increase use of Informal Enforcement Tools (Admonition letters and Enforcement Conferences) in areas of higher consumer complaints.** The Office may be able to achieve greater compliance with the Consumer Protection Act by focusing more of its resources on Admonition Letters and Enforcement Conferences. The Office can use these informal tools without falling under the requirements of the civil rules. However, while these tools are informal, they require that the Office devote resources toward investigating and gathering evidence in order to prepare the letter or meet with the alleged violator. Also, if the violator does not consent to stop the unfair or deceptive practice, then the Office must follow through with a stronger, more formal enforcement mechanism in order to maintain credibility.

**4. Consumer Protection Division to revise content of business correspondence and website contents.** We are altering our correspondence (and web content) with businesses who do not voluntarily participate in our mediation process to inform them of the benefits of working with our Office and possible consequences for non-cooperation. We anticipate this will increase the number of complaints our CRCs are able to resolve to the consumer's satisfaction. The survey demonstrated that the higher the resolution rate is for informal mediation, the higher the consumer's satisfaction.

## CONCLUSION

Our Office is always looking for ways to improve the services we provide to consumers who contact us. We make gains everyday by providing education to consumers and businesses. We take priority enforcement actions within existing resources where such action is needed. As a result of this survey, we have evaluated the information and will be altering our information to businesses on our mediation services. We also look forward to issuing more attorney or investigator contact with businesses who receive substantial consumer complaints against them. While our Consumer Protection Division already uses consumer complaints as one basis for determining what matters to investigate, we are developing more complaint-driven contacts with businesses. We will also increase collaborations between government agencies who provide consumer protection services and our own attorney staff who conduct commercial regulation. All of these suggested improvements are designed to improve the overall quality and efficiency of government services.





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***Washington State Attorney General's  
Office***

***Consumer Satisfaction Survey  
September, 2008***

***Prepared by  
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*Washington State Attorney General's Office*  
**CONSUMER SATISFACTION SURVEY**

September, 2008

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## ***Thank You***

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Kathleen Baker, Director of Consumer Services

Sean Beary, Data Manager

Cathie Caldwell, Program Manager, Manufactured Housing

Paul Corning, Program Manager, Lemon Law

## **Hebert Research**

Kenneth Klima, *Research Director*

Keith Everett, *Senior Research Analyst*

## *Background and Goal*

The Consumer Protection Division (CPD) is located within the Washington Office of The Attorney General. Under Washington's Constitution, the Attorney General is an elected member of the executive branch of government and is legal counsel to all state officials and agencies—executive, legislative and judicial. By law, the Attorney General can only represent these state officials and agencies. The Attorney General is prohibited by law from representing private citizens on personal legal matters.

The Consumer Protection Act (CPA) was initially passed by the Washington Legislature in 1961 and later amended in 1970, 1983, and 1987. The Act governs all transactions between consumers and businesses or individuals unless the transaction is specifically exempted by statute. The chief purpose of the CPA is to foster a fair and non-deceptive marketplace. The primary tool to accomplish this is the injunction, which controls future behavior, and a civil penalty which has the effect of promoting general deterrence.

The Attorney General may bring actions against businesses and individuals under the CPA but only in the name of the state of Washington, not on behalf of individual consumers. The CPA permits consumers to protect themselves by providing the legal basis for private suits against individuals and businesses that engage in unfair or deceptive business practices.

Private damage actions taken by citizens and their retained attorneys are the primary legal vehicles for vindicating individual or class rights and for obtaining damages. Consumers must retain an attorney or represent themselves to pursue such damage actions or wait for a class action suit to give them notice of relief and the opportunity to opt in or out. Private suits provide far broader relief for individual Washington State consumers than the AG is able to provide because of its restricted legal authorization over individual cases.

Consumers file 20,000 written complaints each year with the AG's Consumer Protection Division. The AG pursues legal action in about 40 of these cases under the CPA and may also conduct enforcement conferences or send letters of admonition in appropriate cases. The AG addresses the remaining consumer complaints in one of three ways: 1) by giving or receiving information, 2) by referring the consumer to a separate agency which possesses the legal authority over the issue, and 3) by providing informal dispute resolution between the consumer and business. In this process, the CPD uses volunteer and college work study staff under paid supervision to answer the phones and process complaints. The CPD is in a neutral role in these "mediations" and represents neither the buyer nor the seller. This is often a source of frustration to consumers who believe the CPD should represent them in the process.

The CPD's complaint program offers a number of benefits, some of which are less apparent. Consumers may receive specific information that can help them resolve their complaint in a satisfactory way. Consumers may gain the active support of an agency

that possesses the legal authority to take definitive action to resolve their complaint. Through informal mediation, consumers can receive no-cost assistance from the Attorney General's Office to express their unresolved complaint to a business and avoid small claims or a higher court. Informal mediation also provides businesses with an opportunity to retain their customer and create loyalty.

For the Consumer Protection Division, the primary, but less conspicuous benefits of the complaint process are to stay abreast of activity in the marketplace and to take notice of potential targets for investigation and follow-up action. The program also serves to create a database of consumer concerns which is useful for establishing priorities for subsequent outreach and enforcement, as well as for informing the needs of private litigants, other regulators and the public. Finally, the program affords the AGO opportunities to carry out business training (to foster voluntary compliance) and consumer education (to reduce the risk of consumer fraud).

The benefits resulting from a consumer filing a complaint include:

- 50% of complaints are resolved in a manner favorable to the consumer
- Consumers can receive no-cost informal dispute resolution
- Consumers do not need to retain a lawyer
- Consumer complaints become part of the record
- Complaints inform the AG's judgment about target selection, criminal referral and priorities for focusing limited enforcement and outreach resources by revealing patterns or practices of illegal conduct
- Complaints inform private litigants and class actions about businesses and practices
- Complaints provide opportunities for consumer education and business training
- Complaints provide regulators with insights on business practices
- Complaints provide policy makers with information on commercial activity
- Businesses can address the issues their practices raise and be more accountable to their consumers

### ***The "Lemon Law"***

Passed in 1988, Washington's Motor Vehicle Warranties Act, commonly referred to as the Lemon Law, is designed to help vehicle owners resolve substantial warranty repair problems with a new car, truck, large motorcycle or motor home. The main purpose of the law is to encourage manufacturers to build quality vehicles and to help consumers receive timely and effective warranty service. Vehicle owners who have not received a satisfactory response to ongoing repair issues may file a request for arbitration with the AG through the Lemon Law. A private Arbitration Board, which is independent of the AG, car dealers and manufacturers, provides arbitration services. The Arbitration Board holds a hearing to reach a binding decision whether the vehicle qualifies as a *lemon* and should be replaced or repurchased or whether the owner's claim should be dismissed. Upon acceptance of the Board's ruling, the AG's role is only to make sure a business follows the arbitration decision, primarily by imposing a fine of up to \$1,000 per day on a business for non-compliance. The AG also oversees the resale of *lemon* vehicles by manufacturers to consumers. The Lemon Law Administration cannot provide legal

advice or representation to consumers but can answer questions about the process and provide general information to facilitate access to arbitration.

The benefits of filing a complaint under the Lemon Law include the following:

- Consumers do not have to hire an attorney to represent them
- A law suit does not need to be filed to bring about a positive resolution
- Arbitration is carried out at no cost to the vehicle owner or business
- Arbitration fines are deposited in an account to help fund future arbitration cases
- All complaints submitted to the AG and covered by the law are brought to a final resolution

### **Research Goals:**

The Attorney General's Office is required by law to conduct a survey to determine the percentage of consumer complaints of possible consumer protection act violations (RCW 19.86) that were resolved to the consumer's satisfaction and to provide the data to the Legislature. The goal of this research is to obtain customer satisfaction data from consumers to assist the AGO in fulfilling its statutory reporting requirement. The research covers consumer satisfaction regarding complaints filed under the CPA and Washington's Lemon Law.

## *Methodology*

Hebert Research conducted a stratified random survey of individuals who have contacted the Attorney General’s Office about consumer issues. Citizen contacts are classified into four categories: those that may be handled through informal mediation (Mediation), those that require referral to other government bodies (Referral), those which involve only the exchange of information (Information), and those covered by the state’s Lemon Law (Lemon Law).

The Attorney General’s Office provided Hebert Research with a list of 17,146 individuals for this survey. Using a questionnaire developed in collaboration with the Client, Hebert Research then conducted structured interviews with individuals in each of the four categories as follows:

	<b>Population</b>	<b>Interviews</b>	<b>Margin of Error*</b>
<b>Informal Mediation</b>	14,133	372	5.0%
<b>Referral</b>	721	233	5.3%
<b>Information</b>	1,934	284	5.4%
<b>Lemon Law</b>	358	164	5.6%
<b>Total</b>	17,146	1,053	2.9%

\* 95% Confidence Level

Survey results were analyzed and the results of the analysis are set forth herein.

### ***Research Controls***

Hebert Research applied a variety of controls to help ensure that the research and analysis reached the highest quality that can be provided. The primary research controls that were employed in this study include the following:

#### ***Interviewer Training***

All interviewers participated in a special training session for this study. During this training session, the questionnaire was read and a discussion was held regarding the objectives of the study, screening questions, skip patterns, and techniques for handling potential problems. Interviewers raised questions and provided their professional feedback regarding potential interviewing issues. All issues were resolved.

#### ***Pre-test the Survey***

After the questionnaire was programmed in our CATI system, it was rigorously tested to assure skip patterns functioned properly and that data was accurately recorded. Thirteen surveys were conducted during the pretest. The programming was deemed to be valid.

#### ***Conduct Interviews***

Following a successful pretest of the questionnaire, telephone interviews were conducted using Ci3 CATI software from Sawtooth Software, a recognized leader in computer-aided interviewing. Potential respondents were called weekdays at various times

throughout the afternoon and evening until 9:00 pm. An appointment and callback procedure was used when necessary to minimize refusals and allow respondents to complete the survey at a convenient time. Interviews were conducted in English. Many Spanish-speaking households were contacted, but only three did not speak English. These three Spanish-speaking-only households were later called back to complete the interview in Spanish. One household refused the interview. The remaining households were called five times with no contact.

### ***Monitoring***

Telephone interviews were regularly monitored by the data collection supervisor and were found to be properly conducted.

### ***Internal Peer Review***

Hebert Research uses an internal review process called “CERA” (create, edit, review, approve) which is similar to academic peer review to ensure that each study meets or exceeds rigorous quality control standards. Through this process, several analysts review the statistical findings and offer critical feedback designed to increase the utility of the research and produce a clear and insightful report.

### ***Use of Findings***

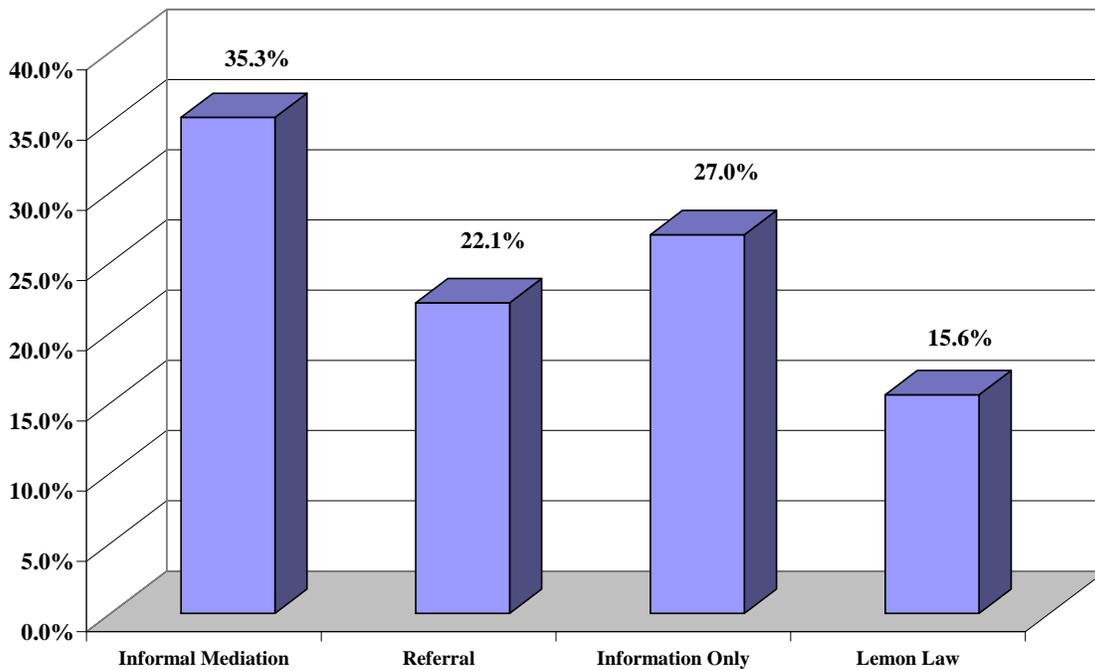
Hebert Research has made every effort to produce the highest quality research product within the agreed specifications, budget and schedule. The customer understands that Hebert Research uses those statistical techniques, which, in its opinion, are the most accurate possible. However, inherent in any statistical process is a possibility of error, which must be taken into account in evaluating the results. Statistical research can reveal information regarding community perceptions only as of the time of the sampling, within the parameters of the project, and within the margin of error inherent in the techniques used.

Evaluations and interpretations of statistical research findings and decisions based on them are solely the responsibility of the customer and not Hebert Research. The conclusions, summaries and interpretations provided by Hebert Research are based strictly on the analysis of the data gathered, and are not to be construed as recommendations; therefore, Hebert Research neither warrants their viability nor assumes responsibility for the success or failure of any customer actions subsequently taken.

## *Respondent Profile*

Citizen contacts in the consumer complaint program are classified into four categories: those that may be handled through informal mediation, those that require referral to other government bodies who have legal authority over the case, those for which the Attorney General’s Office provides or receives information, and those covered by the State’s Lemon Law. Of the 1,053 individuals interviewed for this survey, 35.3% classified as Informal Mediation, 22.1% as Referrals, 27% as Information Only, and the remainder, 15.6%, as Lemon Law complaints.

**Segmentation of Survey Respondents by Category**



Gender	Mediation	Referral	Information	Lemon Law	Total
Male	49.50%	49.40%	53.50%	62.20%	52.5%
Female	50.50%	50.60%	46.50%	37.80%	47.5%

## ***Initial Expectations Regarding AGO's Handling of the Complaint Mediation, Referral, Information, Lemon Law***

At the beginning of the survey, respondents were asked what they thought the Attorney General's Office would do as a result of receiving their information or what actions they wanted the Attorney General's Office to take on their behalf. Upon review of the responses, several general themes were identified. These themes recurred among respondents in all four complaint categories.

***“Solve My Problem”*** - Most respondents clearly wanted the Attorney General's Office to solve a specific problem of a commercial nature with another party. In most of these instances, people wanted the AGO to compel a company to repair a defective product, exchange merchandise, provide a refund, cancel or alter the terms of an agreement, etc., essentially, take effective action to resolve the case on their behalf.

***“Use Your Influence”*** - Some respondents did not expect the AGO to resolve their problem, but hoped that the involvement of the AGO would cause the party they complained against to be more responsive to their issue. These respondents regarded the AGO as a source of leverage that would actually produce a solution.

***“Point Me in the Right Direction”*** – Some respondents said they needed the AGO's help to understand their situation, the remedies that might be available, and who to contact for help.

***“Protect Me”*** - Some respondents wanted the AGO to protect them from unwanted or potentially threatening behavior. Most of the comments of this nature were in response to unwanted electronic communication such as faxes and emails. Some were in response to telephone calls from parties such as collection agencies.

***“Pay Attention to This Situation”*** - Some respondents wanted to place information on file to alert the AGO to a situation, in the hope that by doing so, other consumers would be protected from harm. In some of these cases, respondents had received what they regarded as unfair treatment or had been approached with what they thought might be a fraudulent offer or request, and thought the AGO should simply be aware of it or provide the information to other consumers. In others, respondents had filed reports in the hope that their information might produce new legislation, trigger an investigation, or be used in a class action law suit.

***“Punish Them”*** - Some respondents wanted the AGO to use its formal authority to penalize or shut down businesses perceived as engaging in unfair, predatory, or illegal business practices.

## Examples of Comments

What follows are examples of the comments received that illustrate the types of initial expectations voiced by respondents. All comments will be found in Appendix 1.

### **“Solve My Problem”**

- *Get my money back for me.*  
Group: **Referral**; Gender: **Male**; AGO Authority Desired: **Wider authority for stronger action**; City: **Puyallup, WA 98374**
- *I was hoping that they could help secure a refund on an item that I returned from an internet company.*  
Group: **Mediation**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**; City: **Aberdeen, WA 98520**
- *They didn't install the security system right and there were a lot of issues with getting hold of people in the company. I was trying to get them to install the system right or give me a refund.*  
Group: **Mediation**; Gender: **Male**; AGO Authority Desired: **Other**; City: **TACOMA, WA 98444**
- *I wanted them to contact a business to take care of my truck. It wasn't fixed and when I took it back, they kept telling me that it was fixed when it wasn't. I did get it fixed at a fraction of what they charged me. They were rude and I didn't want to deal with their attitude so I filed a complaint. The letter the AG's office sent me after I complained said that the business denied everything I said and they gave me some options to take, but I ended up not following through. I got it fixed somewhere else.*  
Group: **Mediation**; Gender: **Male**; AGO Authority Desired: **Wider authority for stronger action**; City: **Pasco, WA 99301**
- *I joined LA Weight Loss. It was lot of money and close to me. You have a counselor. I had gotten down in weight. I went out of town, and the office closed, and if you keep your weight off, for so long. you get some money back. I wrote letters and they offered me a small amount to shut me up, and that wasn't what they offered ordinarily. Then they sent a small check for \$88.00. I didn't cash it, and then they sent a check for \$425.25, as a final payment. I gained some of the weight back form all of the stress. I started out paying \$821.00. It had a guarantee. I followed the program, and they didn't follow their contract.*  
Group: **Mediation**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**; City: **Richland, WA 993529710**
- *I ordered something by phone and it never came. The company wouldn't give me my money back without us going all the way overt here to sign the papers so we could get our money back on the credit card. If I do business on the phone, I want to be able to get my money back without a lot of hassle.*  
Group: **Mediation**; Gender: **Male**; AGO Authority Desired: **Current authority is fine**; City: **ENUMCLAW, WA 980227402**

- I just wanted the car out of here. It was not safe to drive.*  
 Group: **Lemon Law**; Gender: **Male**; AGO Authority Desired: **Wider authority for stronger action**
- I wanted a car turned in and get a settlement from the business. The car we wanted has engine problems and we took it back to the dealership and they said nothing was wrong with it, but there was something wrong with it. We could have gone to our own mechanic to fix it, but we just turned the car in, because we didn't think it was worth it.*  
 Group: **Lemon Law**; Gender: **Male**; AGO Authority Desired: **Current authority is fine**
- It was a Lemon Law complaint. I was looking for resolution to mechanical problems I was having with my vehicle.*  
 Group: **Lemon Law**; Gender: **Male**; AGO Authority Desired: **Current authority is fine**
- It was for the paint job on my car, a Ford Focus, which we wanted a repainting. But the Lemon Law is more with the engines than with paint jobs I found out.*  
 Group: **Lemon Law**; Gender: **Male**; AGO Authority Desired: **Current authority is fine**
- Since then Chrysler Corp has fixed the steering problems. I kept going back and the dealership said there was a problem and then said there wasn't. I thought they should contact the Chrysler Corp. and let them know that there was a problem.*  
 Group: **Lemon Law**; Gender: **Male**; AGO Authority Desired: **Wider authority for stronger action**
- I wanted them to get on Chrysler/Daimler to resolve a mechanical problem I was having with my Jeep. I wanted the AG to contact them and help me resolve it.*  
 Group: **Lemon Law**; Gender: **Male**; AGO Authority Desired: **Current authority is fine**
- I wanted the AGO to help get the situation resolved. We purchased a vehicle and some odd events happened in which we could not afford a vehicle. The licensing was not free and clear and they put us into another vehicle that we couldn't afford.*  
 Group: **Mediation**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**; City: **HOQUIAM, WA 98550**
- I bought a sewing machine, with a rebate. I followed all directions, but never got my rebate. I was hoping to get the machine company to stand behind the rebate or buy the machine back. They said that you would get 100% back if you followed all directions or even get the store to stand up and buy it back. I sent a complaint to Florida and Washington.*  
 Group: **Referral**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**; City: **Richland, WA 99352**

### ***“Use Your Influence”***

- I couldn't get a hold of anyone with authority in the business I was dealing with.*  
 Group: **Information**; Gender: **Female**; City: **Spokane, WA 99205**

- I just wanted leverage to get the situation resolved. I don't remember the details now. It involved some type of rebate.*  
 Group: **Mediation**; Gender: **Male**; AGO Authority Desired: **Don't Know, Refused**; City: **Olympia, WA 98506**
- I thought they would send the guy a letter and have him send the title over to me. That's what they told me they would do.*  
 Group: **Information**; Gender: **Male**; City: **Maupin, OR 97037**
- I kind of used them as a strong arm against Countrywide. I was hoping that my letter to Countrywide would cause them to do fair business with me because I mentioned I would go to the Attorney General. I sent all my information to the Attorney General's Office.*  
 Group: **Information**; Gender: **Male**; City: **PORT ORCHARD, WA 98367**
- I know this fishing guy and we contracted for a fishing trip eight years ago and I paid \$440 dollars a year early. In the interim, he got a divorce and left the state. I found him after checking around and every year I contacted him he said he didn't have the money and would pay me back next year. I contacted Fish and Game in Washington and they told me to file with the Attorney General. As soon as I told the guy I was going ahead with these proceedings, he paid up. I wanted the AG's office to contact him and since he is licensed, to put a lien on his license.*  
 Group: **Information**; Gender: **Male**; City: **Tillamook, OR 97141**

**“Point me in the Right Direction”**

- A guideline on how to go about the fact that my car was a lemon and I could get some action from Chrysler. I had a new '04 Chrysler 300C and the engine would stop periodically many times on many occasions, like this one time when I was traveling to Olympia.*  
 Group: **Lemon Law**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**
- I was hoping the AG could help me, that they could put me in touch with the right agency. I don't feel I ever got to the right agency. I had to hire my own attorney to get the money in my IRA. I talked to three other agencies but never got any help from them.*  
 Group: **Referral**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**; City: **BELLEVUE, WA 98005**
- I wanted the AGO to help get me in the right direction. I wanted help and information.*  
 Group: **Information**; Gender: **Female**; City: **BELFAIR, WA 98528**

## **“Protect Me”**

- *I thought they would go after people who inappropriately do stuff! I know credit companies aren't supposed to call and harass people and repeatedly leave messages. It wasn't even me they were after. I was getting their wrong numbers on the phone! I learned from this that the AG's office was not going to help me and that I wasted all my time providing the information!*  
Group: **Information**; Gender: **Male**; City: **NEWCASTLE, WA 98059**
- *I, actually to this day, say that it was a predatory loan. I wanted the AG's office to step forward because he was doing this to a lot of people. The Department of Financial Institutions that I was referred to gave me a good response at first. Then the manager of the Department called and said that he was a good business man and not a predatory lender. Now, I'm in another loan and the person who made that predatory loan is threatening to sell my property on August 22. I've had developers and realtors all look at this and they say that they are predatory loans.*  
Group: **Referral**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**; City: **PORT ORCHARD, WA 98366**
- *They might be able to stop all the faxes. When a fax is sent, it should be required to include identification so you can block them if you wish. I thought the AGO would be able to stop them.*  
Group: **Information**; Gender: **Male**; City: **Yakima, WA 989083178**
- *To contact the company that was harassing me with phone calls.*  
Group: **Information**; Gender: **Female**; City: **Freeland, WA 98249**
- *I wasn't sure what he was able to do but I was hoping he would be capable of stopping collection calls from a collection agency on my cell phone. The collection agency was thinking I was another person. They wouldn't believe me and if I didn't answer they would leave me a message that I needed to call another agency. I would get multiple calls per day from them. So, I Googled the phone number so I came up with 10 -12 people complaining about this company making numerous false calls. It was a Seattle office that was calling us.*  
Group: **Information**; Gender: **Male**; City: **Missoula , MT 59804**
- *I wanted to find out what the securities were and where they came from.*  
Group: **Referral**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**; City: **Vancouver , WA 98686**
- *I was just reporting T Mobile for mis-billing me. I wanted the AGO's help to help protect my credit. T Mobile was messing with my credit.*  
Group: **Referral**; Gender: **Male**; AGO Authority Desired: **Wider authority for stronger action**; City: **Castle Rock, CO 80104**
- *I have excellent credit but there is one company that claims I owe them fifty dollars, and they keep changing the dates so it remains on my credit report!*  
Group: **Referral**; Gender: **Male**; AGO Authority Desired: **Wider authority for stronger action**; City: **Ocala, FL 34471**

### ***“Pay Attention to This Situation”***

- *Ideally, I wanted them to compile all the complaints into a class action lawsuit. Realistically, I was hoping they would contact T-Mobile on my behalf and let them know that the complaint was serious.*  
Group: **Mediation**; Gender: **Male**; AGO Authority Desired: **Wider authority for stronger action**; City: **Seattle, WA 98103**
- *I just wanted a complaint to be on file about this business.*  
Group: **Mediation**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**; City: **Lacey, WA 98503**
- *I was just filing the information for notification purposes.*  
Group: **Referral**; Gender: **Male**; AGO Authority Desired: **Wider authority for stronger action**; City: **Port Angeles, WA 98362**
- *I think I contacted the AGO mostly to let them know what had been going on. I thought there must be others who had been duped by this company and that the AGO would investigate it.*  
Group: **Referral**; Gender: **Female**; AGO Authority Desired: **Other**; City: **Mill Creek, WA 98082**
- *I thought maybe they would look into it more instead of just give me a form to fill out. I had a lot of CD's that I had taken out and I was going to have them cash them in as I got older in a non-popular bank and I talked to them several times and when my husband passed away, I told them to put it in my name. It was my husband's, originally, and we had a little bit of savings and it was under a thousand dollars and to me that was a lot of money. I heard nothing and they just cancelled and took half of what he was having and the computer did not register it anymore after that.*  
Group: **Information**; Gender: **Female**; City: **EDMONDS, WA 980263917**
- *All I wanted was somebody to read the complaint.*  
Group: **Information**; Gender: **Male**; City: **REDMOND, WA 98052**

### ***“Punish Them”***

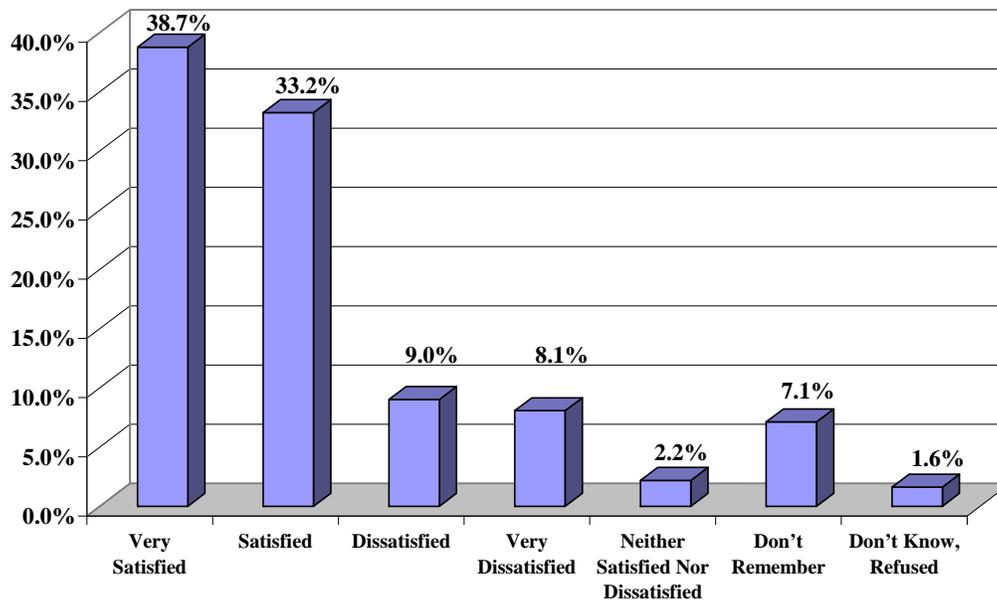
- *I thought they may pursue the guy and go after it. A guy stole over ten million dollar's involved with investors. He broke the law and he ran away and nobody could find him. The Attorney General's Office did not do a very great job in going after this man.*  
Group: **Information**; Gender: **Male**; City: **SNOHOMISH, WA 98296**
- *I figured they would contact the company and find out if the allegation was true, and if it was true, file a lawsuit against them.*  
Group: **Information**; Gender: **Male**; City: **Benton City, WA 99320**

- *That they would continue following up on prosecuting the perpetrators of the scam.*  
Group: **Information**; Gender: **Male**; City: **not given**
- *To close down this company. They stole people's money and they're still in business.*  
Group: **Mediation**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**; City: **LAKE STEVENS, WA 98258**

## *Satisfaction with Speed of Acknowledging the Complaint* *Mediation, Referral, Information Only, Lemon Law*

More than 7 out of 10 respondents (71.9%) expressed satisfaction with how quickly the AGO acknowledged receiving the complaint or information and naming the staff member who would be handling it. Satisfaction within each service category was also similarly high: Mediation, 73.0%; Referral, 70.4%; Information, 65.1%; and Lemon Law 81.7%. The highest dissatisfaction was noted in the Referral category with 21.4% of the respondents expressing dissatisfaction. Respondents in the Information category (those classified as giving or receiving information only) showed the lowest percent who were satisfied but, also, the highest percent who did not remember providing information to the AGO through the consumer complaint program.

**Question 3. How satisfied are you with how quickly the AGO sent its first letter or email acknowledging receipt of your complaint and telling you the name of the staff member who was going to handle it?**



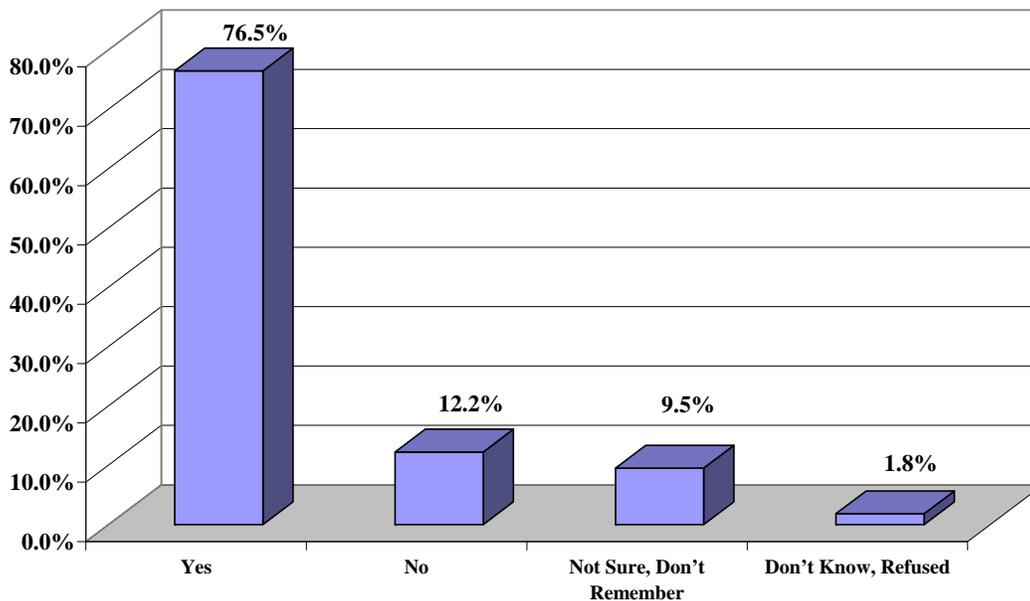
**Table 1: Satisfaction with Speed of Acknowledging the Complaint or Information by Service Category**

Response Categories	Mediation	Referral	Information	Lemon Law	Total
Very Satisfied	42.5%	31.3%	32.0%	52.4%	38.7%
Satisfied	31.5%	39.1%	33.1%	29.3%	33.2%
Dissatisfied	7.8%	12.0%	10.2%	5.5%	9.0%
Very Dissatisfied	7.8%	9.4%	8.1%	6.7%	8.1%
Neither	1.3%	3.4%	3.2%	0.6%	2.2%
Don't Remember	7.0%	4.3%	11.6%	3.7%	7.1%
Don't Know, Refused	2.2%	0.4%	1.8%	1.8%	1.6%

## *Clarity of the AGO's Description of Its Authority in Handling the Complaint Mediation, Referral, Lemon Law*

Overall, more than three out of four respondents (76.5%) who received Mediation, Referral or Lemon Law services considered the letter or email sent by the AGO to communicate a clear understanding of the limits of its authority and actions over their complaint. A similar result is seen in each service category (see Table 2) where a very high percent of respondents believed they understood the limits on the AGO's authority and actions based on the letter or email they received (Mediation, 76.3%; Referral, 73.0%; Lemon Law, 81.7%). Based on comments in open-ended questions, many consumers appeared to hold high expectations that the AGO would bring a positive resolution to their case in their favor.

**Question 4. Was the letter or email, which the AGO sent to you, clearly written so you understood the limits of the authority and actions the AGO could actually take to assist you with your complaint?**



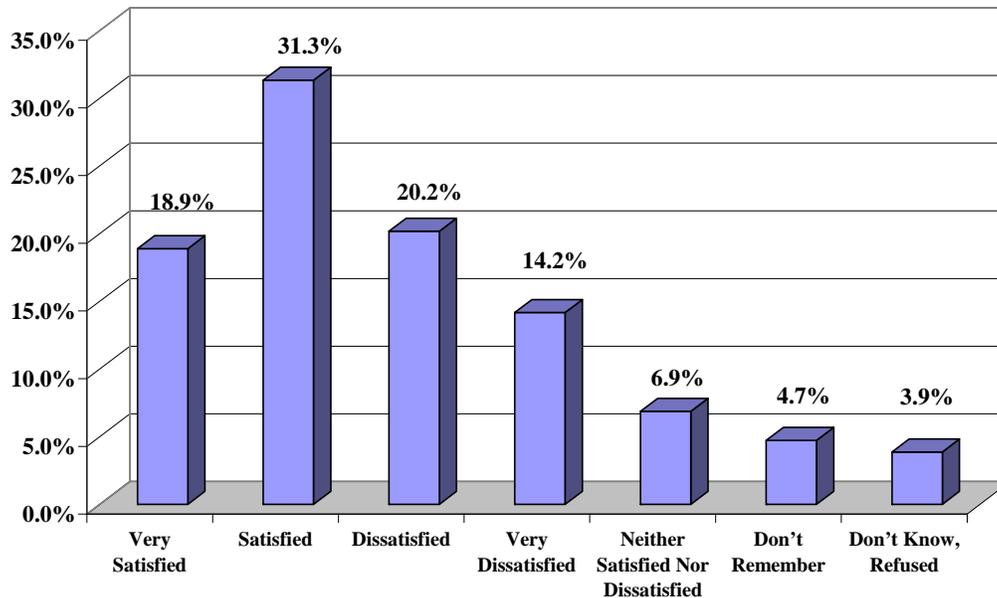
**Table 2: Clarity of the AGO's Communication Regarding the Limit of Its Authority**

Response Categories	Mediation	Referral	Lemon Law	Total
Yes	76.3%	73.0%	81.7%	76.5%
No	11.8%	15.0%	9.1%	12.2%
Not Sure, Don't Remember	10.5%	8.6%	8.5%	9.5%
Don't Know, Refused	1.3%	3.4%	0.6%	1.8%

## Satisfaction with AGO's Actions Leading to Referral Referral

Half of the respondents (50.2%) who were referred to a different state agency which had the legal authority over their complaint expressed satisfaction with the AGO's actions leading up to their referral and 34.4% expressed dissatisfaction. Survey data suggest that dissatisfaction with referrals is influenced not only by the Attorney General's absence of authority to handle these complaints, but by a breakdown in following through by the agency consumers had been referred to. A poor subsequent response by a referred-to agency may reflect back negatively on the AGO as the responsible party making the referral.

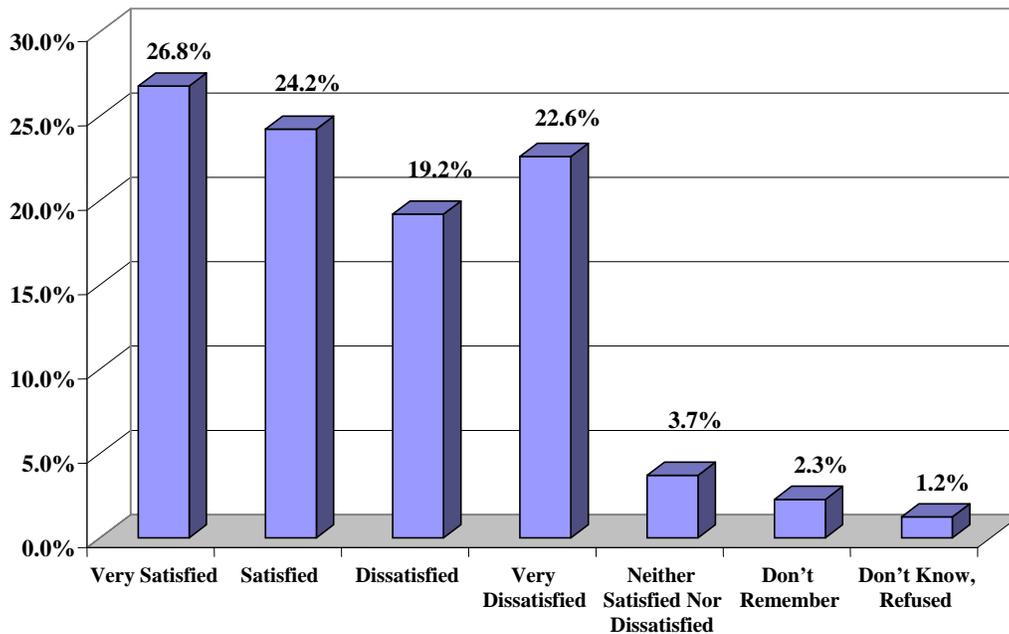
**Question 5. At the time the AGO referred you to a different state agency which had the legal authority over your complaint, how satisfied were you that the AGO had done all it could do within its authority?**



## ***Overall Satisfaction with the Resolution of the Complaint*** ***Mediation, Referral, Information Only, Lemon Law***

A little over half of all respondents (51.0%) expressed satisfaction with the overall resolution of their complaint. Respondents in the Referral service category were least satisfied with the overall resolution of their case with far more respondents being dissatisfied (56.3%) compared to satisfied (36.5%) (see Table 3). All other groups showed higher satisfaction than dissatisfaction with the highest satisfaction appearing in ratings for the Information service category (58.5%) followed by the Lemon Law group (57.3%). Over half of the respondents in the Mediation group (51.6%) expressed satisfaction while 43.0% expressed dissatisfaction.

**Question 6. How satisfied are you with the overall resolution of your complaint?\***



\*Information Only respondents were asked a satisfaction question with different wording: “How satisfied are you with your overall experience of providing information to the AGO?”

**Table 3: Satisfaction with the Resolution of the Complaint or the Experience of Providing Information**

Response Categories	Mediation	Referral	Information	Lemon Law	Total
Very Satisfied	32.0%	14.6%	24.3%	36.6%	26.8%
Satisfied	19.6%	21.9%	34.2%	20.7%	24.2%
Dissatisfied	17.5%	20.2%	20.4%	19.5%	19.2%
Very Dissatisfied	25.5%	36.1%	12.0%	15.2%	22.6%
Neither	3.2%	3.9%	2.8%	6.1%	3.7%
Don't Remember	1.3%	1.3%	5.3%	0.6%	2.3%
Don't Know, Refused	0.8%	2.1%	1.1%	1.2%	1.2%

### Satisfaction with Mediated Cases

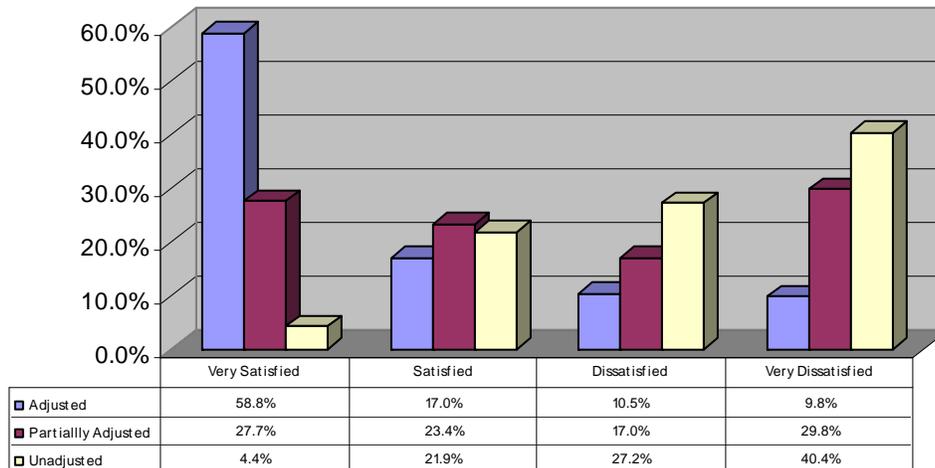
Table 4 shows consumer satisfaction with the resolution of Mediated cases. Resolutions include Adjusted, Partially Adjusted, Unadjusted and Other. The Other category contains individuals who filed multiple cases with different outcomes, gave or received information only, were referred to another agency, or whose case involved an investigation, inquiry or other disposition. Respondents whose case was Adjusted expressed significantly higher satisfaction than respondents whose case was Partially Adjusted ( $\chi^2 = 18.57, p < .001$ ) or Unadjusted ( $\chi^2 = 93.57, p < .001$ ). Respondents whose case was Partially Adjusted expressed significantly higher satisfaction than respondents whose case was Unadjusted ( $\chi^2 = 18.88, p < .001$ ). Clearly, reaching a full or partial adjustment leads to significantly higher consumer satisfaction compared to cases that are unadjusted.

**Table 4: Satisfaction Level of Mediated Cases by Resolution**

Response Category	Resolution from Informal Mediation			Other n = 58
	Adjusted	Partially Adjusted	Unadjusted	
	n = 153	n = 47	n = 114	
Very Satisfied	58.8%	27.7%	4.4%	19.0%
Satisfied	17.0%	23.4%	21.9%	19.0%
Dissatisfied	10.5%	17.0%	27.2%	17.2%
Very Dissatisfied	9.8%	29.8%	40.4%	34.5%
Neither Satisfied or Dissatisfied	2.0%	2.1%	4.4%	5.2%
Don't Remember	0.7%	0.0%	0.9%	5.2%
Don't Know/Refused	1.3%	0.0%	0.9%	0.0%

The advantage of reaching an adjustment is evident in the chart below. Consumers whose case was Adjusted (blue) show very high satisfaction falling off to low dissatisfaction. This is the opposite pattern seen for Unadjusted cases (yellow) where low satisfaction rises to high dissatisfaction. Increasing the AGO's ability to use Mediation to adjust future cases that are now unadjusted offers a substantial opportunity to significantly raise consumer satisfaction.

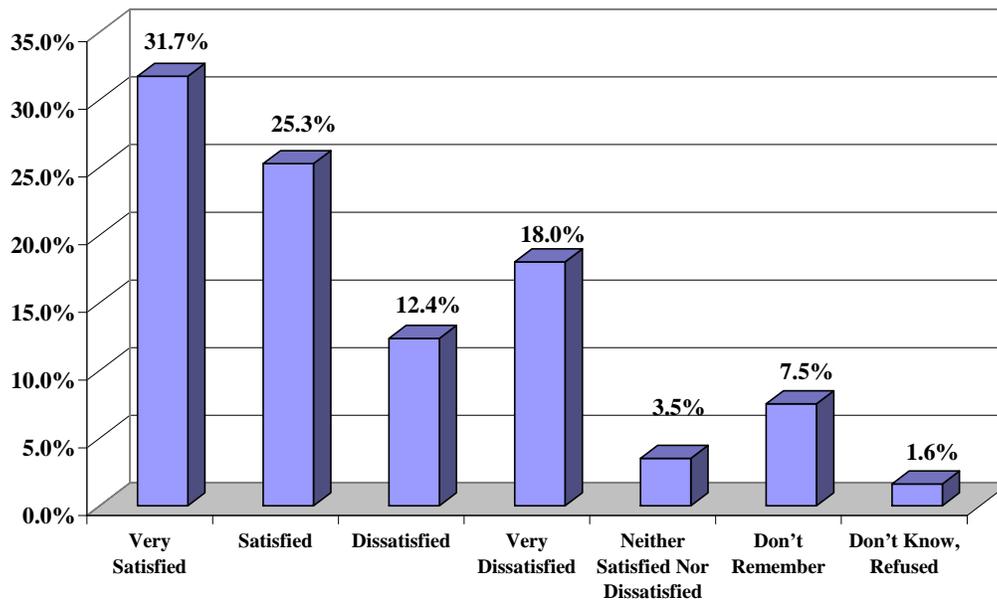
**Satisfaction Level by Mediation Final Resolution**



## *Satisfaction with AGO's Summary of Its Actions and Outcome Mediation*

Nearly six out of ten respondents in the Mediation service category (57.0%) expressed satisfaction with the clarity of the AGO's final email explaining the actions taken by the AGO and the final outcome. About three out of ten respondents (30.4%) expressed dissatisfaction.

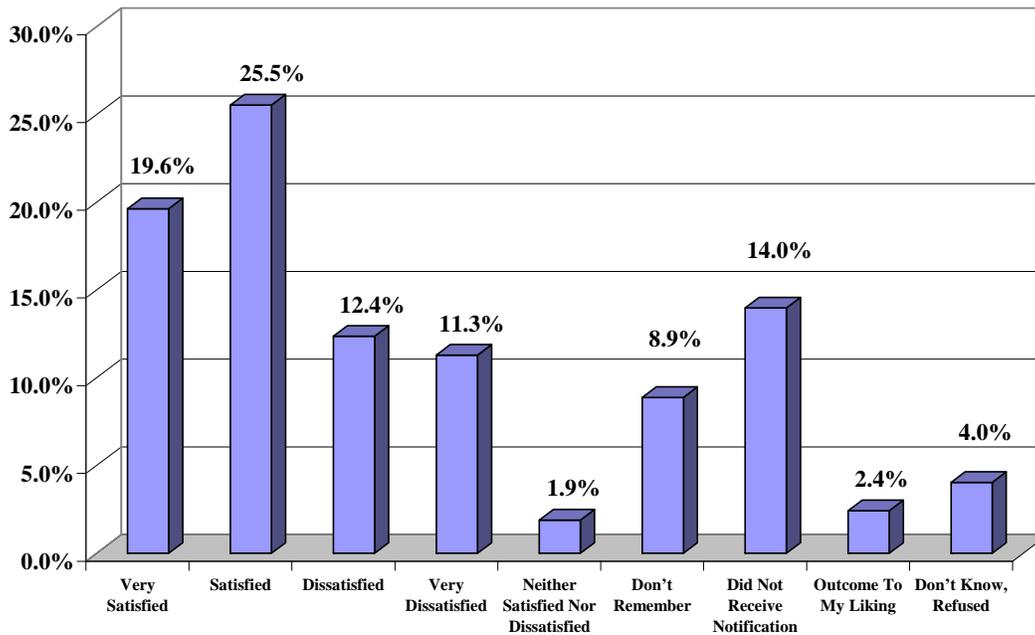
**Question 7. How satisfied are you with how clearly the AGO explained the actions it took and the final outcome of your complaint in its final letter or email to you?**



## *Satisfaction with AGO's Explanation of Further Actions the Consumer May Take Alone* *Mediation*

Less than half of Mediation respondents (45.1%) expressed satisfaction with the AGO's explanation of other actions respondents could take on their own to obtain a more favorable resolution. Only 23.7 percent expressed dissatisfaction with the AGO's explanation. However, 14% could not render a satisfaction rating since they did not receive any explanation regarding additional actions they may take and 2.4% did not need such information. Eliminating these two categories allows for the calculation of satisfied/dissatisfied percents based on those who actually received the communication. With this adjustment, 54.0% of Mediation respondents who received the explanation expressed satisfaction and 28.3% expressed dissatisfaction.

**Question 8. How satisfied are you with the explanation the AGO gave regarding other actions you may take on your own to obtain a resolution?**



## *Satisfaction with the AGO's Range of Authority Mediation, Referral*

Respondents in the Mediation and Referral categories were read a brief description of the extent of the AGO's authority in handling consumer complaints to remind them of the specifics regarding its authorized role. The description paraphrases what appears on the AGO website for the consumer complaint program:

Many people believe the Attorney General's Office has the power to force businesses into satisfying a consumer's complaint. In actuality, the AGO does not have the authority to force a business to fix a consumer's problem. The AGO cannot act as an attorney for any individual. It cannot give advice. It cannot give opinions or interpretations of the law. In nearly all complaints it receives, the AGO is limited to writing a letter or telephoning a business and simply asking the business to satisfy their customer. The AGO cannot compel a business to cooperate.

With this information in mind, respondents were asked to assess the adequacy of the AGO's authority in their particular case. About half of the combined Mediation and Referral subgroups (48.9%) rated the AGO's range of actions and authority as satisfactory with nearly as many (43.7%) rating it as dissatisfactory.

### **Question 9. How would you rate your satisfaction with the range of actions and authority the AGO is authorized to use to help you with your case?**

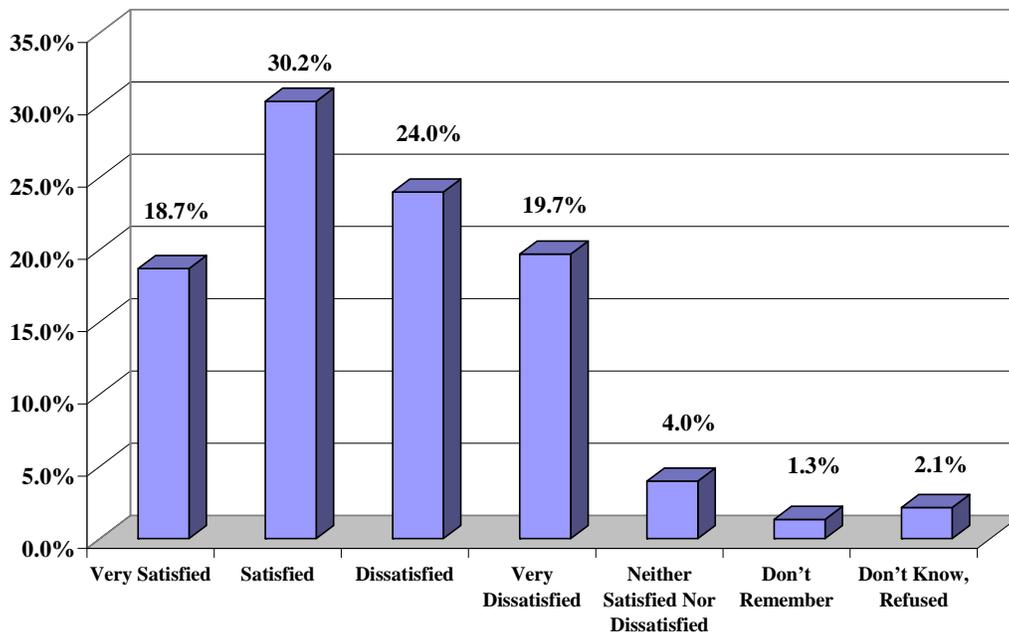


Table 5 presents a breakdown of satisfaction by service category. Referral respondents were clearly less satisfied than Mediation respondents with the range of actions and authority the AGO is authorized to use. While 53.2% of Mediation respondents were satisfied, only 42.0% of Referral respondents expressed satisfaction and 48.1% expressed dissatisfaction. This is one of only two questions in the study where dissatisfied respondents (in the Referral category) outnumbered satisfied respondents.

**Table 5: Satisfaction with the AGO’s Range of Authority**

<b>Response Categories</b>	<b>Mediation</b>	<b>Referral</b>	<b>Total</b>
Very Satisfied	22.8%	12.0%	18.7%
Satisfied	30.4%	30.0%	30.2%
Dissatisfied	21.8%	27.5%	24.0%
Very Dissatisfied	19.1%	20.6%	19.7%
Neither	3.0%	5.6%	4.0%
Don’t Remember	1.1%	1.7%	1.3%
Don’t Know, Refused	1.9%	2.6%	2.1%

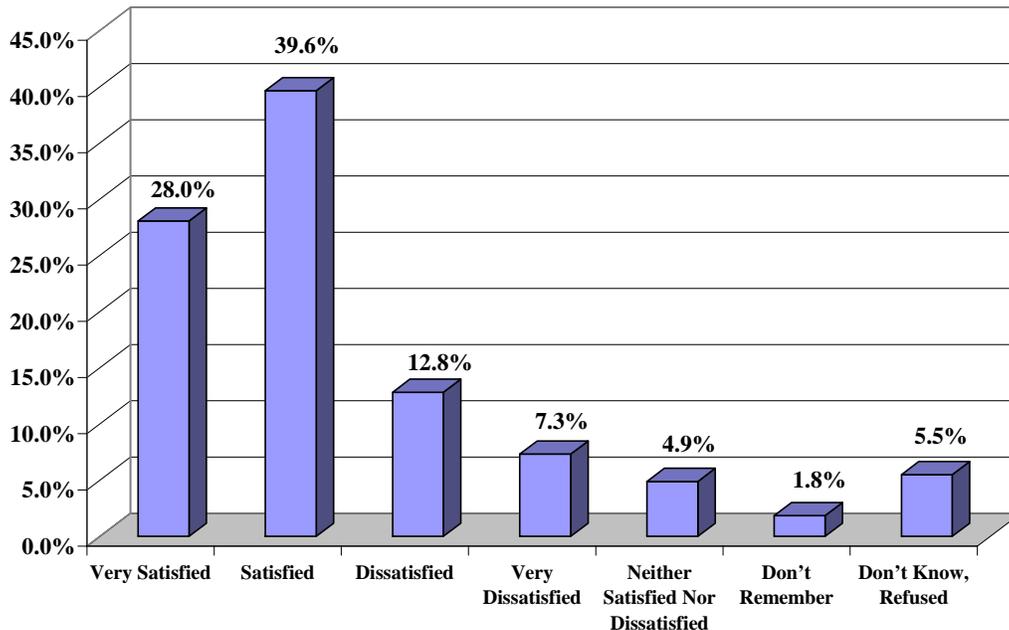
## *Satisfaction with the AGO's Range of Authority: Lemon Law*

Lemon Law respondents were read a brief description of how Washington State's Lemon Law works, what the program covers and does not cover, the responsibilities of an independent arbitrator, and the extent of the AGO's authority in taking punitive action under the Lemon Law:

The Lemon Law does not cover all vehicles. The AGO is limited in what it can do to help a consumer with a vehicle that does not work or that needs repairs. The Lemon Law arbitration program covers only new vehicles for 30 months. The Lemon Law does not cover small motorcycles or the living space inside motor homes. The Lemon Law allows an arbitrator who is NOT a part of the AGO, to decide the outcome of a complaint. This process is called arbitration. This independent arbitrator decides if a consumer gets to have a replacement vehicle, if the business has to repurchase the vehicle or if the consumer's claim is dismissed. The AGO's role is only to make a business follow the decision the independent arbitrator makes in arbitration. The Attorney General has the authority to impose a fine of up to \$1,000 per day on the business that does not comply with an arbitration decision within the deadline. The maximum fine is \$100,000, all of which goes into an arbitration fund—not to the consumer. The AGO cannot act as an attorney for any individual. The AGO cannot give advice or opinions or interpret the law for consumers.

With this information in mind, Lemon Law respondents were asked to assess the adequacy of the AGO's authority in their particular case. Over two out of three Lemon Law respondents (67.6%) rated the AGO's current range of actions and authority as satisfactory while 20.1% rated it as dissatisfactory.

### **Question 10. How would you rate your satisfaction with the range of actions and authority the AGO is authorized to use to help you with your case?**



## ***Need for Wider Authority in AGO to Take Stronger Action Mediation, Referral, Lemon Law***

By a margin of more than two to one (58.9% to 27.4%), respondents in the Mediation, Referral and Lemon Law groups favored wider authority being given to the AGO to act on their complaints.

**Q11: In your case, do you believe the current available actions and authority used by the AGO was strong enough to handle your complaint in a satisfactory manner, or do you believe the Attorney General's Office needs more authority so it could have taken stronger action in handling your complaint?**

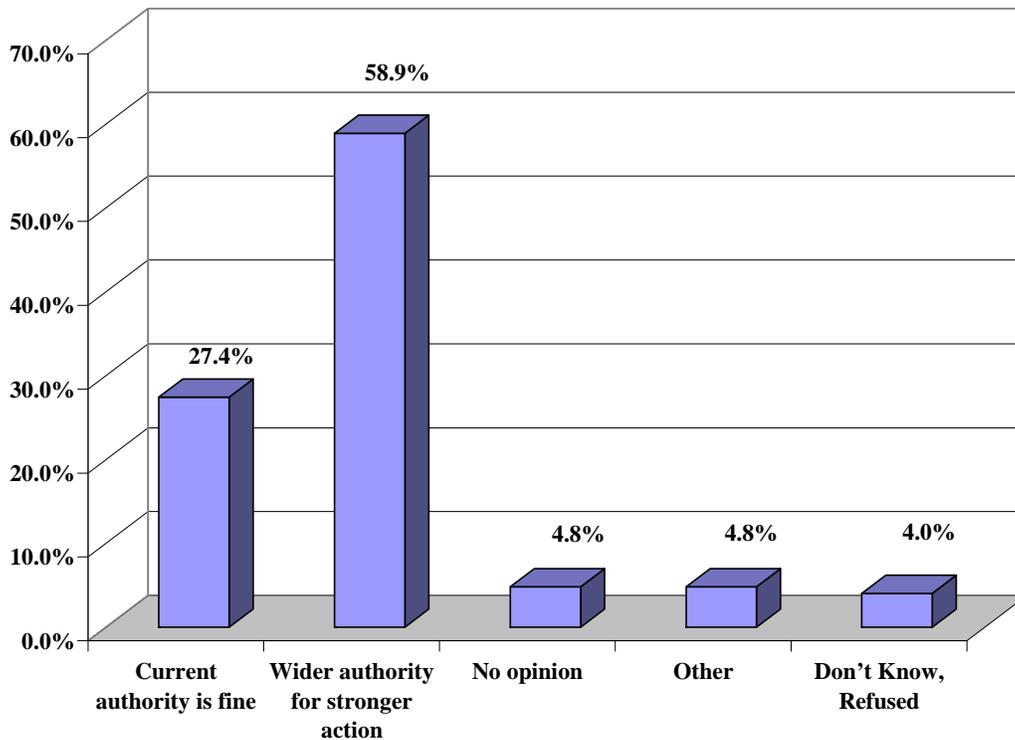


Table 6 presents a breakdown of responses by service category. Referral respondents expressed the highest support among the three service categories for giving wider authority to the AGO (68.7% in favor) although Mediation respondents were also similarly strong in their support (61.3% in favor). Lemon Law respondents were evenly split with about 40% believing the current authority is sufficient for their case and another 39.6% believing wider authority is needed.

**Table 6: Need for Stronger Authority in the AGO to Handle Complaints**

Response Categories	Mediation	Referral	Lemon Law	Total
Current authority is fine	25.5%	21.0%	40.9%	27.4%
Wider authority needed	61.3%	68.7%	39.6%	58.9%
No Opinion	4.3%	3.0%	8.5%	4.8%
Other	5.9%	2.6%	5.5%	4.8%
Don't Know, Refused	3.0%	4.7%	5.5%	4.0%

### “Other” Responses

- I wonder what is the point of having an attorney general if they don't handle complaints? Then, what is the purpose of their office?*  
 Group: **Referral**; Gender: **Female**; City: **Mill Creek, WA 98082**
- Send them home, stop wasting our tax dollars.*  
 Group: **Referral**; Gender: **Male**; City: **Battle Ground, WA 98604**
- In this case, the AGO had enough power to satisfactorily handle the case, but I do feel they need more authority, so, if stronger action needs to be taken, it can be.*  
 Group: **Referral**; Gender: **Male**; City: **MAPLE VALLEY, WA 98038**
- I don't agree with what they are saying and I think he has an office in which he can speak. My complaint is about something all consumers are dealing with.*  
 Group: **Referral**; Gender: **Male**; City: **Seattle, WA 98133**
- I'm not sure which complaint you're talking about. Verizon Wireless was the most recent one I think.*  
 Group: **Referral**; Gender: **Female**; City: **WENATCHEE, WA 98801**
- We resolved our own complaint by our means and they really don't need any more power.*  
 Group: **Referral**; Gender: **Male**; City: **Lacey, WA 98503**
- It doesn't apply because I just made one phone call and I didn't receive any email or letter. I just told them what happened so they'd be aware of it.*  
 Group: **Mediation**; Gender: **Female**; City: **Brush Prairie, WA 98606**
- I'm not even aware that they did anything for my case. I never heard back, except for the first letter to say they got my complaint. I got no help.*  
 Group: **Mediation**; Gender: **Male**; City: **Seattle, WA 98178**

- *I'm happy with what I got.*  
Group: **Mediation**; Gender: **Female**; City: **WOODINVILLE, WA 98072**
- *They need education, intelligence, and not 22 year old kids who don't know what they are talking about.*  
Group: **Mediation**; Gender: **Female**; City: **Olympia, WA 98507**
- *In my case, it was fine, but if I hadn't got my money back, I would have said it wasn't adequate.*  
Group: **Mediation**; Gender: **Female**; City: **MOSES LAKE, WA 98837**
- *They could use wider authority, but the Better Business Bureau helped me with this.*  
Group: **Mediation**; Gender: **Female**; City: **LACEY, WA 98513**
- *I think consumers need more power. If there's a problem in the laws, the laws aren't powerful enough for the consumers to have protection.*  
Group: **Mediation**; Gender: **Female**; City: **ELMA, WA 98541**
- *I never got any notification from the AGO with any direction, just Chrysler telling you that you had to pay for the car bags. AGO didn't give us any help.*  
Group: **Mediation**; Gender: **Male**; City: **Des Moines, WA 98198**
- *It was not a matter of the level of power. I was told they were too busy for a consumer fraud case, and I was told that the business would have to commit this fraud at least 8 times.*  
Group: **Mediation**; Gender: **Female**; City: **COLVILLE, WA 99114**
- *For me it was fine but, in general, the Attorney General's Office should have a bit more authority.*  
Group: **Mediation**; Gender: **Female**; City: **Arlington, WA 98223**
- *He called and told me what he was going to do and, finally, they cleaned up the tree.*  
Group: **Mediation**; Gender: **Male**; City: **Lynnwood , WA 98037**
- *I believe they need wider authority. I got one letter saying that they don't have the money to help with my kind of case.*  
Group: **Mediation**; Gender: **Female**; City: **SEATAC, WA 98198**
- *They waited so long, I went to another agency.*  
Group: **Mediation**; Gender: **Female**; City: **Seabeck, WA 98380**
- *I thought that the person that was assigned to my case didn't care and didn't listen to our side of the case, and, as a result, we lost cash buyers for our RV.*  
Group: **Mediation**; Gender: **Female**; City: **Port Angeles, WA 98362**

- *I don't know because they didn't do anything for me to base an answer on either way.*  
Group: **Mediation**; Gender: **Female**; City: **Richland, WA 99352**
- *This inquiry is the first response I have received about the letter I sent over a year ago.*  
Group: **Mediation**; Gender: **Female**; City: **Bellevue, WA 98008**
- *In some cases, more authority would be good, but it could get out of hand.*  
Group: **Mediation**; Gender: **Female**; City: **Elma, WA 98541**
- *I was dissatisfied and they didn't use all the powers they should have.*  
Group: **Mediation**; Gender: **Male**; City: **LYNNWOOD, WA 98037**
- *In my case they don't need more authority, they need more power and action to communicate that this company is doing consumer fraud in my area.*  
Group: **Mediation**; Gender: **Male**; City: **ARLINGTON, WA 98223**
- *The AGO didn't do anything. This is the first time I've heard from you since I made my complaint.*  
Group: **Mediation**; Gender: **Male**; City: **TACOMA, WA 98444**
- *If they have the authority, then they should have the authority.*  
Group: **Mediation**; Gender: **Male**; City: **SPOKANE, WA 99209**
- *If they had more authority they could have done more for me, and, then, they could be lawyers again.*  
Group: **Mediation**; Gender: **Male**; City: **AUBURN, WA 98092**
- *A representative from GM contacted me. I don't know what was going on with them and the AG's office. GM contacted me and offered to replace it.*  
Group: **Lemon Law**; Gender: **Male**
- *Prosecute and enforce the laws they have now.*  
Group: **Lemon Law**; Gender: **Male**
- *My situation didn't get to a complaint point so it really was only that I asked for information.*  
Group: **Lemon Law**; Gender: **Male**
- *I never filed a complaint. I resolved the issue with the manufacturer. I asked the AG for information.*  
Group: **Lemon Law**; Gender: **Male**
- *I never even got a response back.*  
Group: **Lemon Law**; Gender: **Female**
- *I would say wider authority from my case because the time period had lapsed.*  
Group: **Lemon Law**; Gender: **Male**

- *Either way concerning the authority levels of the AG, we had no contact with anyone in that office, so we went ahead on our own and got rid of the car.*  
Group: **Lemon Law**; Gender: **Male**
- *We went through such a headache with the dealership and nobody else was a problem to us, that we just went ahead and bought our own car to replace the troublesome other car.*  
Group: **Lemon Law**; Gender: **Male**
- *If I had been able to have involved them initially, it would have occurred a lot faster to have the Honda dealership come around. I got a runaround for some time—months, actually.*  
Group: **Lemon Law**; Gender: **Female**

## *Opportunities for Increasing Satisfaction*

### **Where are the opportunities for increasing consumer satisfaction?**

The results of this survey provide a benchmark for assessing changes in satisfaction over time. By repeating the same research design in future years, future ratings can be compared to the baselines in this study to assess progress toward higher consumer satisfaction with the consumer complaint program. In terms of interpreting the present data, however, it must be kept in mind that this particular study is unique in comparison to “standard” satisfaction studies.

In a standard satisfaction survey, consumers rate how well their needs and expectations are met by an organization fully capable of meeting them. A satisfaction rating is the consumer’s evaluation of how well the organization executed its capabilities. In the present study, many consumers file a complaint in the belief that the AGO is fully capable of achieving the outcomes they want. The AGO attempts to inform consumers regarding its limited power to provide help. However, many consumers still appear to maintain a belief that more could have and should have been done. Because of the limited powers the AGO possesses to help consumers, a lower satisfaction rating is more an evaluation of the narrow restrictions the AGO must operate under rather than an evaluation of what the AGO could do but did not. Even though respondents gave high ratings to the AGO for clearly stating its limitations, there still appears to be a lingering expectation among consumers that more should have been done.

While individual satisfaction ratings must be cautiously interpreted regarding the evaluative insights they provide, it remains possible to identify areas where satisfaction may be increased.

Areas of opportunity for increasing satisfaction can be determined by comparing the simple ratio of satisfied respondents to dissatisfied respondents for each question. No hard rules exist regarding how high a ratio should be to be good enough to leave alone, or where the low point begins for taking remedial action, but a proportion of satisfied respondents to dissatisfied respondents of 1:1 may be regarded as a useful beginning. A ratio of 1:1 indicates a 50:50 split—for each respondent who reports being satisfied, another respondent reports being dissatisfied. A ratio below 1:1 (e.g., .5:1) indicates less than one satisfied respondent for each dissatisfied respondent. Ratios below 1:1 suggest areas of opportunity for raising satisfaction. A ratio higher than 1:1 (e.g., 3:1) means a higher number of respondents are satisfied for each respondent who is dissatisfied, the higher the ratio, the higher the satisfaction.

Seventeen satisfaction ratios were calculated for this survey and placed in rank order from low to high (see Table 7 below). A low ratio, again, means greater dissatisfaction and, hence, an area of opportunity. The table ranks ratios in four levels. Rank one represents areas with relatively low satisfaction and rank 4, areas with relatively high satisfaction.

**Table 7: Rank of Opportunities for Increasing Satisfaction**

Rank	Program Area	Ratio: No. Satisfied : No. Dissatisfied	Question Content
1	Referral	.65:1	Overall satisfaction with final resolution of complaint
1	Referral	.87:1	Satisfaction with AGO's range of authority for handling the complaint
2	Mediation	1.2:1	Overall satisfaction with final resolution of complaint
2	Mediation	1.3:1	Satisfaction with AGO's range of authority for handling the complaint
2	Referral	1.5:1	Satisfaction with AGO actions leading to referral
2	Lemon Law	1.7:1	Overall satisfaction with final resolution of complaint
2	Information	1.8:1	Overall satisfaction with the whole experience of providing information
2	Mediation	1.9:1	Satisfaction with AGO's summary letter of its actions and outcome
2	Mediation	1.9:1	Satisfaction with AGO explanation of further actions consumer can take alone
3	Referral	3.3:1	Satisfaction with speed of acknowledging the complaint
3	Lemon Law	3.4:1	Satisfaction with AGO's range of authority for handling the complaint
3	Information	3.6:1	Satisfaction with speed of acknowledging receipt of the information
3	Mediation	4.7:1	Satisfaction with speed of acknowledging the complaint
3	Referral	4.9:1	Description clarity of AGO's limit of authority over complaint
4	Mediation	6.5:1	Description clarity of AGO's limit of authority over complaint
4	Lemon Law	6.7:1	Satisfaction with speed of acknowledging the complaint
4	Lemon Law	9.0:1	Description clarity of AGO's limit of authority over complaint

## Opportunities for Raising Consumer Satisfaction

### Rank 1 – Greatest Opportunity for Raising Satisfaction

Consumers who were referred to a different state agency which had the legal authority over the consumer's complaint showed the lowest satisfaction ratio, dipping below 1:1. Referral respondents were more dissatisfied than satisfied with both the outcome of their case and with the limited range of authority the AGO could exercise to help them.

### Rank 2

Ratios in Rank 2 reveal more satisfied than dissatisfied consumers which, overall, presents a positive evaluation of program functions and results. The subjects appearing in this category deal with:

- overall satisfaction with the final resolution for the Mediation, Information and Lemon Law subgroups;
- the Mediation subgroup's satisfaction with the AGO's overall range of authority in handling the case, the summary letter which explained the actions taken and results achieved, and the explanation of further actions the consumer can take alone;
- the Referral subgroup's satisfaction with actions leading to a referral to a different agency;
- the Information subgroup's satisfaction with their overall experience of providing information.

Compared to all but two scales, satisfaction in the Mediation group is low regarding the final resolution and the AGO's range of authority. More dissatisfaction occurs with the AGO's range of authority in handling Referral (Rank 1) and Mediation (Rank 2) cases than Lemon Law cases (Rank 3).

**Rank 3**

Satisfaction rises in Rank 3 areas. Wider satisfaction is seen in the speed of acknowledging complaints for the Referral, Information, and Mediation groups; satisfaction with the AGO's range of authority in handling Lemon Law cases; and, within the Referral group, satisfaction with the clarity of the AGO's description of the limits of its authority.

**Rank 4**

Actions in Rank 4 show the highest relative satisfaction across all scales. The program elements in this category are identical to items appearing in Rank 3 but for different groups of respondents. This grouping includes the clarity of the AGO's description of the limits of its authority within the Mediation and Lemon Law groups and the speed of acknowledging the complaint in the Lemon Law group.

## *Respondent Final Comments*

At the conclusion of each interview, respondents were given the opportunity to add additional comments. As with Question 2, several themes are apparent in these comments.

Some respondents expressed appreciation for what the AGO had done for them. Others criticized the AGO for a perceived lack of responsiveness and help. Some cases classified as Information involved consumers who apparently initially called with the expectation of receiving actual legal advice or representation. Despite being classified as Information Only, these individuals continued to expect action and information. Some added more detailed information about the issues that triggered their complaint.

A number of respondents took the opportunity to comment on the authority of the Attorney General's Office. Many respondents were happy with their experience with the AGO despite the fact that the AGO could do very little to bring about a more satisfactory end. Others appreciated what the AGO had done to bring about a desirable resolution. Many respondents in all service categories felt frustrated that the AGO was not authorized to use the state's authority to help them directly and said the AGO should be empowered to do even more for individual consumers.

Another concern among respondents was communication. Some respondents, especially in the Information Only category, expressed frustration that they had not received any further communication from the AGO after their initial contact, that they had never received notice of a final outcome, or that they had received no documentation from the AGO concerning their case.

Consumers who are referred to another agency engender unique problems. Lapses in communication and follow through are more probable when a consumer is passed from one organization to another, and even though a lapse may occur outside the AGO's control, consumers often continue to feel that the AGO is responsible simply because the AGO was their first point of contact and was the party that made the referral.

### **Examples of Comments**

The comments below illustrate the issues raised by survey respondents at the conclusion of the interview process. The complete list of responses will be found in Appendix 2.

- *Atta boy, AG! I never would have received anything from my complaint, but I received more refund than I asked for. I wrote to the company and got absolutely no satisfaction, I wanted to cause them pain, so I went to the AG. They were a great help. All I was after was \$120 and I got \$150. It was DirectTV, now I'm on Dish, and I'm happy with Dish now. They were a great help!*

Group: **Mediation**; Gender: **Male**; AGO Authority Desired: **Current authority is fine**; City: **Benton City, WA 99320**

- *I wanted them to represent me or find out what was going on. Nothing came from your office whatsoever other than copies of the letters from those people who refused to service my wheelchair.*

Group: **Mediation**; Gender: **Male**; AGO Authority Desired: **Wider authority for stronger action**; City: **KENNEWICK, WA 99336**

- *Well, I was hoping they would be able to help me recover the money we put out. We have a motor home and had to have the engine replaced. The adjuster said the engine overheated but three auto techs said it blew a spark plug out of the head. I did not understand that all you could do was write a letter to the business.*

Group: **Mediation**; Gender: **Male**; AGO Authority Desired: **Wider authority for stronger action**; City: **Everett, WA 98208**

- *I thought the professionalism of the staff I dealt with was simply outstanding.*

Group: **Mediation**; Gender: **Male**; AGO Authority Desired: **Current authority is fine**; City: **TACOMA, WA 98401**

- *I'm glad the AGO is there to file a letter. I think that's a good start. I used them twice.*

Group: **Mediation**; Gender: **Male**; AGO Authority Desired: **Wider authority for stronger action**; City: **Seattle, WA 98103**

- *I just thought that this agency could help me more than they could. What good are they if they have no authority?! It's just a place to vent!*

Group: **Mediation**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**; City: **BELLINGHAM, WA 98227**

- *I thought that filing a complaint would cause some action, but it didn't.*

Group: **Mediation**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**; City: **PUYALLUP, WA 98372**

- *The overall response was apathetic. Therefore, granting the AGO more power is a moot point.*

Group: **Mediation**; Gender: **Male**; AGO Authority Desired: **No Opinion**; City: **Lake Stevens, WA 98258**

- *I'm glad there's an Attorney General's Office because when you have a problem sometimes that's the only place you can go. You're not going to go to court over something like this.*

Group: **Mediation**; Gender: **Female**; AGO Authority Desired: **Other**; City: **Brush Prairie, WA 98606**

- *I was very happy with the way my complaint was handled, but they do need a bit more authority.*

Group: **Mediation**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**; City: **GRAHAM, WA 98338**

- *I think the AGO should have a lot more authority to curtail fraudulent businesses.*

Group: **Mediation**; Gender: **Male**; AGO Authority Desired: **Wider authority for stronger action**; City: **Seattle, WA 98121**

- The man we are having problems with has other similar problems with other tenants of this mobile home court we all live in. This person owns around seven other mobile home courts, and he keeps an attorney on retainer to handle the various problems cropping up in his business activities. I feel we are owed \$235.00 by Mr. Shaw. The problem is, the other residents of the court I live in don't follow through with the Attorney General's Office after the initial contact. The AG's office wrote saying everything is fine if we would settle 3 or 4 months ago. We wrote back saying it would have to be immediate. No answer from the AG.*

Group: **Mediation**; Gender: **Male**; AGO Authority Desired: **Wider authority for stronger action**; City: **Gig Harbor , WA 98335**
- I was very dissatisfied with the outcome of my case because I was handed off to another agency by the AGO but the second agency ultimately never provided me with an answer on my complaint.*

Group: **Referral**; Gender: **Male**; AGO Authority Desired: **Current authority is fine**; City: **Renton, WA 98059**
- It's a shame that the power of the AGO is so limited. They don't have enough clout.*

Group: **Referral**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**; City: **OCEAN PARK, WA 98640**
- The consumer thinks that they are helpful. The AG's office tells you that they can't help you or they send you someplace else. I can't say that where they send you is any better than them!*

Group: **Referral**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**; City: **Lacey, WA 98503**
- They sent my case to another agency. There was no follow-up with that agency to make sure that it was taken care of. I never heard from the other organization that it was referred to.*

Group: **Referral**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**; City: **Kent, WA 98031**
- I wish they would have followed up and given me more concrete options. I just got a response saying that we're going to check into it and that was that. I live in Ohio now. I heard on TV that the AGO had filed suit against Countrywide. I contacted the Florida Attorney General and they sent me a letter saying, "sign this affidavit." I felt like it was a waste of my time. I would think that there shouldn't be such a difference between the two states. I felt they should have at least let me know what they were doing.*

Group: **Referral**; Gender: **Male**; AGO Authority Desired: **Wider authority for stronger action**; City: **Mayfield Heights, OH 44124**
- It would be appreciated if they could respond in less than four months.*

Group: **Referral**; Gender: **Male**; AGO Authority Desired: **Wider authority for stronger action**; City: **CAMPBELL, CA 95008**
- I was expecting more input. I never received anything from the AGO.*

Group: **Referral**; Gender: **Male**; AGO Authority Desired: **No Opinion**; City: **TACOMA, WA 98444**

- I wish I could have heard back on what actions were taken.*  
 Group: **Referral**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**; City: **Auburn, WA 98001**
- When I told developers and real estate people that I was taking this to the AG's office, they laughed and told me that they don't do anything ever. I thought that they would handle it appropriately. I was wrong and they were right. Now I laugh each time I hear about the AG's office.*  
 Group: **Referral**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**; City: **PORT ORCHARD, WA 98366**
- I appreciate having an AGO and they were very helpful in resolving my problem. As a result of their effort, I got all my money back.*  
 Group: **Information**; Gender: **Male**; City: **Benton City, WA 99320**
- Every form that I would get figured shows all of the receipts for years and years regarding for city bank checks and I don't understand why they would do this to me, because I am a grandma and I don't have dementia and I could get a little more help.*  
 Group: **Information**; Gender: **Female**; City: **EDMONDS, WA 980263917**
- I'm just glad there is someone you can bitch to. I'm happy that they are there for that.*  
 Group: **Information**; Gender: **Female**; City: **Pasco, WA 99301**
- They used to respond right away. I think I get better results with the Insurance Commissioners than the Attorney General. I don't know why they seem to be able to handle the problem easier and quicker than the Attorney General.*  
 Group: **Information**; Gender: **Female**; City: **CHEHALIS, WA 98532**
- I appreciate this phone call and showing concern with this follow up.*  
 Group: **Information**; Gender: **Female**; City: **Seattle, WA 98122**
- It just seems as though there was nobody there to get any feedback from.*  
 Group: **Information**; Gender: **Female**; City: **Seattle, WA 98122**
- I was not satisfied with the response. I felt the information I provided was sufficient. I gave them a business name and number but they placed the burden back on me.*  
 Group: **Information**; Gender: **Male**; City: **Monroe, WA 98272**
- That small claims court just dashed my hopes that a common householder has any chance at all of winning anything from the court system. He's going to be well represented. Unless you want to spend a lot of money and travel a lot. Hearings get postponed. Civil court helps people like this along. A lot of people were not satisfied with him. I just wish someone was out there advocating for the people who can't hire attorneys.*  
 Group: **Information**; Gender: **Female**; City: **Ferndale, WA 982488306**

- What the heck is the AGO there for? They won't go to Walla Walla to prosecute real estate fraud.*

Group: **Information**; Gender: **Female**; City: **Milton-Freewater, RI 97861**
- I'm glad the AG is there and taking care of cases that are most important. I just wanted documentation, that's all.*

Group: **Information**; Gender: **Female**; City: **Maple Valley, WA 98038**
- This has been a huge mess and do you know if the AG's office can place a bigger bond on a contractor? We also have a complaint in the county who passed things on our home that are not code! Why should we have to pay a fee and get a permit but they are not required to do so? I'm still in a lawsuit with this contractor. Our dream home has just been a mess! No one will help us! There's no help out there for the consumer!*

Group: **Information**; Gender: **Female**; City: **CASTLE ROCK, WA 98611**
- I'm dissatisfied with the outcome. I can't blame the AGO for getting a tough case. It would be a really good thing if all businesses, especially on the Internet, were compelled to be honest and fair. A lot of these businesses offer a free whatever and then there is an automatic billing which they're not clear about. A lot of people get billed outrageous sums for stuff that they never intended to order.*

Group: **Information**; Gender: **Male**; City: **Seattle, WA 98108**
- I think I filed a complaint based on the fact that the offer came as a spam, and my understanding was there was an office in the AGO that dealt with spam. These people are advertising again on television or the radio. The message is that it is free, but it is not. It cost my credit card fifteen to twenty dollars. There were two companies, and one did reverse the charge, and the other company didn't. I made many calls to both of these spam-spewing companies, and the one that didn't reverse the charge said they didn't care if I called the Attorney General's Office, and I said the AGO would care.*

Group: **Information**; Gender: **Female**; City: **Port Orchard, WA 98367**
- They sent a subsequent letter. They said they didn't find any evidence of improper advertising. I know from empirical evidence this is wrong. It was not a good experience. I was generally disappointed in the end.*

Group: **Information**; Gender: **Male**; City: **MERCER ISLAND, WA 98040**
- I had a very good response and information exchange. Congratulations are in order because they did a superb job, and I am extremely happy with what they did. Referring me to a federal communications government agency was the right way.*

Group: **Information**; Gender: **Male**; City: **SeaTac, WA 98188**
- They asked the appropriate questions. I would like to know if they did anything about my information. I still want my money back.*

Group: **Information**; Gender: **Female**; City: **Osburn, ID 83849**

- It took them too long to respond. If they can't do better they shouldn't even do it. They were useless to me.*

Group: **Information**; Gender: **Male**; City: **KENMORE, WA 98028**
- I don't know how much power the AGO had in this case, but everywhere I went I was told "Sorry, we can't help you."*

Group: **Information**; Gender: **Male**; City: **Seattle, WA 998106**
- The staff needs to read letters better. Their response was "use common sense." I was just trying to help other people.*

Group: **Information**; Gender: **Male**; City: **Lacey, WA 98503**
- The company should have replaced the car faster, because every time we drove the car we took our life in our hands.*

Group: **Lemon Law**; Gender: **Male**; AGO Authority Desired: **Wider authority for stronger action**
- Just that the process for getting this done was a little cumbersome when they come back to me with the comment of "needing more information," because I couldn't give more information for the body of the car problem which was with the paint job on my car and not with the engine itself.*

Group: **Lemon Law**; Gender: **Male**; AGO Authority Desired: **Current authority is fine**
- I didn't get any help from the governmental agency at all. They were no help whatsoever. They need more horsepower in case there is a problem. I was trying to start a recall campaign. Recall campaigns can cost these companies millions of dollars. The dealer admitted we had a problem and they kept going to the factory to get it resolved. It took us a year. They fixed the problem and put a whole new front end under the car. It was a power rack and pinion system. They replaced the whole thing and resolved the problem.*

Group: **Lemon Law**; Gender: **Male**; AGO Authority Desired: **Wider authority for stronger action**
- They gave me all the information I needed to handle my claim.*

Group: **Lemon Law**; Gender: **Male**; AGO Authority Desired: **Current authority is fine**
- I say don't fool with arbitration! I got a new vehicle from this. The AG had the impact needed to get this solved.*

Group: **Lemon Law**; Gender: **Male**; AGO Authority Desired: **Current authority is fine**
- I wish they had more authority with the automobile dealers like Chrysler in negotiating with third parties. They would come up with all kinds of excuses, and it took them literally 18 months for me to get a car. That is too long.*

Group: **Lemon Law**; Gender: **Female**; AGO Authority Desired: **Wider authority for stronger action**
- I'm a little upset with the company I bought the car from because they said it was new, but when I took it in to repair shop I was told it was a used car with a lot of mileage on it.*

Group: **Lemon Law**; Gender: **Male**; AGO Authority Desired: **No Opinion**

- *It ended up going through Chrysler and they decided to go with it. I don't know if they were contacted by you. Ultimately, I'm extremely satisfied because I have a brand new car.*  
Group: **Lemon Law**; Gender: **Female**; AGO Authority Desired: **Don't Know, Refused**
- *It absolutely works. We are not too keen on the government, both local and national, but I am very proud of it because it works for the consumer.*  
Group: **Lemon Law**; Gender: **Male**; AGO Authority Desired: **Current authority is fine**
- *I was very satisfied from the first phone call on.*  
Group: **Lemon Law**; Gender: **Male**; AGO Authority Desired: **Wider authority for stronger action**
- *They handled it well. They did an outstanding job. They walked me through the documents and explained everything very well.*  
Group: **Lemon Law**; Gender: **Male**; AGO Authority Desired: **Current authority is fine**

## *Key Observations*

- Consumers expect the AGO to act more as an advocate for their issues and bring about positive outcomes on their behalf.
- Consumers are dismayed to learn of the limited power the AGO possesses to help them.
- Satisfaction is relatively high regarding the speed with which the AGO acknowledges receiving a consumer's complaint or information.
- Satisfaction is relatively high regarding the AGO's description of the limits of its authority.
- Consumer satisfaction is positive but lower, compared to other ratings, for:
  - the resolution of Mediation and Lemon Law cases
  - the AGO's actions leading to Referral
  - the overall experience of providing or receiving information in Information Only cases
  - the summary letter in which the AGO explains its actions and resolution outcomes in Mediation cases
  - the AGO's description of further actions consumers may take on their own following Mediation.
- Satisfaction with the range of authority the AGO possesses in handling Referral and Mediation cases is low compared to satisfaction with the its authority in cases involving the Lemon Law.
- Consumers classified as giving or receiving Information Only would benefit from more communication from the AGO regarding subsequent actions taken by the AGO and the results achieved concerning the information or issue filed.
- Consumers who were referred to a different agency are more dissatisfied with the final resolution of their case than satisfied, and more dissatisfied with the AGO's range of authority than satisfied. These areas offer the greatest opportunity to improve consumer satisfaction with the consumer protection program.
- Consumer satisfaction with the AGO's assistance in Mediated cases rises significantly with the level of adjustment achieved by the AGO. Increasing the AGO's ability to fully adjust Mediated cases offers a substantial opportunity to raise consumer satisfaction.
- By more than two to one, Mediation respondents favored having wider authority in the AGO to take stronger action in handling their complaint.

- By more than three to one, Referral respondents favored the AGO having wider authority to take stronger action in handling their complaint.
- Lemon Law respondents were evenly split regarding the need for more authority in the AGO to take stronger action in handling their complaint.

**WASHINGTON STATE ATTORNEY GENERAL'S OFFICE**  
**A Study of Consumer Satisfaction with the CRC Program**  
**Questionnaire**  
*July, 2008*

VI.7

**Sample Frame**

*Respondents:*

- *consumers who have filed a complaint through the AGO's Consumer Resource Center within the Consumer Protection Division,*
- *the complaint alleges a violation of the Consumer Protection Act, and*
- *the complaint does not involve landlord/tenant disputes.*

*Consumer complaints are categorized as follows:*

- *Informal Mediation*
- *Referral*
- *Information Only*
- *Lemon Law*

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**Introduction**

Hello, I am calling on behalf of the Attorney General's Office.

S1. May I speak to [NAME ON SAMPLE]?

1. Yes
2. The person will be available later [SCHEDULE A CALLBACK]
3. Person no longer at this phone number [THANK AND POLITELY DISCONTINUE]
4. No [THANK AND POLITELY DISCONTINUE]
5. The person will not be available at an appropriate time. [THANK AND POLITELY DISCONTINUE]
6. Don't Know/Refused [THANK AND POLITELY DISCONTINUE]

S2. Hello. I am calling on behalf of the Attorney General's Office regarding consumer information you filed last year concerning problems with a business. My name is \_\_\_\_\_ from Hebert Research and I would like to ask you a few questions about your experience in filing this information. Your responses are confidential. What you say won't be connected to your name. Would you be willing to answer a few questions?

1. Yes

2. No **[THANK AND POLITELY DISCONTINUE]**
3. Don't Know **[PROBE, THEN THANK AND POLITELY DISCONTINUE]**

1. **[SHOW CONSUMER COMPLAINT CATEGORY ON SCREEN AND ENTER NUMBER TO CONTINUE]**

1. Informal Mediation
2. Referral
3. Information Only
4. Lemon Law

2. **(Mediation, Referral, Information, Lemon)**

**[IF Q1=1 OR Q1=2 OR Q1=4 SHOW]** When you first filed your complaint, what actions did you want the Attorney General's Office to take on your behalf?

**[IF Q1=3 SHOW]** When you filed your information, what did you think the Attorney General's Office would do as a result of receiving it? **[VERBATIM]**

3. **(Mediation, Referral, Information, Lemon)**

**[IF Q1=1 OR Q1=2 OR Q1=4 SHOW]** To make things a little simpler, from this point on, I am going to refer to the Attorney General's Office as the "AGO," OK? How satisfied are you with how quickly the AGO sent its first letter or email acknowledging receipt of your complaint and telling you the name of the staff member who was going to handle it?

**[IF Q1=3 SHOW]** To make things a little simpler, from this point on, I am going to refer to the Attorney General's Office as the "AGO." OK? How satisfied are you with how quickly the AGO sent its first letter or email acknowledging your information?

Are you: **[READ 1-4]**

1. Very Satisfied
2. Satisfied
3. Dissatisfied or
4. Very Dissatisfied.
5. Neither satisfied or dissatisfied **[PROBE FOR ANSWER 1-4]**
6. Don't remember
7. Don't Know, Refused

**IF Q1=3, SKIP TO Q6**

4. **(Mediation, Referral, Lemon Law)**

Was this letter or email, which the AGO sent to you, clearly written so you understood the limits of the authority and actions the AGO could actually take to assist you with your complaint?

1. Yes
2. No
3. Not Sure, Don't Remember
4. Don't Know, Refused

**IF Q1=1 OR Q1=4, SKIP TO Q6**

**5. (Referral)**

At the time the AGO referred you to a different state agency which had the legal authority over your complaint, how satisfied were you that the AGO had done all it could do within its authority? Were you: **[READ 1-4]**

1. Very Satisfied
2. Satisfied
3. Dissatisfied or
4. Very Dissatisfied.
5. Neither satisfied or dissatisfied **[PROBE FOR ANSWER 1-4]**
6. Don't Remember
7. Don't Know, Refused

**6. (Mediation , Referral, Information Only, Lemon Law)**

**(Mediation , Referral, Lemon Law)**

**[IF Q1=1 OR Q1=2 OR Q1=4 SHOW]** How satisfied are you with the overall resolution of your complaint?

**(Information Only)**

**[IF Q1=3 SHOW]** How satisfied are you with your overall experience of providing information to the AGO?

Are you: **[READ 1-4]**

1. Very Satisfied
2. Satisfied
3. Dissatisfied or
4. Very Dissatisfied.
5. Neither satisfied or dissatisfied **[PROBE FOR ANSWER 1-4]**
6. Don't remember
7. Don't Know, Refused

**IF Q1=2, SKIP TO Q9**

**IF Q1=3, SKIP TO Q12**

**IF Q1=4, SKIP TO Q10**

**7. (Mediation)**

How satisfied are you with how clearly the AGO explained the actions it took and the final outcome of your complaint in its final letter or email to you?

Are you: **[READ 1-4]**

1. Very Satisfied with the clarity of the final communication
2. Satisfied
3. Dissatisfied or
4. Very Dissatisfied.
5. Neither satisfied or dissatisfied **[PROBE FOR ANSWER 1-4]**
6. Don't remember
7. Don't Know, Refused

### 8. (Mediation)

How satisfied are you with the explanation the AGO gave regarding other actions you may take on your own to obtain a resolution?

Are you: **[READ 1-4]**

1. Very Satisfied
2. Satisfied
3. Dissatisfied or
4. Very Dissatisfied.
5. Neither satisfied or dissatisfied **[PROBE FOR ANSWER 1-4]**
6. Don't remember
7. Did not receive notification of additional actions I may take
8. Outcome was to my liking, so did not receive notification of additional actions I may take
9. Don't Know, Refused

### 9. (Mediation, Referral)

Many people believe the Attorney General's Office has the power to force businesses into satisfying a consumer's complaint. In actuality, the AGO does not have the authority to force a business to fix a consumer's problem. The AGO cannot act as an attorney for any individual. It cannot give advice. It cannot give opinions or interpretations of the law. In nearly all complaints it receives, the AGO is limited to writing a letter or telephoning a business and simply asking the business to satisfy their customer. The AGO cannot compel a business to cooperate.

How would you rate your satisfaction with the range of actions and authority the AGO is authorized to use to help you with your case? Would you say you are: **[READ 1-4]**

1. Very Satisfied with the range of actions and authority the AGO has available to help you
2. Satisfied with the range of actions and authority
3. Dissatisfied with the range of actions and authority
4. Very Dissatisfied with the range of actions and authority
5. Neither satisfied or dissatisfied **[PROBE FOR ANSWER 1-4]**
6. Don't remember
7. Don't Know, Refused

**IF Q1=1 OR Q1=2, GO TO 11**

### 10. (Lemon Law)

**[READ]** The Lemon Law does not cover all vehicles. The AGO is limited in what it can do to help a consumer with a vehicle that does not work or that needs repairs.

The Lemon Law arbitration program covers only new vehicles for 30 months. The Lemon Law does not cover small motorcycles or the living space inside motor homes. The Lemon Law allows an arbitrator who is NOT a part of the AGO, to decide the outcome of a complaint. This process is called arbitration.

This independent arbitrator decides if a consumer gets to have a replacement vehicle, if the business has to repurchase the vehicle or if the consumer's claim is dismissed. The AGO's role is only to make a business follow the decision the independent arbitrator makes in arbitration.

The Attorney General has the authority to impose a fine of up to \$1,000 per day on the business that does not comply with an arbitration decision within the deadline. The maximum fine is \$100,000, all of which goes into an arbitration fund—not to the consumer. The AGO cannot act as an attorney for any individual. The AGO cannot give advice or opinions or interpret the law for consumers.

How would you rate your satisfaction with the range of actions and authority the AGO is authorized to use to help you with your case? Would you say you are:

1. Very Satisfied with the range of actions and authority the AGO has available to help you
2. Satisfied with the range of actions and authority
3. Dissatisfied with the range of actions and authority
4. Very Dissatisfied with the range of actions and authority
5. Neither satisfied or dissatisfied [**PROBE FOR ANSWER 1-4**]
6. Don't remember
7. Don't Know, Refused

**11. (Mediation, Referral, Lemon Law)**

In your case, do you believe the current available actions and authority used by the AGO was strong enough to handle your complaint in a satisfactory manner, or do you believe the Attorney General's Office needs more authority so it could have taken stronger action in handling your complaint?

1. Current authority is fine
2. Wider authority for stronger action
3. No Opinion
4. Other [**Specify**]
5. Don't Know, Refused

**12. (Mediation, Referral, Information Only, Lemon Law)**

Do you have any final comments you would like to offer? [**VERBATIM**]

*On behalf of the Attorney General's Office, I want to thank you very much for your time and cooperation. You have been very helpful. Have a good day!*

POSTCODE GENDER:

1. MALE
2. FEMALE