

MEDIATION FAQS

1. *What is involved with the mediation process?*

Different from what you may think of when you hear the word “mediation,” the PA Office of Attorney General, Bureau of Consumer Protection does not take sides, and the results are not binding. Instead, the purpose of the Bureau’s mediation program is to facilitate a conversation between you and the business to try to come to a resolution of the issues you complained about. Your complaint will be assigned to an Agent at the Bureau who will send a copy of the complaint to the business with a request for a response to the issues included in your complaint form. The Agent will follow up with you and the business as needed in order to attempt to resolve your complaint to your satisfaction.

2. *How long will the mediation process take?*

There is no set time period to attempt to resolve a consumer complaint. Each complaint is unique and will be handled as efficiently as possible. In most cases, the businesses are given 21 days to respond to a consumer complaint, and sometimes it can take longer to hear back from a business. We understand that your complaint is very important to you, and we will take every effort to ensure a prompt reply.

3. *How can I check on the status of my complaint?*

You can email the assigned Agent at the email address at the bottom of the letter sent to you acknowledging receipt of your complaint. It is not necessary to call and check the status of your complaint; you will be notified by your assigned Agent when we receive information regarding your case.

4. *What sort of documents or information should I submit with my complaint?*

Depending on the type of complaint, you should send in **copies** of any receipts, statements, invoices, proof of payment, pictures, and contracts.

5. *Does the business have to respond to my complaint?*

No, the mediation process is completely voluntary. We cannot force a business to respond to a consumer complaint, but we will make every effort to try to engage with the business to provide a response.

6. *Does the Bureau of Consumer Protection mediate every complaint that is filed?*

No. For example, the Bureau will not mediate complaints that are against another state agency, municipality/township, involve issues that are currently or have already been in litigation (we cannot collect on a judgment for you), involve a business to business transaction (except in limited circumstances at the Bureau’s discretion), involve a dispute between two individuals, or involve transactions that did not occur in Pennsylvania and do not relate to a Pennsylvania consumer nor a Pennsylvania business. If at all possible, the Bureau will forward your complaint to a more appropriate agency or group that can be of assistance.

7. *Why did I receive a letter stating that my complaint file was closed?*

The Bureau has completed all efforts of mediation set forth in FAQ Answer 1. The Bureau will not be taking further efforts to mediate your complaint; however, your complaint will remain on file, which can serve to help establish a possible pattern or practice evidencing a violation of relevant consumer protection laws, and can help the Bureau if it files a legal action to protect the public interest of Pennsylvania. If restitution is awarded as a result of a legal action, you may be entitled to compensation when the restitution is collected.

8. *If the mediation is unsuccessful and the business is not willing to give me what I asked for in my complaint, do I have any other options?*

Yes, depending on the amount of money, you may be able to file a lawsuit in municipal court if in Philadelphia ([click](#) for more information) or in your magisterial court for any other location ([click](#) for more information). You may also be able to file your own lawsuit in the Court of Common Pleas. You may wish to consult with an attorney to learn about your rights. A list of referral services can be found at PA Bar Association's [website](#) or by calling 800-692-7375. Just because we were not able to resolve your complaint through our voluntary mediation process does not mean that your complaint is not valid.

9. *If the business does not satisfy my consumer complaint, will the Bureau investigate the complaint further and take legal action?*

Not necessarily. The Bureau may investigate 1) commercial and trade practices in the distribution, financing and furnishing of goods and services to or for the use of consumers in order to determine if such practices are detrimental to the public interest and 2) fraud, misrepresentation and deception in the sale, servicing and financing of consumer goods and products. The Bureau can bring a lawsuit seeking an injunction, restitution and penalties, if it would be in the public interest. The Bureau cannot represent individuals and cannot provide legal advice.

10. *Can the Bureau file criminal charges in my case?*

No, the Bureau does not have authority to file criminal charges, nor can it act as your private attorney. If you believe you are a victim of a crime, you should contact the local police department and file a report.

11. *Can the Bureau shut down a business based on my complaint?*

The Bureau does not have the authority to prevent a company from operating without the issuance of a court order. Because the Bureau cannot act as your private attorney, it will not seek a court order during the mediation process, to prevent a business from operating. However, if the issue you describe in your complaint can be or is affecting others, the Bureau may file an action with the court asking for an injunction. The court, in its

discretion, may order a business to forfeit its right to operate, under certain circumstances, if there were violations of consumer protection laws.

12. Can the Bureau review the content of a contract or lease for me?

No, the Bureau cannot act as your private attorney. The Bureau cannot give legal advice about the legality of a contract or lease.