



Consumer News

San Diego City Attorney's Office

Summer 2016

Consumer and Environmental Protection Unit (CEPU)

In This Issue

If you believe you have been the victim of an online scam, or any other scam, the Office of the San Diego City Attorney wants to help you

Mail Fraud and Other Fraud Offenses

18 U.S. Code Chapter 63
§1341-1351

Cal. Penal Code § 476(a)

Cal. Civil Code § 1719

Resources Available

Federal Trade Commission
(877) 382-4357

U.S. Postal Inspection
(877) 876-2455

Read the security and safety pages on job soliciting sites such as Care.com and Craigslist

<https://www.care.com/a/carecom-and-scams-how-to-avoid-babysitting-scams-20150227143938>

<https://www.craigslist.org/about/scams>

Babysitting Scams

Imagine, you are a student struggling to stay on top of your studies and pay the rent. To make some extra money you search for babysitting jobs on sites such as Care.com and Craigslist because you like children, are responsible and hardworking, and need flexible hours. A family then reaches out to you because they are moving to the country and need help getting settled. They offer you a job via email that pays better than expected, provides flexible hours, and draws you in to their family with personal and heart wrenching details of their life. You accept the job without meeting them, speaking on the phone, or obtaining specific details of the job responsibilities because you need the money and your heart goes out to them. They send you a check to pay for certain items before they arrive and ask that the remainder of the funds be sent to their financial officer for the first month's rent. Naturally, you deposit the check and send the money to the financial officer, desperately wanting to help this family and eager to start working for them upon their arrival. However, the next day the check bounces, the bank wants the money back that was sent to the "financial officer," and the family never arrives. The family does not exist and the scammers have taken your money.

Babysitters and childcare providers are the newest targets in the ever expanding scam world. They are preyed upon because of their precarious financial situation, need for an accommodating and flexible schedule, and trust in legitimate websites where work may be found. Scams stemming from those needs are creative, involved, and have many moving parts which violate a number of federal and state consumer protection laws. To name a few: mail fraud, check fraud, and bank fraud.

18 U.S.C. §1341-1351

- §1341 - *Frauds and swindles*
- § 1342 - *Fictitious name or address*
- § 1343 - *Fraud by wire, radio, or television*
- § 1344 - *Bank fraud*
- § 1349 - *Attempt and conspiracy*

Cal. Penal Code § 476(a)

Cal. Civil Code § 1719

Contact Us

Office of the San Diego City Attorney, Consumer and Environmental Protection Unit
1200 Third Avenue, Suite 700
San Diego, CA 92101-4103
619-533-5500
www.sandiego.gov/cityattorney
cityattorney@sandiego.gov

File a Complaint with Us

Call our hotline

- (619) 533-5600
- 9:00am to 5:00pm
- Monday through Friday

Fill out the complaint form

- Complaint Form
- Mail the form, or
- E-mail the form

Agency Reference Sheet
Consult the reference sheet for list of agencies that investigate consumer complaints

News Sources

ABC 7 News – Bay Area

<http://abc7news.com/news/college-student-gets-lured-into-scam-on-carecom/548512/>

ABC 5 News – Cleveland

<http://www.newsnet5.com/money/consumer/dont-waste-your-money/dont-waste-your-money-new-carecom-babysitting-scam-targets-young-women>

ABC 13 – Rochester

<http://13wham.com/news/top-stories/rpd-warns-of-dog-boarding-service-scam>

Recognizing a Babysitting Scam



There are a number of red flags to watch out for when searching for babysitting, nannying, or any type of family care service jobs. Many of them are obvious, but often things do not seem suspicious until it is too late. You are less likely to become a victim the more knowledge you have. These scams are not limited to just babysitting, but also elder care, dog walking, etc.

- Communication not done through the customary messaging service on the job posting site. Be wary of any texts or emails telling you to reach out to a private email address.
- Overpaying. If the money offer is too good to be true, it probably is. Scammers use a high offer as a way to draw in the victim.
- Odd language in the communication or mistakes in the story. While English is not everyone's first language, be suspicious of communication that sounds odd, is filled with grammar mistakes, and/or mistakes in the story such as names of children.
- Being hired without meeting or speaking on the phone. Parents looking for someone to legitimately watch their child will not hire someone without meeting them first.
- Receiving money. Never accept or cash a check prior to meeting the family. Often the scammers will ask that errands be run for them before they arrive. If money can be sent to you, it can be sent anywhere.
- Wiring money. Do not ever wire cash via MoneyGram, Western Union, or any other type of wiring service if asked. A legitimate employer would send a check themselves, not have their babysitter send cash to someone.
- Impatient and aggressive communication. When it comes time to wire money, scammers will become impatient and aggressive until the scam is complete because there is only a certain amount of time before the check bounces. Once the check bounces and the cash has not been sent, the bank will take back the money that was originally put into your account and the scam has failed.
- Sob stories. People and families go through hard times, but be aware of unfortunate life events such as children or spouses passing away, or family members becoming disabled. The con artist is fabricating an empathetic story to draw in the naïve child care provider, and continues to play upon their emotions throughout the scam.

Written by Caitriona McOsker

The information provided in this newsletter is intended to convey general information and is not intended to be relied upon as legal advice

The San Diego City Attorney's office cannot provide legal advice to private parties.

Recent Scam Stories

March 2015

Last year ABC 7 News did a story on a San Francisco college student who was the victim of a Care.com scam. Struggling to get by she signed up for Care.com and was sought out by a family moving to her area. She was offered good pay and was told the family recently went through a hard time. A mother lost a child and husband in an accident. Additionally, the mother was deaf and her surviving child was disabled. She was also asked to buy a wheelchair for the child and run errands before their arrival and was sent money to do so. Luckily, after the student deposited the check she noticed it would not clear for some time. She realized it was a scam and narrowly avoided losing \$3,000 she did not have.

August 2015

Another woman in Cleveland was sought out by a family claiming to move to the area from Australia. She was told the family loved her Care.com profile. She was sent a check to run errands along with advanced payment. She was also offered a large amount of money to babysit their daughter upon arrival. The woman was given instructions to send the remaining funds to a "housing agent," which sounded odd to her. Luckily, she did not fall for the scam and did not lose out on thousands of dollars.

December 2015

ABC 13 of Rochester, New York reported that the Rochester Police Department sent out an alert of a pet boarding scam circulating on the web. The process is the same as the babysitting scam, the scammer solicits someone to walk and take care of their dog. Many of the dog walking scams can be found on Craigslist in addition to other family care service sites such as Care.com.

The Role of CEPU in San Diego



The Unit prosecutes violations of law that arise from consumer transactions or actions that damage the environment. The Unit is dedicated to investigating citizen complaints and prosecuting criminal and civil violations of California's unfair competition and other consumer laws committed in the City of San Diego.