



# CONSUMER NEWS

## SAN DIEGO CITY ATTORNEY'S OFFICE

### Dating Services

August 2012

People using dating services such as matchmaking, speed dating, and membership-based services may not be aware that these services are regulated by California state law.

This newsletter will outline the laws meant to protect consumers who are using dating services; will provide troubleshooting tips on how to pick a dating service provider; and will provide advice on how to avoid scams perpetrated by people you may meet through these services.

#### *CALIFORNIA DATING SERVICE LAWS*

California state law defines a "dating services contract" as a contract with any organization that offers dating, matrimonial, or social referral services for a fee by way of:

- An exchange of names, telephone numbers, addresses, and statistics;

- A photograph or video selection process;
- Personal introductions at the organization's place of business; or
- A social environment provided by the organization as an alternative to singles' bars or club type environments.

#### *RIGHT TO RESCIND*

If entering into a contract with a dating service provider headquartered in California, consumers have the right to cancel the contract without penalty until midnight of the third business day after the consumer signs the contract. The consumer must give the dating service provider a written notice of cancellation.

#### *TIPS:*

If the dating service provider is headquartered in California, its dating service contracts must be

in writing. Look at the contract for guidance on the best way to cancel the contract.

- A copy of the contract must be provided to you when the contract is signed.
- The contract must indicate to whom and where notice of cancellations may be sent.
- Notices of cancellation sent by mail are effective when deposited in the mailbox.

#### *CHOOSING A DATING SERVICE PROVIDER*

In today's market there are a myriad of dating service providers catering to different interests, lifestyles, ethnicities, and religious affiliations. Do not choose a service by sales pitch alone. Do some preliminary research.

- Ask friends for recommendations: What were their experiences with the service? Is that the experience you are looking for?
- Contact the service provider to see if it offers a free trial. (Be aware that some providers start to bill automatically as soon as the trial period is over.)
- Consider the service's privacy policy. Does it share your profile information with any affiliates?
- If using an online service, does it provide a secure method of payment?
- Go online to the Better Business Bureau website at: <http://www.bbb.org/> Does the company have any complaints? Does it have a good track record of resolving complaints?

Common complaints about dating service providers include:

1. *Disputes regarding quantity and quality of available singles on the service.* Complainants are matched with those who do not fit their criteria.
2. *High pressure sales tactics.* Complainants report being misled by sales associates and being pressured into taking advantage of a low price that is only available for a limited amount of time without

having the time to read the contract.

3. *Rude or insufficient customer service.* Dating services are often costly and complainants report customer service is not in line with the amount they paid for the service.
4. *Dissatisfaction with the number of arranged matches.* Complainants also complain that dating service providers do not provide the number of promised dates or do not have as many matches available as represented.
5. *Accounts being automatically renewed after a trial period.*

#### *SAFETY FIRST*

Dating service providers are not legally required to conduct background checks, so always stay safe with the connections you make.

#### *TIPS:*

- If using an online dating service, consider limiting the personal information available on your profile. Do not give out your full name, phone number, address, personal email, or place of employment.
- When meeting someone in person, always meet in a public place. Let a trusted friend know where you are going and who you will be

with. Also, avoid sharing personal information until you get to know your date.

#### *SCAM ARTISTS USING SERVICES*

Dating service websites are becoming increasingly widespread. While these websites have helped many to make connections with a special someone, con artists are also using these websites to make connections with potential victims.

Con artists build fake profiles to meet potential victims. Once an online relationship is forged with the potential victim, the con artist makes an excuse such as a medical emergency and asks the victim to wire money.

#### *TIPS:*

Wiring money to someone is like sending the person cash. It is extremely difficult or impossible to get the wired money back or to even trace the money.

#### *TIPS:*

Stay alert. It is especially hard to know with whom you are really dealing online.

You may be dealing with a scam artist if the other party:

- Suggests leaving the dating website and using personal forms of communication such as texting, email, and instant messaging very

- early on in the relationship;
- Asks for money;
  - Claims love too early in the relationship;
  - Claims to be an American who is overseas due to travel or work; or
  - Plans visits but does not follow through because of some emergency.

***ENFORCEMENT:***

There is no agency that regulates dating services. The San Diego City Attorney's Consumer & Environmental Protection Unit investigates complaints about dating companies that violate the law when the violations occur in the City of San Diego. Violations outside the City of San Diego should be reported to the local prosecutor's office. If you are a victim of someone you met through a dating service, you should report that to the local police agency.

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**San Diego  
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This newsletter was written by City Attorney Intern Stacey Kim.

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Sources: California Civil Code 1694 et. seq.; BBB Publication: Consumers Looking for Love Need to be on the Lookout; County of Los Angeles Dept. of Consumer Affairs Information Sheet: Internet Dating Services; How to Lose Your Heart – not Your Money by Laura

T. Coffey; OnGuardOnline.gov Article: Avoiding Online Scams; OnGuardOnline.gov Article: Online Dating Scams.

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

To report violations of consumer protection laws, call the City Attorney's Hotline at **(619) 533-5600**.