

State Auditor's Office

SAIF Quarterly

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Obligation to pay relative's debts limited

When a relative dies, the last thing a grieving family wants are calls from debt collectors demanding payment for the outstanding bills of their loved one.

It happens. But don't fall prey to such collectors who insist the responsibility is yours.

A surviving relative usually has no legal obligation to pay the debts of a family member who has died. Surviving relative rights are covered by the Fair Debt Collection Practices Act. The act prohibits debt collectors from using abusive, unfair or deceptive practices to collect from you.

In general, someone's estate is responsible for paying the unpaid debts. If there is not enough money in the estate to cover the debts, they typically go unpaid.

Even a spouse's obligation to pay may be limited under state probate law. Talk to an attorney who is knowledgeable about this area of law.

The decedent's personal representative, or executor in the case of a will, is responsible for settling the loved one's affairs.

Some scam artists check obituaries and other legal notices. They pose as debt collectors and contact relatives. If someone calls, never give your personal information such as Social Security number, birth date or financial account numbers unless you know exactly who you are dealing with.

You may stop debt collectors from contacting you again by writing a letter to him or her stating your objections. Make a copy of the letter, send the original by certified mail and

pay for a return receipt. Then you'll be able to document what the collector received and when. After receipt, the collector may not contact you again – unless to tell you there will be no further contact and to tell you the creditor plans to take a specific action.

The debt collector generally is not allowed to disclose your relative's debt to anyone other than the deceased's spouse, parent or guardian, if the relative is a minor child.

(Courtesy of the Federal Trade Commission)

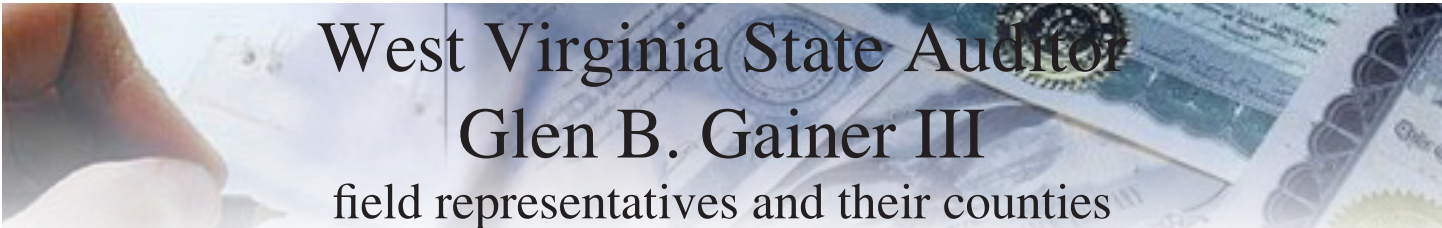
Upcoming Presentations

- Seniors Against Investment Fraud (SAIF)
- Internet Safety and Scams (IS&S)
- Clay Senior Center: SAIF, 11 a.m. Oct. 14 (Sonny Crowder)
- Lubeck Elementary School: IS&S, 6:30 p.m. Oct. 15 (Dave Shelene)
- Wirt Senior Center: SAIF, 11 a.m. Oct. 20 (Sonny Crowder)
- Paden City Library: IS&S, 6 p.m. Nov. 2 (Dave Shelene)
- Pleasants County Senior Citizens Center: SAIF, IS&S, noon Nov. 6 (Dave Shelene)



Eleanor Parsons of Charleston browses at the Auditor's exhibit during the Sept. 17th Senior Expo in Charleston.

1-888-724-3982



West Virginia State Auditor Glen B. Gainer III

field representatives and their counties

--James Terango (304-539-9324): Barbour, Braxton, Gilmer, Harrison, Lewis, Marion, Monongalia, Taylor, Upshur

-- Dave Shelene (304-494-5889): Cabell, Doddridge, Jackson, Mason, Pleasants, Putnam, Ritchie, Tyler, Wetzel, Wood

--Orville Ellis, Jr. (304-539-9304): Boone, Kanawha, Lincoln, Logan, McDowell, Mingo, Wayne, Wyoming

--Dale R. Usey (304-646-7109): Fayette, Greenbrier, Mercer, Monroe, Nicholas, Pendleton, Pocahontas, Raleigh, Summers

--Kristin Cross (304-539-9308): Brooke, Hancock, Marshall, Ohio

--Locke Wysong (304-433-0010): Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan

--Sonny Crowder (304-539-9316): Calhoun, Clay, Kanawha, Roane, Wirt

--Larry Pnakovich (304-704-7309): Preston, Pendleton, Randolph, Tucker, Webster

--B.B. Smith (304-545-7781): Cabell, Jackson, Mason, McDowell, Pleasants, Putnam, Tyler, Wayne, Wetzel, Wood

Go fishing, not phishing

Field Representative Dave Shelene presents programs called Internet Safety & Scams. If your group would like a presentation, please contact him at 304-494-5889.

The Internet is so exciting! Your computer is a pipeline to more knowledge than you could learn in a lifetime. There are Websites for anything you have a desire to learn.

If you want to know about flowers and plants, Gardenguides.com is a great site. You can research almost any plant or flower you can think of. If you want to know how to do repairs or improvements to your home, <http://www.doityourself.com/> has how-to videos on most repairs and improvements.

The problem is some people want to learn other things via the Internet. They want to learn your personal, private information. There are so many scams online that it's difficult to choose the most dangerous ones to share with you.

Most of us have been fishing, but "phishing" is something quite different. It describes the process of trying to get a person to send private information to the "phisherman" or woman. A scam artist will send you a very official-looking email from an organization you are familiar with -- maybe your bank, PayPal, the IRS, or an investment firm.

This email most likely will tell you there is a problem with your account and ask you to log in. If you log in from the email, you will have sent a scammer your log-in information. The scammer now can become you online. This phisher-person can transfer your money to another account, buy things with your money and charge purchases to your account for which you may not have the money.

There is a way to keep this from happening. Never log in to an account from email. Let me say that one more time: NEVER LOG IN TO AN ACCOUNT FROM EMAIL! Shut your email down and go directly to your account Website and log in. You most likely will find there is no problem. If you already have made the mistake, call the institution and tell a representative what happened. He or she will help you change your log-in information and correct the mistake.

Until next time..... F. David Shelene

As the summer draws to an end, I hope that all of you have found enjoyment going on a family or church picnic, attending a county fair, traveling or just sitting on the porch chatting with your neighbors. Also, I especially hope all of you got to enjoy your senior center county picnic.

As fall and winter approach, remember to stay as active as you were in the summer. As you well know, our senior centers offer a variety of activities to keep you busy, warm and well-fed. Try joining an exercise class and staying in tip-top shape for next spring. If you are not in the mood for exercise, our centers offer a variety of other senior activities that might meet your fancy. As little as four hours of exercise a week has proved to extend the life of an 80-year-old by a few years.

Do not forget to get your flu shot. Check your local center to see if the program is being offered. Seniors also are being encouraged to get the swine flu shot this year.

I thoroughly enjoy working with the seniors in my area, and they never fail to bring a smile to my face when I am around them. I have met many wonderful people through seminars, visits and fairs. I want to thank all of you for making me feel welcome in your area.

Kristin Cross, Northern Panhandle Field Representative for Auditor Glen B. Gainer III