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Culverhouse Is Consumers' Legal Muscle

By NANCY SMITH

FORT PIERCE — "Morning, ma'am," he smiled. "This sure is one beautiful trailer home."

He was meticulously dressed, though casual and unprepossessing in a sport shirt and slacks. His smile was easy.

"If you've got a minute, I'd like to talk with you and your neighbors about my low-cost appliance service contract. Believe me, I know what it's like to make do on a fixed income." He seemed a nice young man. Sincere, polite,

none of your common riff-raff. It didn't hurt to listen, did it?

This man who "understood" fixed-income living promised to service every appliance in the home, whenever they went wrong, replacing parts at no cost to the homeowner. All this for an inexpensive \$70 a year. It was a tempting offer. Tempting enough for this and dozens of families throughout the area to sign on the dotted line.

It didn't occur to a single soul that here was a complete stranger who produced neither credentials nor references. Out came the checkbooks.

Still, for the first few months, when most new trailer equipment is under warranty anyway, the Fort Pierce-based operation—National Home Appliance Service Company—more or less honored the bargain. But then, presumably, the company's money ran out. The man with the easy smile dodged customers' phone calls by relocating in Fort St. Lucie, then Jensen Beach, and back to Fort Pierce again. Now he's moved out of state, and his customers, understandably outraged, want this con artist behind bars. This is a true story. Only one of a dozen or so consumer fraud scandals Assistant State Atty.

Brad Culverhouse hears about every week. Culverhouse, under the auspices of State Atty. Robert Stone, has specific responsibilities to implement Chapter 501 of the Florida Statutes in Martin, St. Lucie, Indian River, and Okeechobee counties.

Chapter 501 was conceived in 1972 to declare all unfair business practices illegal. It's as simple and as broad and as powerful as it sounds. And for the consumer, it means legal muscle that doesn't cost a dime.

"The law has teeth," says 30-year-old Culverhouse. "It's broad for a reason. If a

legislative committee sat down and defined every fraudulent and deceptive means to make a buck, the law would be limited. There would always be some smart operator somewhere to dream up a new way to cheat the public."

Culverhouse, whose family goes back five generations in St. Lucie County, devotes most of his time to consumer fraud matters.

The trouble is, he claims, most people don't know whom to contact when they feel they've been swindled. Too often they call the Better (Continued on Page 6A)

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Consumer Counsel

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Business Bureau, (BBB) a kind of in-house but fearless policing agency within the commercial community. The BBB may be able to exert "moral" persuasion on its members, but there's precious little it can do to provide legal retribution.

Although Culverhouse works out of the state attorney's office in Fort Pierce, he's anxious that consumers know they can contact him without spending "one red cent" of their own money, no matter where they live in the four-county area. Every town has a state attorney's office. And any complaint to him with a local office by phone will reach either Culverhouse or his executive assistant, D-lace Spradley, within hours.

Now let's apply consumer fraud to you. Let's suppose you feel you've been duped. You bought a tennis racket, say, and it split after only two sessions on the court. You took it back to the shop, but they wouldn't give you the right time of day. Now what?

Call your local state attorney's office. They'll

make sure you've sent a complaint form. It's a simple process, but the most important part is your signature. If you don't sign and return the form, the state attorney's hands are tied and you lose.

Let's assume you've signed and returned the form. It goes directly to Culverhouse, who immediately writes a letter to the shop that sold you the faulty racket, stating he's been made aware of your grievance. And usually, that's all it takes, the vast majority of businessmen in this area, remember, are reputable and necessarily want to please—not anger—consumers.

However, if the shopkeeper feels he has a case himself, Culverhouse will arrange a meeting with both of you in his office. You'll get to hear the shopkeeper's side, he'll hear yours, and Culverhouse will mediate—until in the end you'll know which of you is likely to be in the legal right.

If the shopkeeper fails to show up for the meeting, his silence alone may be interpreted in your favor. Stone and Culverhouse actually have

the power to shut him down, freeze his assets, sue for money damages on your behalf, subpoena his books and records, and if necessary, prosecute. Whatever happens, you'll get action, whether your claim is for 15 cents or \$15,000. And you can take that to the bank.

Extreme penalties, such as shutting a business down, are unlikely to happen over a tennis racket. But there are rackets and rackets in South Florida. And evidence against the National Appliance Service Co., for instance, is building a strong criminal case for dynamic young Culverhouse.

"I only wish people would call me in time, before a swindler gets away with all their money."

This isn't a world where the good guys wear white hats and the bad guys ride black horses. It never was, in spite of Hollywood propaganda. Bad guys are everywhere. Wherever they smell a sucker desperate enough to believe he can get something for nothing.