



# InfoCision, Inc. to Pay \$250,000 Penalty for Deceptive Charitable Solicitation Calls

## FTC charges charity-related telemarketer with making express misrepresentations to solicit donations

FOR RELEASE

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InfoCision, Inc., an Akron, Ohio-based company that has made millions of calls to consumers nationwide on behalf of charitable organizations, has agreed to pay a \$250,000 civil penalty to settle Federal Trade Commission charges that its telemarketers misled consumers by falsely saying they were not calling to solicit contributions.

The proposed order settling the charges, filed by the Department of Justice on the FTC's behalf, also bars the defendant from violating the FTC's Telemarketing Sales Rule, which requires telemarketers calling on behalf of a charity to promptly tell you the charity they're calling for and tell you if the purpose of the call is to seek a donation.

According to the Commission's complaint, since at least 2013 InfoCision has conducted hundreds of telemarketing campaigns reaching consumers nationwide on behalf of charitable organizations. In some of those campaigns, the FTC alleges, InfoCision's telemarketers called consumers and told them at the start of the call that they were not calling to ask for a donation.

However, according to the FTC, the telemarketers subsequently asked consumers to mail or hand-deliver materials requesting donations to family members, friends, or neighbors. In addition, in many cases, despite initially saying they were not calling to solicit donations, InfoCision's telemarketers allegedly asked consumers to donate money, typically in amounts ranging from \$10 to \$50. Based on this conduct, the complaint charges the defendant with making false or misleading statements to induce consumers to make a charitable contribution, in violation of the TSR.

The proposed order settling the FTC's charges bars InfoCision, in connection with its telemarketing activities, from making any false or misleading statements designed to induce anyone to pay for goods or services or make a charitable contribution.

The order also requires InfoCision, when making outbound telemarketing calls to induce a charitable contribution, to truthfully disclose: 1) the name of the charity on whose behalf it is making the call, 2) that the purpose of the call is to solicit a charitable contribution, and 3) whether the contribution sought is a donation, monetary gift, or anything else of value. The order also bars the defendant from violating the TSR in the future.

Finally, the order imposes a \$250,000 civil penalty against the defendant and includes standard recordkeeping and monitoring provisions to ensure compliance with its terms.

The Commission vote approving the complaint and proposed order, and referring them to the Department of Justice for filing was 2-0. DOJ filed the documents in the U.S. District Court for the Northern District of Ohio on January 10, 2018. The FTC would like to thank the Office of the Vermont Attorney General for its invaluable assistance in this matter.

NOTE: The Commission files a complaint when it has “reason to believe” that the law has been or is being violated and it appears to the Commission that a proceeding is in the public interest. Stipulated final injunctions/orders have the force of law when approved and signed by the District Court judge.

The Federal Trade Commission works to promote competition, and protect and educate consumers. You can learn more about consumer topics and file a consumer complaint online or by calling 1-877-FTC-HELP (382-4357). Like the FTC on Facebook, follow us on Twitter, read our blogs and subscribe to press releases for the latest FTC news and resources.

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