

Consumer Protection

Results achieved in prior matters are not meant to be a guarantee of success as the facts and legal circumstances vary from matter to matter.

While consumer protection laws have been put in place to prevent and protect individuals from deceptive, misleading, fraudulent, and dishonest business practices, consumer fraud is still very common.

Consumer fraud comes in many forms, including:

- False and misleading advertising
- Overcharging
- Adding on product charges without consumer notification
- Falsifying the quality or quantity of the products
- The “bait and switch” of ordering one product, but being delivered another
- Forcing the purchase of unnecessary services
- Knowing of a product defect, but failing to notify and repair it during the warranty period

In an effort to ensure that consumers are protected in their purchases, every State in the nation has enacted some type of Consumer Fraud or Unfair Trade Practices Act. The New Jersey Consumer Fraud Act is one of the strongest in the nation.

Our consumer rights attorneys are intimately familiar with the New Jersey Consumer Fraud Act and have successfully represented numerous consumers in their fraud cases.

The legislature enacted the New Jersey Consumer Fraud Act in 1960 to "combat the increasingly widespread practice of defrauding the consumer" (Senate Committee Statement to the Senate Bill No. 199 (1960)). While the Act was originally designed as a tool for the Attorney General to file lawsuits, the law was later enhanced in 1971 to allow private citizens to enforce its provisions. This amendment allowed law firms, such as Wilentz, to act as a "private attorney general," filing lawsuits on behalf of individuals wronged by corporations. In order to ensure that law firms would pursue these actions and plaintiffs would be adequately protected, the legislature also expanded the remedies to include treble damages (which is triple the amount of remedies) along with attorneys' fees and costs.

The New Jersey Consumer Fraud Act has three main purposes: to compensate victims for their actual loss; to punish the seller through the award of treble damages; and to attract competent counsel to counteract the community scourge of fraud by providing an incentive for an attorney to take a case involving a minor loss to the individual.

The law itself is liberally construed in favor of the consumer in order to properly deter bad behavior and protect unwitting consumers. As a result of this liberal construction, the New Jersey Courts have afforded consumers much protection.

At Wilentz, Goldman & Spitzer, P.A., we represent numerous consumers who have been wronged by unscrupulous merchants. While these cases can be pursued on behalf of a single individual, Wilentz pursues many consumer fraud cases on a class-wide basis. By suing on behalf of a class, Wilentz can seek to protect all consumers who have been defrauded.

There are many kinds of businesses covered by the New Jersey Consumer Fraud law, including:

- Banks and lending institutions
- Food and beverage
- Health clubs
- Home appliances and furniture
- Home improvement contractors
- Real Estate
- Re-sale of entertainment and sports tickets
- Telecommunication services
- Vehicle sales and leasing and vehicle repairs
- Pets

These fraudulent business practices unfairly take advantage of unsuspecting customers. Consumers have the right to a fair marketplace when purchasing goods or services. Our consumer fraud lawyers will aggressively represent you and seek to recover any damages caused by unfair or deceptive practices from a fraudulent business, entity, product, or service.

Our firm represents individuals and classes of plaintiffs in both state and federal courts throughout the country who have been affected by unlawful business practices or consumer fraud.

To speak with an attorney about your legal options, please call: 732-352-9033.