



**pennsylvania**

DEPARTMENT OF BANKING  
AND SECURITIES



# CONSUMER SERVICES ANNUAL REPORT 2016-17

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## message from ROBIN L. WIESSMANN



For the past year, we have been optimizing the operations of our Consumer Services Office (CSO) within Financial Services for Consumers and Business (FSCB), and building upon the “lessons learned” about banks and credit unions, mortgage servicing, “easy money” lending, disclosures, cybersecurity, and auto liens, which were reported last year.

Our work continues to be guided by the four goals set forth in Governor Tom Wolf’s Consumer Financial Protection Initiative: 1) help protect consumers in debt from illegal, predatory, and/or costly types of lending; 2) protect senior citizens from financial exploitation; 3) identify and promote new ways to help working adults save for their retirement; and 4) establish a state government interagency financial education exchange for consumers.

### **I am pleased to report excellent progress in all four goals.**

1. Working with consumer advocates, we identified the top debt issues facing Pennsylvanians: long-term credit card and auto loan debt; credit repair scams; student loan debt; unlicensed lending triggered by life events such as divorce, death, or illness; and lack of financial preparation for retirement.

During 2016-17, we issued six advisories to assist consumers in avoiding illegal lending schemes and/or costly financial services, including: how to avoid overdraft fees on banking accounts; how to avoid online “catfishing” scams; guidance on using check cashing services; avoiding schemes related to natural disasters and health scares, such as the Zika virus; how consumers can protect themselves from illegal card skimmers attached to gas pumps and ATMs; and how members of the military and veterans communities can protect themselves from schemes targeting them and their families.

2. We have been building a network of protection for senior citizens, engaging professionals who provide medical, legal, financial, or other services to senior citizens to play a critical role in preventing elder financial abuse, the “crime of the 21st century.”

Working with our partners at the Investor Protection Trust, we are using the Elder Investment Fraud and Financial Exploitation prevention program – or EIFFE – to assist front-line professionals working with senior citizens. The EIFFE prevention program educates professionals who routinely work with older Americans to recognize when their older clients, customers, or patients – particularly those who have mild cognitive impairment – may be vulnerable to or victims of financial abuse.

Working with the North American Securities Administrators Association, we introduced Senior\$afe to investment professionals to help them identify the “red flags” of suspicious behavior of their clients and/or those close to their clients, as well as types of financial account activity that could indicate fraud, exploitation, or abuse. Additionally, Senior\$afe helps financial professionals understand how Adult Protective Services works to protect senior citizens and how they themselves can report suspicious behavior or account activity to help protect their clients.

*continued...*



## message from ROBIN L. WIESSMANN

The department also launched an Investor Protection radio and social media campaign designed to warn Pennsylvania senior citizens – as well as their caregivers and family members -- about dangers of investment fraud and inform the public about how to contact the Department of Banking and Securities with questions about financial transactions, file complaints, and /or report possibly fraudulent-unlicensed-unregistered investment-related activity.

3. With 45 percent of Americans having nothing saved for retirement, our country is facing a serious financial challenge in the coming decades. In Pennsylvania, we are taking proactive steps to meet this challenge head-on. Working with the Investor Protection Trust and the Investor Protection Institute, we joined several other state financial regulators in sponsoring a national documentary, "When I'm 65," which explores the psychology, sociology, and future of retirement. The documentary was televised in several markets in Pennsylvania, helping provide information and tools so that our citizens can better plan how to fund their retirements.
4. The Pennsylvania State Agency Financial Exchange (PA \$AFE) has grown to include more than 20 government agencies under Governor Wolf's jurisdiction, independent agencies and commissions, the Pennsylvania Attorney General, and the State Treasurer. PA \$AFE is working to help ensure that state agencies work in a coordinated fashion on a number of issues, including financial education, cybersecurity, and consumer protection.

Our Financial Services for Consumers and Business staff is working hard on behalf of Pennsylvanians. This second annual Consumer Services Office report focuses on how we help consumers with questions, guidance, or complaints.

**As you read this read this report, I hope that you ask yourself: what can I do?**

Three things:

- Learn how to protect yourself and your money at [dobs.pa.gov](https://dobs.pa.gov) or visit us on Facebook and Twitter;
- Connect with the people and organizations who are forming a network of consumer protection across Pennsylvania; and
- Contact us at **1.800.PA.BANKS** if you have questions or complaints about financial issues.

**Robin L. Wiessmann**

*Pennsylvania Secretary of Banking and Securities*



## ABOUT THE DEPARTMENT



The Pennsylvania Department of Banking and Securities was created by Act 86 of 2012, which merged the Pennsylvania Securities Commission and the Pennsylvania Department of Banking into one agency under the governor's jurisdiction. The department's mission is to regulate financial services and work to ensure consumers and businesses are well-informed about the marketplace.

Here are some of the ways the department balances its mission of ensuring financial institution safety and soundness and consumer protection with our concern for Pennsylvania's families:

- We regulate nearly 200 state-chartered banks, trusts and credit unions to ensure that Pennsylvanians' deposits are safe and available when they need them.
- We license and register more than 20,000 consumer lenders, including mortgage brokers, originators and lenders; auto sales finance companies; debt services companies; check cashers; pawnbrokers; and money transmitters. We also enforce compliance with state and federal laws so that consumer borrowers will have confidence in their transactions.
- We license and register more than 200,000 investment professionals who conduct securities-related business in Pennsylvania, and review more than 5,000 securities offerings made to Pennsylvanians each year.

- We provide free help to anyone with a question, concern or complaint about Pennsylvania financial institutions or products. Simply call **1.800.PA.BANKS** or visit **[dobs.pa.gov](http://dobs.pa.gov)** and a trained professional will respond within 24 hours.
- Our trained, professional Investor Education and Consumer Outreach staff present non-commercial, educational programs on basic and advanced investment principles as well as basic financial education that teaches consumers how to protect their money at senior citizen expos, community center functions, schools and other public events.

The Pennsylvania Department of Banking and Securities is accredited by the Conference of State Bank Supervisors, the American Association of Residential Mortgage Regulators and the National Association of State Credit Union Supervisors. We are active members of the North American Securities Administrators Association, the National Association of Consumer Credit Administrators and the Money Transmitter Regulators Association.

Our work is mainly funded by the assessments and fees paid by Pennsylvania's regulated financial community. No taxpayer dollars are used to support our work.

DoBS Consumer Services Office has been in service for more than 40 years and aims to assist consumers with their financial questions. Since 1973, the office has evolved from a single call line into a multi-dimensional force, assisting numerous consumers on a day-to-day basis. Today, not only is the call line in service, but consumers can reach the department through its website, email, and by regular mail. The call line is not a phone tree, something on which the department prides itself.

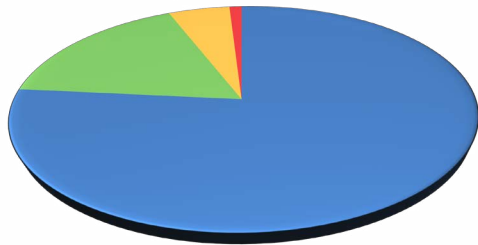


# CONSUMER SERVICES OPERATIONS

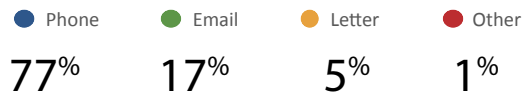
The Consumer Services Office is staffed year-round, by a team of trained professionals who are dedicated to helping Pennsylvanians with financial issues and questions.

The toll-free 800 number is staffed **Monday-Friday** from **8:00 AM-5:00 PM**.

Consumer Services staff handle about **5,000 complaints/inquiries annually**. This past year, we responded to **4,969 complaints and inquiries**, a decrease of 946 from the previous year. Callers deal with one point of contact, rather than being passed from person to person within the department. This continuity results in faster resolution of issues. Each call may be followed by hours of individual assistance, online research, and follow-up. This is because Consumer Services staff works closely with regulatory and legal staff to identify, report and when possible, resolve issues for consumers.

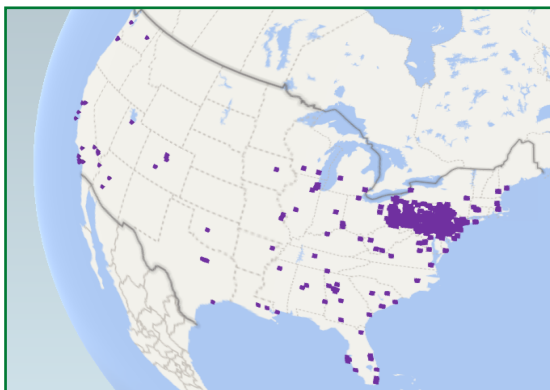


## How do people contact us?

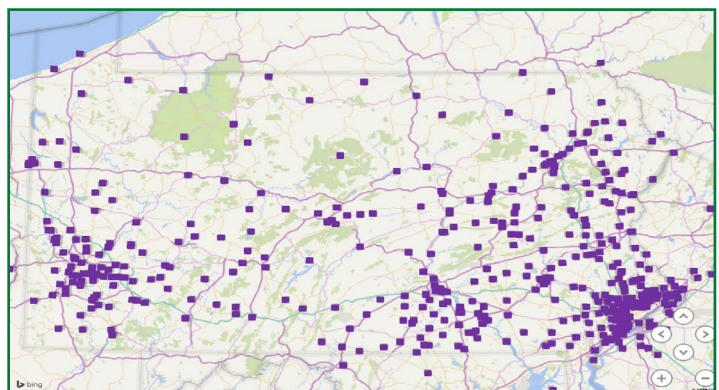


Most of our calls are from Pennsylvanians. Last year, we were also contacted by residents of other states as well. **Pennsylvania 88% – Outside of Pennsylvania 11% – Outside of the Country 1%**

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# CONSUMER SERVICES OPERATIONS

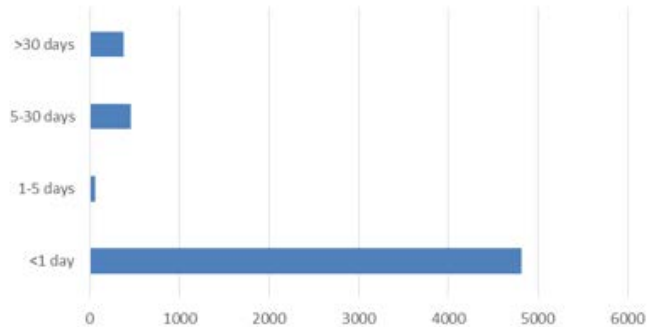


**Q: Must people provide their names?**

A: Consumers are not required to provide their name to have a question answered. However, in order to process a complaint, we will require personal information. All personal information is handled in a strictly confidential manner.

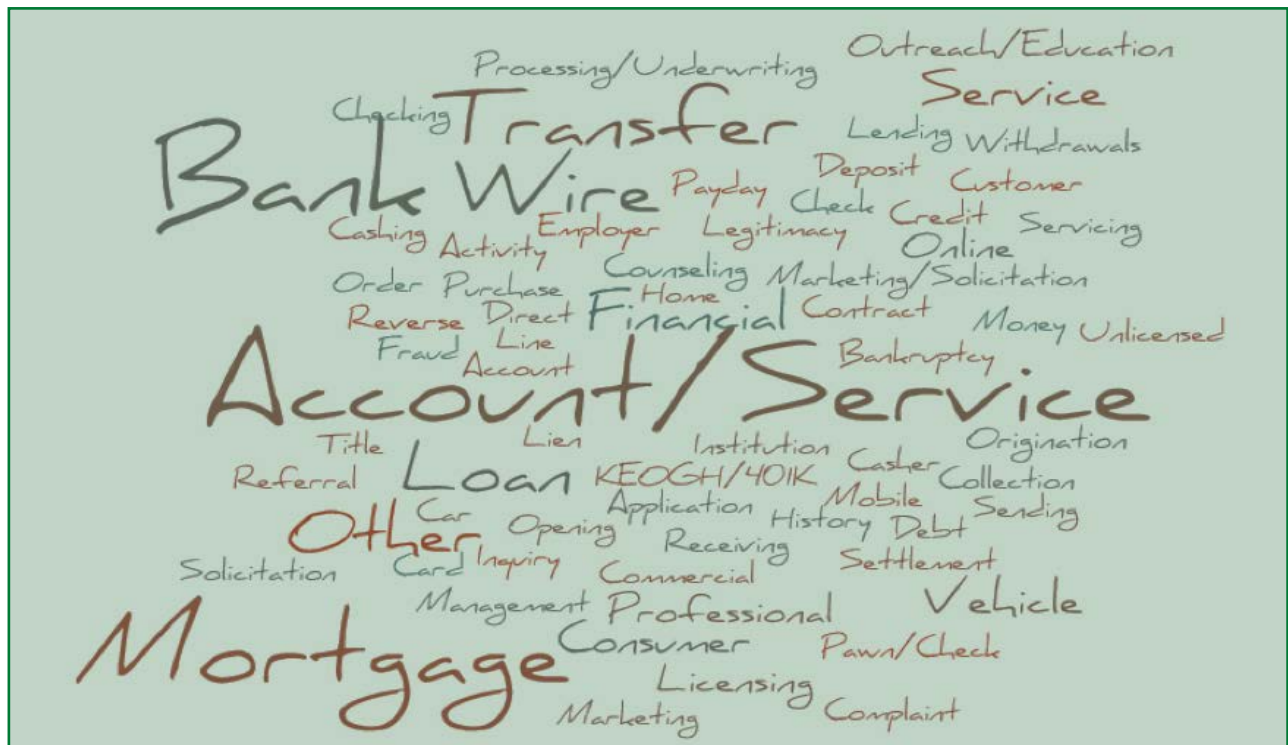
**Q: How long does it take you to process and resolve a question or complaint?**

A: About 85% of the time we are able to resolve issues that same day. For those issues that do take longer, it is almost always because we are waiting on additional information from the individual consumer, or a formal response from the institution (we typically allow for a 30-day response).



**Q: What are the financial issues that most concern people?**

A: Most questions come in about deposit accounts (checking/savings), money transmission services, or mortgages.



# CONSUMER SERVICES OPERATIONS

## **Q: When you cannot help, where do you refer people?**

A: Consumers sometimes find that trying to find the right government agency to help them can be difficult or frustrating. Our Consumer Services professionals understand this challenge and are excellent at referring individuals to the correct regulatory or law enforcement agency. In the past year, we have worked with the following agencies to help resolve consumer questions and complaints:

### **Federal Agencies**

- Commodity Futures Trading Commission
- Consumer Financial Protection Bureau
- Department of Labor
- Federal Bureau of Investigations
- Federal Deposit Insurance Corporation
- Federal Financial Institutions Examination Council
- Federal Reserve Board
- Financial Industry Regulatory Authority
- National Credit Union Administration
- Office of the Comptroller of the Currency
- Securities and Exchange Commission
- United States Postal Inspection Service

### **Other governmental agencies to which we refer questions and complaints**

- Illinois Department of Financial and Professional Regulation
- Maryland Commissioner of Financial Regulation
- Delaware State Bank Commissioner
- New Jersey Department of Banking and Insurance
- New York Department of Financial Services
- North Carolina Commissioner of Banks
- Pennsylvania local police departments

### **State Government Partners**

- Office of Administration
- Department of Aging
- Department of Agriculture
- PA Attorney General
- Department of Community and Economic Development (DCED)
- Department of Education
- PA e-Health Partnership
- PA Emergency Management Agency (PEMA)
- PA Housing Finance Agency (PHFA)
- PA Higher Education Assistance Agency (PHEAA)
- Department of Human Services (formerly Department of Public Welfare)
- Insurance Department
- Department of Labor & Industry
- Public School Employees Retirement System (PSERS)
- Department of Revenue
- PA State Police
- Department of Transportation (PennDOT)
- PA Treasury
- Public Utility Commission
- PA Commission on Crime and Delinquency





### Among the notable accomplishments this year of Financial Services for Consumers and Business:

- Feedback from consumers led to the creation of 15 new publications for consumers, including *Card Skimmers at the Pump*; *Understanding Credit Reports and Scores*; *Be well-informed on check-cashing*; *Investigate Before You Invest*; *Elder Financial Abuse Prevention Guide*; *Senior \$afe*; and *Be a well-informed investor on Crowdfunding*.
- The department also updated two of its more popular consumer publications: *Understanding Reverse Mortgages* and *Scams: Protect Yourself, Protect Your Money*.
- The department released seven videos on its YouTube channel to help consumers navigate issues in the financial marketplace: *Fraud Bingo*; *Cybersecurity*; *When I'm 65*; *About the Department of Banking and Securities*; *Banking Basics*; *Understanding Credit Reports and Scores*; and *Cents and Sensibility: A Guide to Money Management*.
- Continuing education for Consumer Services Office staff included participation in the Educational Committee for the National Association of Consumer Credit Administrators (NACCA) and participation in the American Association of Residential Mortgage Regulators.
- Christine Hodge, Chief of the Consumer Services Office, also leads the Commonwealth Call Center Collaborative ("4C"), which is a subcommittee of the Pennsylvania State Agency Financial Exchange (PA \$AFE). More than 10 different state government agencies collaborate on improving call-center services to their respective constituents.



## LESSONS LEARNED



### CONSUMER DISCOUNT COMPANIES

A consumer discount company is a business that negotiates or makes secured or unsecured loans to consumers. This type of company provides loans to borrowers in the amount of \$25,000 or less as well as mortgage loans.

#### What is the problem?

The Department receives many calls from consumers who have a loan with a consumer discount company. The most common issue is how payments are applied to the account. Many of these loans are “daily simple interest” meaning that interest accrues daily on the amount of the loan (current outstanding principal

balance) from the date the interest charges begin until the loan is paid in full. If you make all your regular monthly payments on time as scheduled, and there are no other charges to your account, you should expect to pay no more or less than you agreed contractually.

Payments received late incur additional interest with less of the payment being applied the principal balance. Other actions that may increase a borrower’s costs are missing a payment, which adds interest and late fees, and moving your due date, which adds interest. Save money and time by paying on time, pay more than the minimum, and/or pay more frequently. All good ideas to keep your loan on track.

#### What do we do to help?

We gather information provided by the consumer to send to the company for a response. Sometimes we can identify a simple interest issue while talking with the consumer about their concerns. This type of interest calculation can be confusing. We explain how this calculation works to help consumers understand how to avoid costly mistakes.

We encourage consumers to review the contract they signed; specifically, the terms and conditions that must be met by each party involved. It is our goal to ensure that the consumer understands their loan documents when we obtain a response from the company.

Jill got an auto loan that has a \$15,000 principal balance and an annual 5% simple interest rate. The payment is due on May 1 and if Jill pays it precisely on the due date, the interest is calculated on the 30 days in April. The interest for 30 days is \$61.64 under this scenario. However, if Jill makes the payment on April 21, the finance company charges interest for only 20 days in April, dropping the interest payment to \$41.09, a \$20 savings. If Jill continues to pay the payment early, she will be able to shrink the principal amount faster and pay the loan off sooner than the original estimated date.

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## LESSONS LEARNED

### Consumers can take simple steps to avoid this common issue:

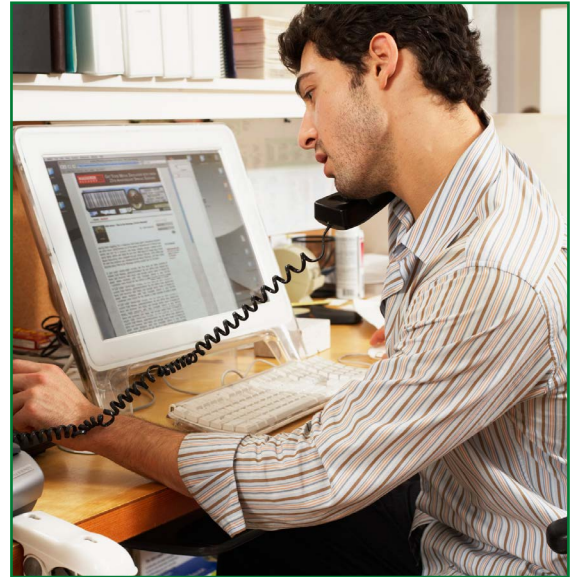
- Review your statements regularly
- Understand how your account works
- Adhere to due dates or pay early

### How to learn more?

Contact your lender today to learn more before any misunderstanding results in additional fees, failed transactions, or a complaint. Consumers can also call our Consumer Services staff at **1.800.PA.BANKS** to learn more about their consumer discount companies.

**Credit or Debit** (one-pager)

**Banking Basics Presentations** (email)



## MONEY TRANSMITTERS

When you need to send money fast, a wire transfer is often a good choice. Wire transfers are immediate, reliable and safe. The money usually moves instantly. For anybody selling merchandise or services online or otherwise to customers in faraway places, a wire transfer is generally viewed as safer than paying by check.

### What are the problems?

If someone asks you to wire money, think carefully about the intended recipient. Do you know and trust this person? Wiring money via a company that pays out in cash carries unique, but manageable risks involving scams and fraud

People around the world routinely wire money to pay for online purchases or to send money to friends and relatives in other states or countries. However, scammers can exploit this system by requesting a wire payment often sent to another country. Consumers who wire money to scammers in other countries should not expect to have that money returned, even when the crime is reported to law enforcement agencies.

For legitimate wire transfers, problems can result when the recipient does not have the correct identifying information to claim the money. It may be as simple as a misspelled name.

*continued...*



## LESSONS LEARNED



“Hi Grandma (or Grandpa), it’s me.” In a moment of confusion, the grandparent answers this greeting with something like “Yes, John (or Jane), it’s Grandma, how are you? The scam artist tells “Grandma” about an emergency he or she may have fallen into a medical emergency, or a lost/stolen wallet. Grandma can help by wiring money to a faraway city, but John or Jane is not in that city and does not need help. Grandma has now become a scam victim and has lost money.

### What do we do to help?

If indeed the consumer has been scammed and the wire has gone overseas, there is little we can do to assist beyond helping the consumer understand the scam, and help them avoid making the same mistake again. When it’s a legitimate error, we can often work with the money transmitter company to reverse the transaction.

### What should everyone know?

Be sure you send money only to people you know and trust. If you are asked to send money to someone you do not know well, you can contact the Department to discuss the transaction. We strive to

help the consumer understand the consequences of sending money overseas to strangers or to purchase items from an unknown company.

### Steps to avoid this common issue:

Know the red flags of scams

- High-pressure, urgent, transactions
- The caller won’t let you off the line or call them back
- The caller is threatening, or won’t let you speak with someone else

If you have questions, call **1.800.PA.BANKS**



## PENSION ADVANCEMENT LOANS

A so-called “pension advancement” claims to provide a borrower a lump sum in exchange for some or all of the borrower’s future pension payments. These “pension advancement loans” are thinly-disguised financial products with no contractual or financial relationship with the consumer’s pension or pension plan.

The loan is paid back in monthly installments and is usually at a high interest rate. Companies offering these types of loans often target government retirees, military retirees, and veterans who have an established source of income in retirement. The word “advancement” is often used instead of “loan” for two reasons: to confuse the borrower and to charge very high interest rates. Sometimes the company will encourage a borrower to set up a new bank account that is controlled by the company offering the loan. This enables the company to get around the law that states it is illegal for government pensions to be given over to third parties.

## LESSONS LEARNED

### What is the problem?

These types of loans can be desirable to someone with bad credit who could not otherwise obtain a traditional loan. Tapping into these funds earlier than expected risks the financial stability of the borrower's golden years. Borrowers are often unaware of the true cost. Companies offering "pension advancement" loans will claim that these are not actually loans, which means the company may not be adhering to disclosure rules and interest rate limits. As a result, interest rates can be extremely high.

Greg, a disabled Navy retiree was overcome by medical bills. He saw an advertisement that said he could get a cash advance for signing over almost all of his monthly pension payments for eight years. While this helped Greg immediately, it led to long term financial problems.

### What should everyone know?

High interest rates are charged on pension advancement loans, which can violate state limits. Borrowers are putting their pensions at risk and possibly losing their entire retirement income. Look for alternatives such as talking to creditors about payment plans, speaking to a credit counselor for assistance, talking to your bank or credit union about loans for which you might be eligible.

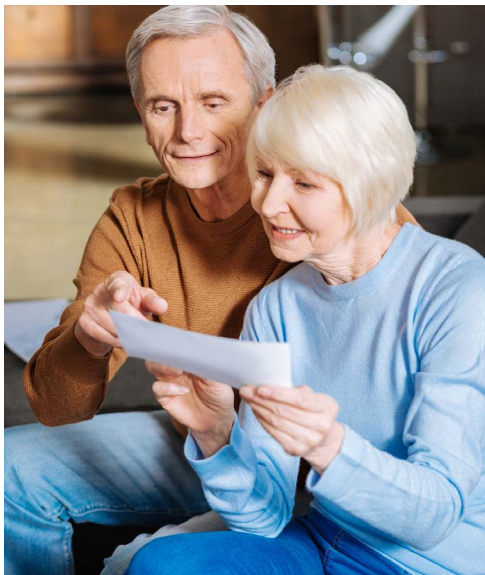
### Five questions you can ask yourself to avoid this problem:

- **Is this company licensed to do business in Pennsylvania?** In most cases, any company offering to advance money that must be repaid in Pennsylvania needs a license from the Department of Banking and Securities, making it subject to examination and offering protections to consumers.
- **What does the repayment amount equal in terms of an interest rate on the amount advanced?** The repayment amount on these "advances" is mostly interest on a loan. In Pennsylvania, there are legal maximum interest rates established by the Consumer Discount Company Act and Loan Interest Protection Law.
- **Are fees and commissions being charged?** The cap on interest rates in Pennsylvania is inclusive of all fees charged to the consumer.
- **Are you allowed to assign your pension benefits to a company?** Check with the administrator of your pension plan to determine what restrictions might apply.
- **Does the company require the purchase of a life insurance policy naming it beneficiary?** Some companies might have this requirement to ensure their future payments – because this transaction has nothing to do with your pension.

### How to learn more?

Risks of Easy Money Loans (one-pager) Recognizing Easy Money Loans





## OTHER COMMON ISSUES

### Mortgage Satisfaction

Congratulations on paying your mortgage in full! When you receive notice that the account is paid in full, check with your county courthouse to ensure that the lien is marked “satisfied.” Failing to do so may result in lengthy delays if you choose to sell the property or get a loan using the property as collateral. Discovering an old lien through a title search can be costly to remove if you need to hire an attorney to file a Motion to Satisfy.

### Where Do I Call?

Yes, sometimes we at the Department of Banking and Securities get wrong number calls. But often callers do not know where to call – the Department of Banking and Securities, another state agency, or a federal agency. Given the number of federal and state agencies that have responsibility for consumer protection issues, it’s no wonder many callers are confused. When that happens, our experienced staff helps point consumers in the right direction.

Contact the PA Department of Banking and Securities **1.800.PA.BANKS**

### Your Credit Report

Your credit report is your personal financial report card. It affects your ability to secure a loan, get a job, or find a home. Your creditors file reports with one of the credit reporting bureaus to show if you pay your bills on time, how much debt you owe, if you have ever been sued for non-payment of debt, or filed bankruptcy. You can get a copy of your credit report for free from Experian, Equifax, and TransUnion once a year.

Visit [annualcreditreport.com](http://annualcreditreport.com)

Once you receive your report, look it over carefully to be sure it is accurate. If there are errors, contact

the credit reporting bureau to file a dispute. In some cases, fraudulent information should be reported to the police. You should close accounts opened without your knowledge, cancel credit cards for legitimate accounts that have been compromised and ask for a new card to be issued, place a fraud alert or freeze your credit reports with the credit reporting bureaus, and contact the Federal Trade Commission at

[IdentityTheft.gov](http://IdentityTheft.gov)



# LESSONS LEARNED



## Card Skimmers

Be alert for card skimmers at the gas pump, ATMs, and other payment terminals! Skimmers are malicious card readers that illegally gather data from a credit or debit card's magnetic stripe. They're often attached to a real payment terminal and allow a scammer to steal personal financial and account information. Gas pumps and ATMs are prime targets.

Skimmers can be placed externally over the real card reader or internally, which is harder to detect, if the thief has a key to get inside the machines.

### What should everyone know?

Choose gas pumps that are closer to and within the line of vision of the cashiers.

- Use ATMs in well-lit, secure locations and avoid using ATMs that are stand-alone units in corners of stores or other out-of-the-way locations.
- Look at the card reader slot and surrounding areas to see if anything looks out of place, mismatched, or loose.
- Make sure no one is watching you enter your PIN (or possibly filming you on a mobile phone).
- Consider using your credit card instead of your debit card to avoid compromising your PIN and to gain other consumer protections.
- Check your bank and credit card statements frequently to watch for fraudulent activity and report any unfamiliar activity immediately.

### What you can do?

Investigate/report to local/state police:

- Inspect the card reader – compare to other pumps. If it looks different report it
- Wiggle it – if it's loose, report it
- Look for broken or missing tamper resistant tape

## SCAM ALERT!

### CARD SKIMMERS AT THE PUMP

**Skimmers** are malicious card readers that illegally gather data from a credit or debit card's magnetic stripe. They're often attached to a real payment terminal and allow a scammer to steal personal financial and account information. **Gas pumps are a prime target!**

Skimmers can be placed externally over the real card reader or internally (harder to detect) if the thief has a key to get inside the machines.



<p><b>Warning Signs:</b></p> <ul style="list-style-type: none"> <li>Poorly lit pumps farthest from the station/closest to the street</li> <li>Little or no video surveillance</li> <li>No tamper-resistant tape on the pumps</li> <li>Out-of-date pump inspections</li> </ul>		<p><b>Investigate/report to local/state police:</b></p> <ul style="list-style-type: none"> <li>Inspect the card reader – compare to other pumps. If it looks different, report it</li> <li>Wiggle it – if it's loose, report it</li> <li>Look for broken or missing tamper-resistant tape</li> </ul>
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## LESSONS LEARNED



The **Consumer Services Office** has become a valuable resource to the consumers who contact us, but they are also a valuable resource in helping us identify emerging issues and trends that have the potential to affect a larger number of Pennsylvanians.

Partly in response to our interactions with consumers, we have developed and published a library of consumer information, which is available on our website and our social media. We also provide copies of these publications at public consumer protection events. In addition, we offer seminars to community groups and schools to help inform consumers and investors.



## questions | more information

Take action today to stay informed, educate yourself and others, and contact us for help. At DoBS, we encourage Pennsylvanian's to



### Connect

- Like PA Investor Education on Facebook
- Like PA Banking and Securities on Facebook
- Link with PA Banking and Securities on LinkedIn
- Follow **@PAFinancialReg** on Twitter
- Subscribe to the department's newsletter "The Quarter"

### Contact

- File a complaint [dobs.pa.gov/Consumers/Pages/File-a-Complaint.aspx](https://dobs.pa.gov/Consumers/Pages/File-a-Complaint.aspx)  
**1.800.PA.BANKS** (800.722-2657) 1.800.600.0007.
- Media Inquiries 717.783.4721
- PA Department of Banking and Securities | 17 N Second Street, Suite 1300 | Harrisburg, PA 17101

### Learn

- About the Department at [dobs.pa.gov](https://dobs.pa.gov)
- About our Programs and Presentations at <http://bit.ly/1UYPruj>
- Schedule outreach today [informed@pa.gov](mailto:informed@pa.gov)
- Attend an outreach event. Online Calendar at <http://bit.ly/1KlscBZ>.







# Publications to keep you well-informed

## Publications

The department offers **FREE** brochures and hand-outs on various financial topics that are available to the public through request or by download as (PDF) at [dobs.pa.gov](http://dobs.pa.gov).

If you are interested in receiving these publications, please contact us at: [informed@pa.gov](mailto:informed@pa.gov)  
**1.800.PA.BANKS**  
or (1.800.600.0007)



## Topics

Each topic below may have several different publications. Please inform us of the topic you would like more information on. We will provide a list of publications associated with those topics so you can choose which titles work for your specific initiative.

**Investing for Adults**  
**Protection for Seniors**  
**Investing for Military and Veterans**

**Investing for Students and Young Adults**  
**Investors: Protect Your Money**  
**Consumers: Protect Your Money**

## Information

Please provide us with the following information (phone or email).

1. Contact Name
2. Organization
3. Shipping Address
4. Phone Number
5. Email Address
6. Topics

