

FORGERY AND CHANGING LEGAL/FINANCIAL DOCUMENTS

A friend, family member, or caregiver may forge the elder's signature on financial documents—including documents signing over power of attorney—to transfer ownership of property, assets, or other valuable resources.

Trusted individuals can exploit elders by convincing them to change their wills or trusts and sign over their homes or other assets.

A trusted person may have access to an elder's bank account to pay the elder's bills but they may spend that money on themselves.

HOW TO REPORT SUSPECTED ABUSE

Elder financial exploitation is severely underreported in New York State: only 1 in 44 cases of abuse is reported to authorities even though 42 out of every 1,000 elderly New Yorkers is a victim. If you suspect that either you or someone you know may be the victim of elder financial exploitation, you should immediately contact the New York Department of Financial Services ("DFS") or one of the agencies below.

ADULT PROTECTIVE SERVICES

New York Adult Protective Services (APS) is part of the New York State Office of Children and Family Services and their services are available to adults 18 and older. APS investigates and evaluates adults' needs and risks of harm,

counsels victimized adults and their families, and provides case and financial management services. You can find your local county Department of Social Services Adult Protective Services office on the Office of Children and Family Services website at ocfs.ny.gov. To find specific telephone numbers for your local APS office, call (800) 342-3009 (press 6).

FINRA

For questions related to investments, the Financial Industry Regulatory Authority (FINRA) has launched a toll-free Securities Helpline for Seniors. FINRA staff are available to answer questions from 9:00 a.m. – 5:00 p.m. E.T., Monday through Friday. The FINRA Helpline number is (844) 57-HELPS or (844) 574-3577.

THE U.S. POSTAL INSPECTION SERVICE

If you suspect you or someone you know may have been a victim of a sweepstakes or lottery scam, the U.S. Postal Inspection Service has created a toll-free number and a website for consumers to report mail fraud, including sweepstakes and lottery scams. Call (877) 876-2455 or visit www.deliveringtrust.com for more information.

CONTACT DFS

DFS can assist with complaints and investigate suspected elder financial exploitation. You can report elder financial exploitation by contacting DFS at **(800) 342-3736** or by filing a complaint via or website www.dfs.ny.gov



Department of
Financial Services



What You Need to Know About...

PREVENTING AND REPORTING ELDER FINANCIAL EXPLOITATION

Important information about the various kinds of elder financial exploitation and how to report suspected abuse.

This guide is provided for informational purposes only and does not constitute legal advice.

www.dfs.ny.gov
(800) 342-3736

WHAT IS IT?

Elder financial exploitation is the illegal or improper use of an elderly adult's money, property, or resources by another individual.

The cost of elder financial exploitation in New York is estimated to be as much as \$1.5 billion each year. The elderly are targeted because they generally have accumulated savings and assets through a lifetime of work, making them attractive targets for thieves.

RISK FACTORS

Elder financial exploitation schemes seek to take advantage of vulnerabilities common among the elderly. Risk factors may include:

- **Advanced age:** elders most vulnerable to abuse tend to be between 80 and 89.
- **Gender:** the majority of abused elders are women.
- **Cognitive decline** or cognitive incapacity.
- **Living alone**, being isolated from communities, or having limited social relationships.

WARNING SIGNS OF FINANCIAL ABUSE

- Unpaid bills which the elder should have the means to pay.
- Purchasing or spending behavior that appears to be out-of-character.
- New “best friends” (people who have recently become close to the elder) who are not promoting the elder's best interests or are claiming a right to funds.
- Sudden changes in an elder's will, trust, insurance or other financial documents.
- Abrupt or unexplained transfers of assets.
- Confusion about recent financial arrangements or changes.

GENERAL PREVENTION TIPS

Talk about your finances with friends, family, and financial professionals in order to feel better equipped to prevent potential financial abuse.

Exercise caution providing financial or other personal information over the phone or internet, and resist pressure to give someone financial information or access to your financial accounts.

Always ask for more information in writing and get a second opinion before changing your power of attorney, wills, trusts, or any of your personal financial information.

The following are some of the most common types of elder financial exploitation and tips for how to protect yourself or an elder you know.

SCAMS

SWEEPSTAKES OR LOTTERY SCAMS

These schemes trick their victims by using a name which sounds like a government agency or an official-sounding authority to tell people they have won a sweepstake or lottery. Scammers often target the elderly over the phone, by mail, or on the internet. They generally ask victims to pay taxes, insurance, or other fees by sending a check or wiring money in order to claim their “winnings.” They often also try to collect and sell your personal information to other criminals who may try to scam you later.

Protective Measures:

Never pay upfront fees or “taxes” in order to claim sweepstakes or lottery winnings. Legitimate sweepstakes and lotteries do not ask for money upfront from winners.

Do not share your social security number, bank account information, driver's license number or any other personal information unless you're confident it will be used for legitimate purposes.

GRANDPARENT SCAMS

A caller claims to be someone's grandchild by saying something like “Grandma, it's me...please don't tell my parents but I'm in trouble and need money right away.” Scammers sometimes use actual relatives' names and information taken from social media and internet sites, or they will wait for the grandparent to say the name of the grandchild. The scammer pretends that the grandchild urgently needs money and will ask the grandparent to send money through a service such as Western Union or MoneyGram.

Protective Measure:

Call your grandchild or speak to family members to find out if your grandchild is actually in need of assistance.

ABUSE BY A TRUSTED PERSON

Most elder financial exploitation occurs when friends, caregivers, family members or others in a position of trust with the elder abuse that trust. An abuser will often isolate the elder from other friends and family, make important decisions for the elder, and try to leave the elder out of conversations. They may also threaten to put the elder in a nursing home if the elder protests these financial decisions.

POWER OF ATTORNEY ABUSE

A power of attorney is a written authorization that gives someone legal authority to make financial and medical decisions on behalf of another.

If an elder is hospitalized or away from their home, the elder may assign a power of attorney to a relative or friend to take care of their finances. This person may then take the elder's property, close their bank accounts and investments, and/or steal their money.