If you have a dispute with a business, Mediation Services may be able to help you. Your complaint will go through the following process:

1) The consumer contacts the Consumer Protection Unit and requests a complaint form by calling or writing to:

Consumer Protection Unit
District Attorney’s Office
West Wing, Fourth Floor
70 West Hedding Street
San Jose, CA 95110-1705
(408) 792-2880
FAX 408-279-8742

It is also possible to download the complaint form from our website: www.santaclara-da.org/consumer-complaint.html

2) The consumer completes the complaint form and mails it back to the Consumer Protection Unit.

3) A mediator contacts the business about the complaint.

4) When the business responds to the complaint, the mediator works with both parties until a solution is reached. If that is not possible, the consumer is advised of alternative options.

Mediation Services:
(408) 792-2880
The District Attorney investigates and prosecutes crimes that occur in Santa Clara County. The District Attorney’s Office is comprised of over 20 different units. The Consumer Protection Unit is one such unit.

The Consumer Protection Unit serves the community by helping to resolve disputes between consumers and businesses and by bringing enforcement actions against businesses engaged in illegal practices.

The Consumer Protection Unit also provides speakers to educate the public on consumer issues.

The Consumer Protection Unit has two sections: Mediation Services and the Enforcement Division.

**Mediation Services** provides information about consumer transactions and mediates complaints between consumers and businesses. Mediation Services typically assists in the following matters:

- Deceptive advertising and sales practices
- Consumer contract disputes
- Retail sales and services
- Warranty problems

A complaint may be forwarded to a different agency, such as the Federal Trade Commission, the California Bureau of Automotive Repair or the Contractors State License Board. When the complaint alleges an illegal business practice or false or deceptive advertising, it may be forwarded to the Enforcement Division.

**The Enforcement Division** reviews and evaluates complaints referred by Mediation Services or other agencies to determine whether a law enforcement action is appropriate. The Enforcement Division prosecutes actions on behalf of the general public. The District Attorney’s Office does not represent individual parties.

The District Attorney’s Office may file a lawsuit against a business engaged in illegal or fraudulent business practices. Enforcement actions typically seek a public remedy, such as a court order to stop the practice and to pay penalties. In some cases, consumers who were harmed by the practice may receive some form of restitution.

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**THE TWO SECTIONS OF THE CONSUMER PROTECTION UNIT**

- Mediation Services
- Enforcement Division

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**TIPS ON DOCUMENTING YOUR COMPLAINT**

Whether you enter into mediation or plan on filing a complaint in court, the following tips will help you prepare and present your case clearly.

- **Summarize your complaint.** Write a summary of what happened. Try to be as brief as possible while including all important facts. State clearly what you want the business to do. Do you want a refund or exchange? Do you want a contract cancelled? You will be asked to verbally summarize your complaint at various stages of the mediation process, and, if necessary, in court. Doing this in advance on paper will help you organize your thoughts.

- **Keep a journal.** After you have written your summary, create a chronology with dates, names, and other information pertinent to your case. Keep adding entries throughout the mediation process and/or trial. Dates and names are very important to this process, but are easily forgotten if not recorded.

- **Gather documents.** Put all contracts, receipts, cancelled checks, letters, and other documents related to your case in a safe place. Organize these documents in chronological order. You will probably be asked to present them at some point to explain and substantiate your claim.