

### IS PARTICIPATION VOLUNTARY?

Yes. Although the Consumer Mediation Unit cannot require a business to participate in mediation, most businesses choose to participate, and we have found that a cooperative effort by the consumer and the business often resolves the complaint.

### HOW DO I ORGANIZE THE DOCUMENTS REGARDING MY COMPLAINT?

We recommend that you keep good records of all your purchases. Organize them by category, or date, or use any convenient system that will easily allow you to retrieve the receipts you may need. If you believe that you have a problem with a specific transaction, keep all receipts, correspondence (including email exchanges), or other pertinent documents. Keep track of the contacts you had with the business, when you contacted them, and the names of the people with whom you spoke, particularly if they made any promises to you.

### DOES THE DISTRICT ATTORNEY'S OFFICE PROSECUTE BUSINESSES NAMED IN CONSUMER COMPLAINTS?

The Consumer Protection Unit reviews and evaluates complaints referred by the Mediation Unit to determine whether a law enforcement action is appropriate. The CPU prosecutes actions on behalf of the general public. The District Attorney's Office does not represent individual parties. Enforcement actions typically seek a public remedy.

### SPEAKERS BUREAU:

The Speakers Bureau of the Consumer Protection Unit provides educational outreach about consumer topics to the community. To arrange for a free speaker to discuss consumer issues with your community group or organization, please call: (408) 792-2880.

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A Service Provided by  
The Office of the District Attorney  
County of Santa Clara  
[www.santaclara-da.org](http://www.santaclara-da.org)

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Santa Clara County  
District Attorney  
Consumer Mediation Unit



408-792-2880

CONSUMER  
MEDIATION  
UNIT



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The Santa Clara County District Attorney's Office has a mediation program that assists consumers and businesses in resolving their differences.

Consumers face many challenges in our ever-changing marketplace. A dizzying array of incentives and offers are made via television, radio, newspapers, the Internet, in-store advertising, and printed ads. Consumers usually benefit from competition in the marketplace, but sometimes they fall prey to "too-good-to-be-true" offers, or offers that are not clearly explained. Also, consumers may need help in obtaining accurate information to confirm that certain products and services are provided or installed by properly licensed and registered professionals. The Consumer Mediation Unit strives to help consumers with these issues and many more.



### WHO MAY REQUEST SERVICES FROM THE CONSUMER MEDIATION UNIT?

Any consumer who resides or works in Santa Clara County, regardless of the location of the business, or any consumer (from any location) who encounters difficulties with a business located in Santa Clara County is eligible for our services.

### WHAT HELP IS USUALLY AVAILABLE?

General information regarding consumer issues, review of consumer options, referrals to other resources, and mediation services are all provided.

### WHAT TYPES OF CONSUMER COMPLAINTS ARE MEDIATED?

The Consumer Mediation Unit mediates complaints in which a consumer purchased a product or a service from a business for the consumer's home or personal use.

### HOW DO I FILE A CONSUMER COMPLAINT

A consumer complaint form must be completed and submitted to the Consumer Mediation Unit. The form is available by:

1. Calling (408) 792-2880 to obtain a copy by mail
2. Completing and submitting the Complaint Form online at [www.santaclara-da.org/consumercomplaintform](http://www.santaclara-da.org/consumercomplaintform).
3. Printing the Complaint Form for submission by mail or fax to (408) 279-8742

### HOW DOES CONSUMER MEDIATION WORK?

The mediator assigned to a complaint will send a copy to the business and then will work with both parties to help them better understand the issues and each other's positions. The mediator attempts to help the parties reach an acceptable agreement for both parties.

The mediator:

- Does not decide the outcome of the complaint
- Does not represent either party
- Does not give legal advice

Mediation is concluded when:

- An agreement is reached
- Either party refuses to participate further
- The parties are unable to reach an agreement

### WHY MEDIATE?

Mediation provides many chances and options for the successful resolution of consumer complaints. If mediation does not succeed, consumers may still attempt to resolve the matter with regulatory agencies or to file a complaint in court.