

Decision

56 F.T.C.

dividually and as officers of said corporation, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

IN THE MATTER OF
TELEVISION AND APPLIANCE CREDIT CORPORATION
ET AL.

CONSENT ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION ACT

Docket 7591. Complaint, Sept. 21, 1959—Decision, Apr. 7, 1960

Consent order requiring Los Angeles, Calif., sellers of questionnaire forms to be used to obtain information concerning delinquent debtors, to cease representing falsely that their company was a casting service and offered employment in motion pictures to recipients who answered their questionnaires, and that their said skip-tracer forms had been cleared and approved by the postal authorities and the Federal Trade Commission.

Mr. Garland S. Ferguson for the Commission.

Respondents, *pro se*.

INITIAL DECISION BY WALTER R. JOHNSON, HEARING EXAMINER

In the complaint dated September 21, 1959 the respondents are charged with violating the provisions of the Federal Trade Commission Act.

On January 30, 1960, the respondents entered into an agreement with counsel in support of the complaint for a consent order.

Under the foregoing agreement, the respondents admit the jurisdictional facts alleged in the complaint. The parties agree, among other things, that the cease and desist order there set forth may be entered without further notice and have the same force and effect as if entered after a full hearing and the document includes a waiver by the respondents of all rights to challenge or contest the validity of the order issuing in accordance therewith. The agreement further recites that it is for settlement purposes only and does not constitute an admission by the respondents that they have violated the law as alleged in the complaint.

The hearing examiner finds that the content of the agreement meets all of the requirements of Section 3.25(b) of the Rules of the Commission.

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Order

The hearing examiner being of the opinion that the agreement and the proposed order provide an appropriate basis for disposition of this proceeding as to all of the parties, the agreement is hereby accepted and it is ordered that the agreement shall not become a part of the official record of the proceeding unless and until it becomes a part of the decision of the Commission. The following jurisdictional findings are made and the following order issued.

1. Corporate respondent Television and Appliance Credit Corporation is a corporation existing and doing business under and by virtue of the laws of the State of California, with its office and principal place of business located at 124 East Commercial Street, Los Angeles, California. Individual respondents Sidney Moray, Aaron Shaw, and Frank Chesler are officers of said corporation. They formulate, direct and control the practices of the corporate respondent. Their address is the same as that of the corporate respondent.

2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the respondents, and the proceeding is in the public interest.

ORDER

It is ordered, That respondents, Television and Appliance Credit Corporation, a corporation, and its officers, and Sidney Moray, Aaron Shaw and Frank Chesler, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device in connection with the business of obtaining information concerning delinquent debtors, or the offering for sale, sale or distribution of forms or other material for use in obtaining information concerning delinquent debtors or in the collection of, or attempting to collect accounts in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using, or placing in the hands of others for use, any forms, letters, questionnaires, or other materials, printed or written, which do not clearly reveal that the purpose for which information is requested is that of obtaining information concerning delinquent debtors.

2. Representing in any manner that respondents are in the business of a casting service for the motion picture or television industry.

3. Representing in any manner that respondents offer employment to the persons to whom respondents' forms are sent to appear in motion pictures.

4. Representing in any manner that respondents' skip-tracer forms have been cleared or approved by the Postal Authorities, the Federal Trade Commission, or by any other government agency, or representing that said forms, or the use thereof, are not in violation of the Federal Trade Commission Act, when such is not the fact.

DECISION OF THE COMMISSION AND ORDER TO FILE REPORT OF COMPLIANCE

Pursuant to Section 3.21 of the Commission's Rules of Practice, the initial decision of the hearing examiner shall, on the 7th day of April, 1960, become the decision of the Commission; and, accordingly:

It is ordered, That respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.