

# LENDING & MORTGAGE

Magazine sales solicitation can come in several forms. Telephone, Door-to-Door, and Mail solicitations are the most common. Magazine solicitations from these types of sales usually get processed through a "Magazine Warehouse", and can cost considerably more money than ordering directly from the publisher of the magazine. Unfortunately consumer names get on "Mailing Lists" that magazine warehouses obtain in an effort to solicit new subscribers.

## **Telephone Solicitation**

Magazine warehouses may contact you with a telephone call. They tend to make their sales through special offers of reduced rates or free years of subscription. These calls will be recorded, and they will verify the transaction with the consumer saying "Yes". South Dakota law requires these types of transactions to be verified with a written contract. The magazine warehouse is to send the consumer a contract specifying what the consumer is going to receive, the amount of the monthly or one-time payment will be, and the duration of the subscription. A verbal confirmation is not a binding contract.

## **Door-to-Door Solicitation**

Various groups and organizations may use magazines sales for fund raisers, or may claim that you can make a subscription order that will be given to someone else as a gift. These orders are then processed through a magazine warehouse. If you choose to purchase a subscription from a Door-to-Door salesperson, do not pay with cash, and make checks payable to the company and not to the salesperson.

*Please refer to the **Door-to-Door Sales** section of this handbook for the explanation of your rights.*

## **Mail Solicitation**

Some magazine warehouses will send out "Renewal Notices" to consumers that state a subscription is about to run out. These notices may have statements that this is your "Final Notice" and will show "Amount Due". If you do have a subscription to a magazine, verify that this is the company that the original order was placed with. This tactic is usually used to get new subscribers, and not as a renewal.

SOUTH DAKOTA OFFICE OF ATTORNEY GENERAL

**CONSUMER  
PROTECTION**

1302 E Hwy 14 Ste 3 • Pierre SD 57501   [consumerhelp@state.sd.us](mailto:consumerhelp@state.sd.us)

**1-800-300-1986**

This handout is for informational purposes and should not be construed as legal advice or as a policy of the South Dakota Attorney General. If you need advice on a particular issue, you should consult a private attorney or other experts.

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**Here are some tips to go by when placing magazine orders:**

- Order directly from the magazine company that publishes the magazine. Buy the magazine from the newsstand, and use the subscription card located inside the magazine. The order form will also let you know if you are getting the best price available for that particular magazine.
- Make a note of when you placed the magazine order and when it is due to expire. This prevents another company from trying to extend or renew a subscription that is already in place.
- Make sure that you know exactly what you are agreeing to prior to agreeing to anything over the phone. Request any offers to be put into writing prior to agreeing to the purchase.