

What can I do to avoid financial exploitation?

- Keep in touch with friends and loved ones. If you are isolated, you are more of a target.
- Never provide personal information (like your Social Security or Medicare numbers, your credit card information, or your PIN number) to others.
- Do not sign blank checks, give anyone your credit or debit cards, or leave money or personal information lying around.
- Avoid scams like prizes you have suddenly “won.” If it sounds too good to be true, it probably is.
- Check your financial statements frequently and be aware of any activity that is inconsistent, unexplainable, or suddenly increased.
- Get written estimates before you hire someone to work. Agree on a price and don’t pay until the work is complete.
- If you feel overwhelmed with your daily finances, hire a money manager and speak to an attorney about an estate plan.

Where can I call for help?

- **NH Bureau of Elderly and Adult Services:**
Adult Protective Services
Central Intake:
1-800-949-0470
- **Your local County Attorney’s Office**
- **Your local Police Department**
- **NH Legal Assistance:**
Senior Law Project
1-888-353-9944
Provides free civil legal help to persons age 60 and older.
- **ServiceLink Aging and Disability Resource Centers:**
1-866-634-9412
Provides free information and referrals for older adults and people with disabilities.
- **2-1-1 New Hampshire:**
(Dial 2-1-1) Connects callers, at no cost, to information about available health and human services.

Elder Financial Exploitation

A Brief Guide: What You Need to Know to Protect Yourself



New Hampshire Legal Assistance Senior Law Project

1-888-353-9944

TTY: 7-1-1 or 1-800-735-2964

www.nhla.org



Supported by the
IOLTA program of the
NH Bar Foundation

United Way
Partner Agency

What is financial exploitation?

- Using a power of attorney or joint bank account to take an older person's money or property
- Using pressure, deception or undue influence to take an older person's money or property
- Telemarketing scams to scare or deceive an older person into sending money to someone

What kinds of people financially exploit seniors?

- Family members
- Friends, acquaintances or others in a position of trust
- Hired (professional or volunteer) caregivers
- Professional criminals who target the elderly

Is financial exploitation a crime in New Hampshire?

Yes. On January 1, 2015, a new law, RSA 631:9 and 631:10, went into effect making financial abuse of elderly, disabled, or impaired adults a crime in New Hampshire. Some key provisions of the new law include:

- Making it a crime if a fiduciary (e.g. agent, guardian) knowingly or recklessly takes advantage of an elderly, disabled, or impaired adult for someone else's benefit
- Making it a crime if a person harasses, forces, compels, or uses undue influence to control the property of an elderly, disabled, or impaired adult
- Making it a crime if someone uses undue influence or other improper means to establish a fiduciary relationship with an elderly, disabled, or impaired adult that gives the person control or interest in property or financial resources
- Imposing criminal penalties on offenders who know or reasonably should have known that the victim is an elderly, disabled, or impaired adult
- Broadening protection beyond "incapacitated" adults

Can I sue in civil court to get my money or property back?

Possibly. Once money is taken, it is very difficult to get it back. Most often the money has already been spent and the exploiter has no assets. So even if you are successful in getting a civil judgment against the exploiter, you may not have any way to collect the money. It may be easier to get back property (such as a home).

What are signs of financial exploitation?

- Financial activity is inconsistent, unexplainable, or suddenly increased
- Evasiveness or confusion over account depletion
- Constant companionship by a new friend
- Increased isolation or sudden estrangement from family or friends
- Abrupt and unexpected changes in a will, trust, power of attorney, or other legal document in favor of a new friend
- Changes in physical appearance or personal hygiene