

## 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
- **Elder Abuse and Exploitation Unit of NH Attorney General**  
603-271-3658
- **Your local Police Department**
- **NH Legal Assistance:**  
Justice in Aging 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 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 Justice in Aging Project

1-888-353-9944

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

[www.nhla.org](http://www.nhla.org)



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## 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
- Professionals in a position of trust
- Professional criminals who target the elderly

## Is financial exploitation a crime in New Hampshire?

**Yes.** RSA 631:9 and 631:10 is a state law that makes financial abuse of elderly, disabled, or impaired adults a crime in New Hampshire. Some key provisions of the 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 a person seeks to gain control of interest or property or an elderly disabled or impaired adult who they have reason to believe lacks capacity to consent
- 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 (e.g. checks written out of order, new credit cards, etc.)
- 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, etc. in favor of a new friend
- Changes in physical appearance or personal hygiene