



STATE OF HAWAII
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
REGULATED INDUSTRIES COMPLAINTS OFFICE
CONSUMER RESOURCE CENTER
OAHU OFFICE
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HOW TO FILE A COMPLAINT WITH THE REGULATED INDUSTRIES COMPLAINTS OFFICE

Thank you for your interest in the Regulated Industries Complaints Office (RICO). The following is important information about filing a complaint with our office. Additional information, including a complete list of professions and vocations RICO regulates, is available on our website or by contacting the RICO Consumer Resource Center.

Instructions for filing a RICO complaint:

1. **Try to resolve your dispute.** If your dispute involves a licensed business or individual, RICO recommends you try to resolve your dispute with the licensee before filing a formal complaint. A template for a self-help letter that consumers can use is available on the RICO website. If you send a self-help letter, please send a copy to RICO for our records. RICO uses such information to monitor conduct in the industry. Please note *unlicensed companies and individuals are not authorized to perform work that requires a license, therefore, RICO staff will never recommend any resolution that involves additional or corrective work by an unlicensed business or individual.*

2. Please **review the information provided here** as well as the complete list of **Frequently Asked Questions** available on the RICO website.

3. **Pull together any information you have** about your dispute and **complete a RICO complaint form.**

IMPORTANT NOTICE FOR CONSUMERS FILING HEALTHCARE RELATED COMPLAINTS. If you are filing a complaint about a health care provider, RICO asks that you complete an **Authorization for Release and Disclosure of Health Information and Records**. This form allows RICO to obtain information about a patient's health care from any health care providers involved. The form is available for download on the RICO website and provided with the RICO Healthcare Complaint Form.

IMPORTANT INFORMATION ABOUT THE COMPLAINT PROCESS

What kind of complaints does RICO accept? RICO accepts complaints about individuals and businesses who work in industries where a professional or vocational license is required, like contractors, doctors, real estate brokers, and auto repair mechanics. Common complaints involve allegations of poor workmanship, negligence, failure to complete, and unlicensed activity. Less common complaints involve allegations involving sexual contact with patients or clients and misappropriation of funds. Some things, even if proven true, may not constitute grounds for discipline. For example, concerns that a patient has been made to wait a long time at a doctor's office or that a licensee has charged a lot of money for a particular service. RICO's jurisdiction is limited to the licensing laws and rules for each profession. Violations vary depending on the license type involved.

Who can file a complaint with RICO? Anyone can file a complaint with RICO. RICO investigates complaints received from consumers, requests for investigation received from Hawaii's boards, commissions, and programs, from licensing boards in other states, and from anonymous sources. RICO also initiates cases based on referrals from other law enforcement agencies and professional associations. Occasionally, matters are reported by hospitals and employers. RICO also conducts compliance checks, and sweep and sting operations.

Does it cost money to file a complaint? Is there a time limit? There is no fee to file a complaint and no time limit for filing or prosecuting a complaint, however, it is best to file your complaint as soon as possible. Complaints that involve situations distant in time may be difficult to investigate.

What does it mean to be the complainant in a RICO case? Once you've filed your complaint, you may be contacted by a RICO investigator and/or attorney to be interviewed or to provide additional information about your dispute. If a case proceeds to a hearing or other legal action, you may be called as a witness for the State. Because many of the cases RICO prosecutes are resolved before a hearing or trial is held, a consumer may not have an additional role after the investigation process.

What happens after I file my complaint? After your complaint is received, an intake investigator will be assigned to review your complaint. The intake investigator may contact you if he/she has questions or needs additional information. You will be notified in writing when your complaint is received and when an initial review has been completed.

Will my complaint remain confidential? How about my identity? RICO makes every effort to hold information and records in confidence unless disclosure is important to the RICO case or otherwise required by law. For example, RICO may share your identity and details about your complaint with the person or business you're complaining about, so they can respond to our inquiries. RICO may also share information about your complaint with other state and federal regulators and law enforcement agencies for the express purpose of assisting those agencies with the enforcement of state and federal laws. Should RICO initiate a formal legal proceeding involving your complaint, your complaint and any related documents may become information available to the public through RICO legal filings or any hearing, trial, or proceeding that may result.

Does RICO accept anonymous complaints? Some complaints, (like complaints filed by employees or allegations of sexual assault) involve sensitive information. *These types of complaints are especially important to our office and may be filed anonymously or with limited information.* Please note while RICO accepts anonymous complaints, investigation may be challenging if the information provided with the complaint is limited or if we are unable to contact the reporting person if we have questions. RICO does not provide updates on anonymous complaints (but may contact you if additional information is required).

Does RICO represent me? No. As a government agency, RICO represents the State of Hawaii as a whole. We do not represent you and strongly advise all consumers immediately explore any civil remedies they may have. This may require hiring a lawyer or filing a civil action in small claims, district, or circuit court.

Should I pursue a separate civil action (like a lawsuit) in court? That is a decision you must make. Because we do not represent individual consumers, we ***strongly encourage*** consumers consider seeking legal advice and immediately explore any civil remedies they may have. Filing a complaint with our office does not prevent you from pursuing any civil remedies or from filing a police report if appropriate. There are time limits for filing a civil lawsuit, so do not rely on, or wait for, a RICO case to be concluded.

Is there any chance I may be compensated through the RICO action? Although our role is to enforce regulatory laws and rules, sometimes we are able to achieve some sort of resolution on the part of complaining parties. ***Again, RICO does not represent you, so do not rely on, or wait for, a RICO case to be concluded.***

For a complete list of Frequently Asked Questions and for other useful consumer tips and information, visit the RICO website at cca.hawaii.gov/rico.

For questions about the complaint process or how to complete a RICO complaint form, call RICO's Consumer Resource Center at (808) 587-4272. Neighbor island residents can call toll free – on Kauai, dial 274-3141, extension 7-4272; on Maui, dial 984-2400, extension 7-4272; on Hawaii, dial 974-4000, extension 7-4272; and on Lanai & Molokai dial 1-800-468-4644, extension 7-4272.

This material is available in alternate formats including large print. For assistance, please contact the RICO Complaints and Enforcement Officer at 586-2666.