

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Lina M. Khan, Chair**
 Rebecca Kelly Slaughter
 Alvaro M. Bedoya
 Melissa Holyoak
 Andrew N. Ferguson

In the matter of

H&R BLOCK INC.,

Findings

A. The Respondents are:

simultaneously in both the visual and audible portions of the communication even if the representation requiring the disclosure ("triggering representation") is made in only one means.

2. A visual disclosure, by its size, contrast, location, the length of time it appears, and other characteristics, must stand out from any accompanying text or other visual elements so that it is easily noticed, read, and understood.
3. An audible disclosure, including by telephone or streaming video, must be delivered in a volume, speed, and cadence sufficient for ordinary consumers to easily hear and understand it.

required by provision II.B of this Order. Space-Constrained Advertisements do not include Advertisements on the H&R Block website or app, in emails, or on

Products and is easily noticeable to the ordinary consumer by its size, contrast, location, and other characteristics and in the same location as other persistently available menu or product navigation options;

- F. Effective February 15, 2025, requiring any assistance or participation of a customer service agent and/or telephonically accessed IVR system as the sole method to effectuate a Downgrade or Upgrade;
- G. Effective January 15, 2025, failing to provide clear instructions in language understandable to ordinary consumers on how to effectuate a Downgrade or failing to make those instructions easily noticeable to the ordinary consumer by their size, contrast, location, and other characteristics and readily available in the same location Respondents provide other instructions to consumers for the use of a DIY Online Product, including but not limited to “Help” or “Frequently Asked Question” links, customer support chat functions or “Online Virtual Assistants,” or live customer service agents;
- H. Effective January 15, 2026, failing to retain certain information after a consumer effectuates a Downgrade:
 - 1. If a consumer has entered Taxpayer Data in a DIY Online Product and effectuates a Downgrade, failing to retain that Taxpayer Data in the post Downgrade DIY Online Product; or
 - 2. If a consumer effectuates an Upgrade and later effectuates a Downgrade to the product immediately prior to their most recent Upgrade, failing to retain all information entered by the consumer in the DIY Online Product immediately prior to the most recent Upgrade.

II. Prohibition Concerning “Free” Offers

IT IS ORDERED that, effective 30 days from entry of this Order, Respondents, Respondents’ officers, agents, employees, and attorneys, and all other persons in active concert or participation with them, who receive actual notice of this Order by personal service or otherwise, whether acting directly or indirectly, in connection with the advertising, marketing, promoting, or offering for sale of any DIY Online Product, must not represent that the DIY Online Product is “Free” unless:

- A. Respondents offer the DIY Online Product for Free to all consumers; or
- B. If Respondents do not offer 0 Tw f (ona)43onaY O (ve)4 (c)4 (onc c)4 (o-2 (of)23 (f)10 (M

where the DIY Online Product is not offered exclusively to U.S. taxpayers), the Advertisement may alternatively disclose that a majority of U.S. taxpayers (or other U.S. consumers) do not qualify; and

2. Following the disclosure required in provision II.B.1 of this Order, the Advertisement discloses Clearly and Conspicuously all the terms, conditions, and obligations upon which receipt and retention of the “Free” DIY Online Product are contingent so as to leave no reasonable probability that the terms of the offer might be misunderstood.
- C. If the Advertisement is a Space-Constrained Advertisement, it must include the disclosure required in provision II.B.1. of this Order but need not include the disclosure of all terms, conditions, and obligations required in provision II.B.2. of this Order so long as the Advertisement Clearly and Conspicuously directs consumers to view eligibility requirements on a landing page or webpage on an H&R Block website that Clearly and Conspicuously features the disclosures required in provision II.B.2. of this Order. In addition, if the Space-Constrained Advertisement is online, the consumer must be able to directly reach such landing page or webpage by clicking on (1) a hyperlink identified by the direction to consumers to view the eligibility requirements, or (2) the Advertisement itself. Defendants bear the burden of showing that there is a constraint such that the Advertisement constitutes a Space-Constrained Advertisement.

III. Prohibition Against Misrepresentations

IT IS FURTHER ORDERED that Respondents, Respondents’ officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order by personal service or otherwise, whether acting directly or indirectly, in connection with the advertising, marketing, promoting, or offering for

VI. Customer Information

IT IS FURTHER ORDERED that Respondents must directly or indirectly provide sufficient customer information to enable the Commission to efficiently administer consumer redress reasonably related to Respondents' practices alleged in the Complaint. If a representative of the Commission requests in writing any information related to redress Respondents' subject to applicable law, must work with the Commission to provide it, in the form prescribed by the Commission representative, within 14 days or other time to be agreed upon between the Commission and Respondents.

Order; and (e) provide a copy of each Order Acknowledgment obtained pursuant to this Order, unless previously submitted to the Commission.

- B. For 20 years after entry of this Order, Defendants must submit a compliance notice, sworn under penalty of perjury, within 14 days of any change in the following: (a) any designated point of contact; or (b) the structure of Defendants or any entity that Defendants have any ownership interest in or control directly or indirectly that may affect compliance obligations arising under this Order, including: creation, merger, sale, or dissolution of the entity or any subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order.
- C. Defendants must submit to the Commission notice of the filing of any bankruptcy petition, insolvency proceeding, or similar proceeding by or against such Defendant within 14 days of its filing.
- D. Any submission to the Commission required by this Order to be sworn under penalty of perjury must be true and accurate and comply with 28 U.S.C. § 1746, such as by concluding: "I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on: _____" and supplying the date, signatory's full name, title (if applicable), and signature.
- E. Unless otherwise directed by a Commission representative in writing, all submissions to the Commission pursuant to this Order must be emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to: Associate Director for Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 P(P)-d(r)3 (a)4U13.9 (f)-1 (o)(ci)- (ut)-2 (e)4 (d o)-10 (n:)]TJ TT

Order, including all submissions to the Commission; and

- C. This Order if such complaint is filed after the Order has terminated pursuant to this Provision.

Provided, further, that if such complaint is dismissed or a federal court rules that the Respondent did not violate any provision of the Order, and the dismissal or ruling is either not appealed or upheld on appeal, then the Order will terminate according to this Provision as though the complaint had never been filed, except that the Order will not terminate between the date such complaint is filed and the later of the deadline for appealing such 4 (d or)3 ()JTJ EMC ET /Artifact BM