



United States of America  
FEDERAL TRADE COMMISSION  
East Central Region

1111 Superior Avenue,



TRACED Act to conduct tracebacks.<sup>1</sup> Between September 7, 2021, and February 4, 2023, ITG investigated 35 prerecorded voice message calls that law enforcement, voice service providers using honeypots (i.e., unassigned numbers held by providers to detect illegal robocalls), and customers of YouMail had flagged as illegal robocalls made without consent of the called party.<sup>2</sup> ITG conducted tracebacks and determined that HFA Services routed and transmitted the calls. ITG previously notified you of these calls and provided you access to supporting data identifying each call—including a recording of the illegal robocall—as indicated in Attachment A. Further, the numerous traceback notices directed to HFA Services indicate that you are apparently routing and transmitting illegal robocall traffic knowingly. **IF YOU ARE ENGAGED IN THESE ACTIVITIES, THEN YOU MUST IMMEDIATELY CEASE AND DESIST FROM ENGAGING IN THEM.**

The FTC, the nation’s consumer protection agency, enforces the Federal Trade Commission Act (FTC Act), 15 U.S.C. § 45 et seq., which prohibits unfair or deceptive acts or practices in or affecting commerce. The FTC also enforces the Telemarketing Sales Rule (TSR), 16 C.F.R. Part 310, which prohibits deceptive and abusive telemarketing practices. Section 310.3(b) of the TSR prohibits “assisting and facilitating” certain specified conduct.<sup>3</sup> Under that provision, it is unlawful for any person or entity to “provide substantial assistance or support to any seller or telemarketer when that person knows or consciously avoids knowing that the seller or telemarketer is engaged in any act or practice that violates Sections 310.3(a), (c), or (d), or Section 310.4 of this Rule.” These Sections prohibit, among others, the following conduct:

- x Making a false or misleading statement to induce any person to pay for goods or services or to induce a charitable contribution (16 C.F.R. § 310.3(a)(4));
- x Misrepresenting a seller or telemarketer’s affiliation with any government entity (16 C.F.R. § 310.3(a)(2)(vii));
- x Transmitting false or deceptive caller ID numbers (16 C.F.R. § 310.4(a)(8));
- x Initiating or causing the initiation of calls that deliver prerecorded messages,<sup>4</sup> unless the person called provided the seller express written permission to call (16 C.F.R. § 310.4(b)(1)(v)); and
- x Initiating or causing the initiation of telemarketing calls to numbers listed on the National Do Not Call Registry, unless the person called provided express written permission to receive calls from the seller or the seller had an existing business relationship with the person called (16 C.F.R. § 310.4(b)(1)(iii)(B)).

The FTC can obtain civil penalties for TSR violations. Each illegal call is subject to a maximum civil penalty of \$50,120. *See* 16 C.F.R. § 1.98. In addition, a violation of the TSR is a violation of Section 5 of the FTC Act. *See* 15 U.S.C. §§ 6102(c), 57a(d)(3), 45(a). Accordingly, the FTC has authority to seek both preliminary and permanent injunctive relief to address TSR

---

<sup>1</sup> *See* Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, Pub. L. No. 116-105, 133 Stat. 3274, Sec. 13(d) (2019) (TRACED Act).

<sup>2</sup> *See* 16 C.F.R. § 310.4(b)(1)(v).

<sup>3</sup> A copy of the TSR is attached as Attachment B.

<sup>4</sup> These calls are often referred to as “robocalls.”

violations. *See* 15 U.S.C. § 53(b). The FTC may also seek the refund of money or payment of damages to address TSR violations. *See* 15 U.S.C. § 57b(b).

Combatting illegal telemarketing is a top priority for the FTC, with a special emphasis on halting illegal robocalls.<sup>5</sup>

---

---

---

---

---

---

---

---

---

fraud by knowingly transmitting robocalls that impersonated federal government agencies.<sup>10</sup> In August 2020, a federal district court entered a permanent court order barring the defendants from conveying telephone calls into the U.S. telephone system.<sup>11</sup> State cases have had similar impacts.<sup>12</sup>

Within three business days, please send a message to FTC attorneys Fil Maria de Banate and Christian M. Capece, via electronic mail at [fdebanate@ftc.gov](mailto:fdebanate@ftc.gov) and [ccapece@ftc.gov](mailto:ccapece@ftc.gov), certifying that HFA Services has ceased engaging in the activities described above that may subject it to liability under the TSR or the FTC Act. Please direct any inquiries regarding this letter to Mr. de Banate and Mr. Capece by email or by telephone at 216.263.3413 or 216.263.3419.

Sincerely,

**JONATHAN STEIGER**  
Digitally signed by  
JONATHAN STEIGER  
Date: 2023.03.17  
14:34:10 -04'00'

Jon Miller Steiger  
Director

---

---

---

---

---

---

---

---

---

---

# ATTACHMENT A

<b>Date of ITG Notification</b>	<b>Date of Call</b>	<b>Caller ID</b>	<b>Robocall Campaign Identifier</b>	<b>Link to Robocall Recording</b>	<b>Potential Violation</b>
2/4/2023	2/3/2023	5592546440	StudentLoan-Payments-P1	<a href="https://portal2.tracebacks.org/api/public/attachments/1226298">https://portal2.tracebacks.org/api/public/attachments/1226298</a>	16 C.F.R. 310.4(b)(1)(v)
2/4/2023	2/3/2023	8583273282	StudentLoan-Payments-P1	<a href="https://portal2.tracebacks.org/api/public/attachments/1226300">https://portal2.tracebacks.org/api/public/attachments/1226300</a>	16 C.F.R. 310.4(b)(1)(v)
2/3/2023	2/3/2023	8052971000	StudentLoan-Payments-P1	<a href="https://portal2.tracebacks.org/api/public/attachments/1226308">https://portal2.tracebacks.org/api/public/attachments/1226308</a>	16 C.F.R. 310.4(b)(1)(v)
12/9/2022	12/7/2022	9108641085	Amazon-AuthorizeOrder	<a href="https://portal2.tracebacks.org/api/public/attachments/1167377">https://portal2.tracebacks.org/api/public/attachments/1167377</a>	16 C.F.R. 310.4(b)(1)(v)
12/9/2022	12/7/2022	9192201167	Amazon-AuthorizeOrder	<a href="https://portal2.tracebacks.org/api/public/attachments/1167378">https://portal2.tracebacks.org/api/public/attachments/1167378</a>	16 C.F.R. 310.4(b)(1)(v)
12/2/2022	12/1/2022	9702864273	Amazon-AuthorizeOrder	<a href="https://portal2.tracebacks.org/api/public/attachments/1159030">https://portal2.tracebacks.org/api/public/attachments/1159030</a>	16 C.F.R. 310.4(b)(1)(v)
10/24/2022	10/19/2022	9018187500	Chinese-PackageDelivery	<a href="https://portal2.tracebacks.org/api/public/attachments/1094279">https://portal2.tracebacks.org/api/public/attachments/1094279</a>	16 C.F.R. 310.4(b)(1)(v)
10/24/2022	10/19/2022	9018187500	Chinese-PackageDelivery	<a href="https://portal2.tracebacks.org/api/public/attachments/1094280">https://portal2.tracebacks.org/api/public/attachments/1094280</a>	16 C.F.R. 310.4(b)(1)(v)
7/5/2022	6/29/2022	3235386562	Grandparentscam	<a href="https://portal2.tracebacks.org/api/public/attachments/946586">https://portal2.tracebacks.org/api/public/attachments/946586</a>	16 C.F.R. 310.4(b)(1)(v)
4/13/2022	4/8/2022	6083680512	Hotel-ComplimentaryStay	<a href="https://portal2.tracebacks.org/api/public/attachments/807773">https://portal2.tracebacks.org/api/public/attachments/807773</a>	16 C.F.R. 310.4(b)(1)(v)
4/13/2022	4/11/2022	8126800968	Hotel-ComplimentaryStay	<a href="https://portal2.tracebacks.org/api/public/attachments/807777">https://portal2.tracebacks.org/api/public/attachments/807777</a>	16 C.F.R. 310.4(b)(1)(v)
3/7/2022	3/6/2022	9548741046	Amazon-AuthorizeOrder	<a href="https://portal2.tracebacks.org/api/public/attachments/735445">https://portal2.tracebacks.org/api/public/attachments/735445</a>	16 C.F.R. 310.4(b)(1)(v)
2/2/2022	1/27/2022	704259792B	16 C.F.R. v)		



1/14/2022	1/12/2022	6066691762	Amazon-SuspiciousCharge-P1	<a href="https://portal2.tracebacks.org/api/public/attachments/635451">https://portal2.tracebacks.org/api/public/attachments/635451</a>	16 C.F.R. 310.4(b)(1)(v)
11/22/2021	11/20/2021	5515033662	Utility-30MinDisconnect	<a href="https://portal2.tracebacks.org/api/public/attachments/567525">https://portal2.tracebacks.org/api/public/attachments/567525</a>	16 C.F.R. 310.4(b)(1)(v)
9/10/2021	9/9/2021	2514587119	FedReserv-Impers	<a href="https://portal2.tracebacks.org/api/public/attachments/440547">https://portal2.tracebacks.org/api/public/attachments/440547</a>	16 C.F.R. 310.4(b)(1)(v)
9/7/2021	9/3/2021	9707281554	Legal-Enforcement-Notice	<a href="https://portal2.tracebacks.org/api/public/attachments/431139">https://portal2.tracebacks.org/api/public/attachments/431139</a>	16 C.F.R. 310.4(b)(1)(v)