



United States of America
FEDERAL TRADE COMMISSION

Todd M. Kossow
Regional Director
230 S. Dearborn St., Suite 3030
Chicago, Illinois 60603

July 15, 2020

WARNING LETTER

By FedEx

Michael Brown
Jason Petty
Ear to Hear Healthcare, LLC
10600 Chevrolet Way, Suite 207
Estero, FL 33928-4422

Allison Opp
Zephyr Hearing Aid Center
691 E. Cherry St.
Troy, MO 63379

Re: Deceptive Claims of Covid-19 Stimulus Relief

Dear Messrs. Brown and Petty, and Ms. Opp,

This letter informs you that Federal Trade Commission (FTC) staff reviewed a notice sent on your behalf to consumers entitled “CORONA-VIRUS PANDEMIC HEARING AID STIMULUS PACKAGE ANNOUNCED FOR MISSOURI” (“Stimulus Mailer”) in or about May 2020. We have determined that you are unlawfully advertising that Missouri consumers receiving the advertisement are receiving COVID-19 stimulus relief for hearing aids.

The Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”), Pub. L. No. 116-136, was enacted to provide immediate assistance to individuals, families, and businesses affected by the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak. The CARES Act provides a \$1200 stimulus payment to individuals and a \$2400 payment for married couples, with an additional \$500 payment per qualifying child. It does not provide vouchers to purchase hearing aids, and neither Ear to Hear Healthcare, LLC nor Zephyr Hearing Aid Center are authorized to provide any assistance under the CARES Act. Nor is there any Missouri COVID-19 or hearing aid stimulus package.

Some examples of the deceptive claims in the Stimulus Mailer include:

- The first page states, “**Limited Funds Available. Call Today to Secure Your Stimulus Money. For Stimulus Voucher Appointments, Call Today!**”
- The headline of the second page states, “**CORONA-VIRUS (sic) PANDEMIC HEARING AID STIMULUS PACKAGE ANNOUNCED FOR MISSOURI.**”

