

Subjective Aspects of FTC's 'Junk Fee' Rule Likely to Cause Legal Departments Fits

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Member James Sandy was quoted in Law.com's Corporate Counsel in a piece detailing the complications that may arise following the Federal Trade Commission's new proposed ban on junk fees.

Indeed, "perhaps one of the strongest defenses to an attack on alleged 'junk fees' is to make clear the fees were disclosed clearly and conspicuously to the consumer at the outset of the relationship," James Sandy, a member of McGlinchey Stafford, said in a [memo](#) to clients.

If those actions trigger mandatory fees or costs, "consider whether such a business model could constitute an unlawful 'junk fee' and, potentially, grounds for an Unfair, Deceptive or Abusive Acts or Practices action," Sandy wrote.

Read the full article [here](#) (subscription required).

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Jim Sandy