MAP 1

Does State Law Broadly Prohibit Deceptive Acts?

- **Statute broadly prohibits deception**
- **Statute broadly prohibits deception, but only if knowing and intentional**
- **Statute broadly prohibits deception, but consumers cannot enforce this prohibition**
- **Statute does not broadly prohibit deception**

MAP 2

Does State Law Broadly Prohibit Unfair or Unconscionable Acts?

MAP 3

Does a State UDAP Law Give a State Agency Rulemaking Authority?

- State agency has rulemaking authority
- State agency has rulemaking authority but has rarely or never used it
- No rulemaking authority

MAP 4
Does the State UDAP Law Immunize Lenders and Creditors?

- Statute applies broadly to lenders and creditors
- Courts have not resolved whether statute applies to lenders and creditors
- Statute applies to some lenders and creditors, but there are major gaps in scope or in consumers’ ability to enforce it
- Statute excludes most lenders and creditors

Source: ©National Consumer Law Center, Unfair and Deceptive Acts and Practices, § 2.2.1.7.
MAP 5

Does the State UDAP Law Immunize Insurers?

MAP 6
Does the State UDAP Law Apply to Utility Companies?

Source: ©National Consumer Law Center, *Unfair and Deceptive Acts and Practices*, § 2.3.2.2.
MAP 7

Does the State UDAP Statute Apply to Post-Sale Acts?

- Statute covers post-sale acts
- Statute is unclear and courts have not yet clarified it
- Statute covers some post-sale acts, but with significant gaps
- Statute applies to few or no post-sale acts

Source: ©National Consumer Law Center, *Unfair and Deceptive Acts and Practices*, §§ 2.2.2.2, 2.2.3.
Does the State UDAP Statute Apply to Real Estate Transactions?

MAP 8

- Statute covers real estate transactions
- Statute is ambiguous and courts have not yet clarified it
- Statute covers some real estate transactions, but immunizes many parties or denies consumers the right to enforce it
- Statute excludes real estate transactions

Source: ©National Consumer Law Center, Unfair and Deceptive Acts and Practices, § 2.2.5.
MAP 9

States that Deny Consumer Relief Unless the State Proves the Business’s Knowledge or Intent

MAP 10
Strength of States’ Civil Penalties

$10,000–50,000
$5,000
$1,000–2,500
No civil penalty for initial violations

States with Major Gaps in Consumers’ Ability to Enforce UDAP Statutes

States that Require Consumers to Prove an Impact on the Public as a Precondition of Suit

Source: ©National Consumer Law Center, Unfair and Deceptive Acts and Practices, § 11.4.3.
States that Require Consumers to Give a Special Pre-Suit Notice

MAP 14
States That Allow Consumers to Seek Enhanced Damages

States that allow multiple or punitive damages
States that allow multiple damages but with an unusually low cap
States where the availability of multiple or punitive damages has not been resolved
States that do not allow multiple or punitive damages