



**VIA EMAIL [fred@atlanta.bbb.org](mailto:fred@atlanta.bbb.org)**

December 13, 2007

Better Business Bureau of Metro Atlanta, Inc.  
**Attention: Fred T. Elsberry, Jr. – President & CEO**  
503 Oak Place, Suite 590  
College Park, GA 30349

**Re: Your Email Dated 12-12-07**

Dear Mr. Elsberry:

Thank you for your quick response and I understand what you are telling me. I want to take this opportunity to further explain how our relationship with the BBB looks from this side of the fence so you can have a clear view of the situation.

We look at the BBB as providing two services to the public:

1. Dispute resolution process – this allows for a resolution without litigation;
2. A certification or Seal of Approval that tells the public this is a good company and you can deal with them in confidence. The BBB has checked them out.

We want to focus on number 2.

It is one thing if you simply stated a company like Reliable or Hammack's is a member. It is another when you use words like:

"Find Businesses You Can Trust"  
"Creating a community of trustworthy businesses"  
"Celebrating marketplace role models"

The public is trusting your judgment based on statements like these.

Furthermore, the message you give the public is that we have thoroughly vetted these businesses and not everyone gets in the door. You state:

“From BBB inception, businesses that apply to the BBB have undergone a detailed review process and committed to abide by a set of ethical standards for marketplace conduct.”

“BBB Accreditation is an honor – and not every company is eligible. Businesses that meet our high standards are invited to join BBB.”

Then you go on to state that not only do you have the resources to properly supervise these firms, but that you continue to monitor them:

“BBB is the resource to turn to for objective, unbiased information on businesses. Our network of national and local BBB operations allows us to monitor and take action on thousands of businesses issues affecting consumers at any given time.”

“Every BBB Accredited Business is monitored for continuing adherence to BBB standards”

So when you write us and explain your limited resources, and you display on your website Principals of Trust and Ethics while stating you do have these resources, it seems hollow to us when we are singled out and our competitors have free rein to abuse consumers. The public reads these statements on your website and believes them:

“BBB is your key advisor, most reliable evaluator and most objective expert on the topic of trust in the marketplace”

The one thing that we desire is a level playing field; no discrimination; no favoritism; no bias. Tell it like it is. Yet you give our competitors a free pass. We have only started looking at **two**: Hammacks and Reliable. When we pointed out Hammack’s sex offender working for him or his license probation, you were unable to report that to the public for almost five months. What kind of protection is that for families who have this individual in their homes? Do you know how much cheaper my prices would be if I could hire sex offenders (who find it hard to get a job and accept less) and did not have to pay firms for background checks on my people?

What about Reliable? The judge’s orders reads like a novel. Are you aware they have stiffed over one million dollars to suppliers? They stiffed Bell South almost \$100,000. Do you know how much cheaper my prices could be if I did not have to pay advertising? Did you know Reliable stiffed Mingledorf’s (an equipment supplier) for almost \$556,000? Do you know how much cheaper my prices could be if I did not have to pay my suppliers? You ought to read the drug use, the criminal charges, not paying employees health benefits, the violence. You ought to read this stuff. We are making copies for you. Did you know the two folks who run that company filed bankruptcy in ‘90 and completed it in ‘93? Did you know they again filed bankruptcy in ‘94 and completed it in ‘97? Did you

know Reliable filed bankruptcy in 2005? Your website says you are monitoring these folks.

Fred, the statements you put on Reliable's BBB listing says:

“...the BBB has a **clear understanding** of the company's business....”,

“The BBB **understands** and has **no concerns** about the company's products, services and type of business.”

You are misleading the public. Please look at this! This wording is morally and maybe legally wrong!

We are in the process of checking out over 20 pages of our competitors on the BBB website to see what we can find. We will pass that information on to you over the next year. But of course, you can do it yourself if you choose.

I beg you to look at what you tell the public and correct these statements to reflect the truth! Please! You are certifying to the public that our competitors are great companies when they are terrible. Consumers use them and not us and you are playing a role in this. We did not like having cameras shoved in our faces recently. Really, it is not beyond comprehension that 60 Minutes or Dateline does a story on this. Think about it. It would be the end of your business if word got out that the companies that pay get a free pass and the ones that don't get hammered on the website, reported to government agencies and turned in to local reporters. Please live by the ethics and trust you espouse on your website. Surely your lawyers would tell you the same thing.

Tell the public something like this:

This company has pledged to use our dispute resolution process. This company has submitted answers to questions and we have used limited resources to check them out. We do not monitor them after they join until someone brings up a issue. We don't check public records for bankruptcies, lawsuits, sex offenders and criminal charges. We encourage you to do so.

Also you say something about volume. If we service 1,500 customers a month and generate two BBB complaints that is far different than servicing 200 complaints and generating one complaint. You need to tell the public that you do not inspect volume and that companies with bigger volumes might have more complaints.

Finally, it is amazing how long it physically takes the BBB to check out these issues on paying members like Reliable and Hammacks yet on us it was instantaneous. This is a serious issue. You may hate us and wake up every day trying to destroy our firm but at least call our suppliers and find out who we owe? Find out about our Christmas party for our employees and suppliers. You would

be surprised that we do good things in the community but we never advertise these things. Our religion prohibits it.

We are not as bad as you think and our competitors are not as good as you report. Please correct these injustices while there is time.

We are going to try and use your electronic filing system to respond to complaints rather than mailing and faxing. This may save you some time and money. If the electronic system does not work, we will have to go back to the paper system. Please let us know how we can make the electronic system work better for both of us.

Obviously, this is a lot to digest and we understand that you have a board and advisors and attorneys. We want you to accept this letter in the spirit it is given. We are not running to any government agency or reporter with this information. We are only running to you to give you a chance to do the right thing. Live by the Principles of Trust. Level the playing field.

Also, despite what you and your employees think about us, we really do wish you folks a Merry Christmas and a Happy New Year. Thank God we are all healthy and live in a free country. We pray you have no one fighting in Iraq but if you do, we really do know we owe them a lot for giving us what we have. We pray for their safety.

We hope the new year brings an improvement in our relations. Thank You.

Sincerely,

*Terry Adams*

Terry Adams  
Mechanic's Heating & Air Conditioning, LLC  
Member