



Office of the Secretary

UNITED STATES OF AMERICA  
Federal Trade Commission  
WASHINGTON, D.C. 20580

March 10, 2014

Robert Whittle  
State of New York

*Re: In the Matter of Aaron's, Inc., File No. 122 3264*

Dear Mr. Whittle:

Thank you for your comment regarding the Federal Trade Commission's consent agreement in the above-entitled proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

Your comment urges the Commission to seek stronger penalties against Aaron's, Inc., including criminal sanctions and a large monetary fine. The Commission lacks authority to obtain civil or criminal penalties for the unlawful conduct alleged in this proceeding. However, should Aaron's violate any term of the final order, it could be liable for civil monetary penalties of up to \$16,000 per violation (pursuant to Section 5(l) of the FTC Act).

The proposed order also contains several provisions that will substantially protect consumers and effectively deter future privacy violations by Aaron's and its network of franchised rent-to-own stores. The order, which is effective for 20 years, bans Aaron's from using monitoring technology on computers rented to consumers. In addition, it generally prohibits Aaron's from using geographical tracking technology to gather information from any rented consumer product without obtaining affirmative express consent from the consumer at the time of rental and providing clear and prominent notice to computer users immediately prior to each time tracking technology is activated. The proposed order also requires the company to ensure that its franchisees comply with the same conduct restrictions that the order imposes on Aaron's itself. If Aaron's knows, or has reason to know, that a franchisee has used monitoring or geophysical location tracking technology in a manner that violates the order, or engages in other practices that violate the order, it must take immediate steps to bring the franchisee into compliance. Aaron's must terminate a franchisee that does not comply.

Accordingly, the Commission believes that the proposed consent order will provide strong protections for consumers' privacy and has determined that the public interest would best be served by issuing the Decision and Order in final form without any modifications. The final Decision and Order and other relevant materials are available from the Commission's website at <http://www.ftc.gov>. It helps the Commission's analysis to hear from a variety of sources in its work. Thank you again for your comment.

By direction of the Commission.

Donald S. Clark  
Secretary