



FREQUENTLY ASKED

# THE OBJECTIONS WE HEAR, *answered honestly.*

Twenty questions that come up before purchase. We've kept the answers short, blunt, and free of marketing spin. If yours isn't here, email [hello@vitkidata.com](mailto:hello@vitkidata.com).

## A THE THREAT – IS THIS REAL?

### Q01 IS THIS ACTUALLY HAPPENING, OR IS IT A FEAR-MARKETING EXERCISE?

Plaintiff firms filed roughly 4,600 ADA website demand letters in 2023 and the volume has climbed every year since. CIPA pixel-tracking suits cleared 1,000 active complaints in California alone in 2024. The PACER docket is public — you can verify the case counts yourself before deciding we're crying wolf.

### Q02 MY BUSINESS ISN'T IN CALIFORNIA. DO I STILL HAVE EXPOSURE?

CIPA, CCPA, and Unruh are California statutes, but they reach any site that takes a session from a California IP — which is every public site. Plaintiff firms shop venue: a California resident on vacation in Idaho can still anchor a CIPA suit against an Idaho dental practice. Geography is not a defense.

### Q03 WE HAVE AN ACCESSIBILITY WIDGET ALREADY. DOESN'T THAT COVER US?

Overlay widgets have been the subject of their own wave of demand letters — plaintiffs argue the widget itself is a barrier and frequently win. The DOJ's 2022 guidance specifically warns that widgets do not establish ADA compliance. If anything, an overlay flags your site to scanners as a likely target.

### Q04 WE'RE A SMALL BUSINESS. AREN'T WE BELOW THEIR RADAR?

The mechanism is automated. A scanner doesn't know whether you're a Fortune 500 or a five-person dental practice — it knows your site fires Meta Pixel before consent and that your alt-text coverage is 38%. The settlement math works the same: the firm wants \$15,000–\$45,000, which is a number a small business will pay rather than litigate.

### Q05 OUR LEGAL TEAM SAYS NOBODY HAS STANDING WITHOUT ACTUAL HARM.

Statutory damages are designed to bypass the harm requirement. The legislature decided in advance that the violation itself is the compensable injury and fixed the dollar amount per occurrence. That is the entire reason this business model exists — it routes around the standing question your counsel is thinking of.

### Q06 IF WE GET SUED, OUR INSURANCE COVERS IT. WHY PRE-EMPT?

Most CGL policies now carve out statutory-damages claims, ADA Title III claims, and CIPA wiretap claims explicitly. Even when coverage applies, the deductible plus the rate hike on renewal typically exceeds the cost of an audit by an order of magnitude. Read your exclusions before relying on this.

### Q07 HOW ACCURATE IS AUTOMATED SCANNING, REALLY?

For accessibility, automated tools detect roughly 30–40% of WCAG issues by criteria coverage. For tracking and consent (CIPA, GDPR, VPPA), automated scanning is closer to 90%+ — those rules are largely about whether specific scripts fire before specific consent events, which is exactly what a scanner can verify deterministically. We tell you which lens we're confident in and which one you'd want a human review for.

### Q08 WILL FIXING WHAT YOU FIND PROTECT US FROM A LAWSUIT?

It substantially reduces the surface area, but no automated audit can guarantee immunity — only counsel can advise you on legal strategy. What an audit does: closes the issues a plaintiff scanner would flag, gives you a dated record of remediation, and shifts the cost calculus so the next firm picks an easier target.



## B THE PROCESS – WHAT YOU GET

### Q09 WHAT DOES THE DELIVERABLE ACTUALLY LOOK LIKE?

A PDF report you can hand to a developer or attorney — one finding per issue, ranked by exposure, with statute reference, captured evidence (screenshots, network requests, headers), recommended fix, and effort estimate. The same shape as the demand-letter exhibits a plaintiff firm would attach. There's a sample on the Vitki Data site so you can see the format before buying.

### Q10 HOW LONG DOES AN AUDIT TAKE?

Twenty-four hours for Single and Multi tiers, forty-eight hours for Pro. The scan itself runs in minutes; the rest is human review of severity classifications, statute mapping, and the executive summary. We don't ship reports without the human pass.

### Q11 WHAT'S A 'PAGE' FOR TIER-COUNTING?

One unique URL with substantive content. The home page, /pricing, /about, and /contact are four pages. /blog/post-1 and /blog/post-2 are two pages. Tracking parameters and anchor fragments don't multiply the count. If you're unsure, email a sitemap.

### Q12 DO RE-SCANS COUNT IF WE JUST FIXED EVERYTHING?

Yes — that's exactly when re-scans matter. After remediation, a clean re-scan gives you a dated artifact showing the issues are closed, which is useful both for internal sign-off and for any future legal discussion. Re-scans expire 90 days after the original audit.

### Q13 WE'RE AN AGENCY. CAN WE WHITE-LABEL THIS FOR CLIENTS?

Not directly — the report carries the Vitki Data mark for chain-of-custody reasons (the evidence captures need an independent provenance). What agencies typically do: buy Pro, attach the report alongside their own remediation proposal, and use the audit fee as a credit against the Vitki Forge remediation tier if the client engages within 60 days.

### Q14 WHAT HAPPENS IF WE ALREADY RECEIVED A DEMAND LETTER?

Stop reading this and call your lawyer. An audit at that point is a different conversation: we can still produce one, but it goes to your counsel under their privilege, not to you. Email [hello@vitkidata.com](mailto:hello@vitkidata.com) from your attorney's address and we'll route accordingly.

### Q15 CAN WE RUN OUR OWN SCAN WITH A FREE TOOL INSTEAD?

You can, and you should — start with our free quick scan at [vitkidata.com/scan](https://vitkidata.com/scan) if budget is the question. Free tools catch the obvious WCAG issues. They do not, in our experience, catch the CIPA pixel-firing patterns, the VPPA video-disclosure traps, or the CCPA opt-out plumbing — which are where the larger settlements live.

### Q16 WHAT'S THE DIFFERENCE BETWEEN THIS AND VITKI FORGE?

Vitki Data scans and reports — automated, \$149–\$499. Vitki Forge fixes — human-delivered remediation, \$1,500–\$3,500 plus optional ongoing monitoring at \$99–\$249/mo. Forge clients get their Data audit fee credited within 60 days. They are sister products; you can buy either independently.

## C BILLING, REFUNDS, AND THE AWKWARD STUFF

### Q17 WHAT IF THE AUDIT COMES BACK CLEAN?

It happens. You still receive the report — a clean audit is itself a useful artifact, dated and signed, that you can hand to counsel, insurance underwriters, or a board. We don't refund clean audits any more than a doctor refunds a clean blood test.

### Q18 REFUND POLICY?

Full refund within 24 hours of purchase if you haven't received the report yet. After delivery, refunds are case-by-case — if we got the scope wrong (counted pages incorrectly, missed your subdomain), we'll re-run. If you simply changed your mind after seeing the findings, no refund.

### Q19 WHO RUNS VITKI DATA?

One person, working out of California. The full team and the technical methodology are documented at [vitkidata.com/about](https://vitkidata.com/about). We'd rather you know who built the scanner than have it look like a faceless brand.

### Q20 THIS STILL DOESN'T SOUND LIKE ENOUGH. WHAT ELSE SHOULD I READ?

Read the briefing — *The Demand Letter Economy*, the document this FAQ shipped alongside. It's longer than you want it to be, but it explains the mechanism, the venues, and the math in a way no FAQ can. Free at [vitkidata.com/briefing](https://vitkidata.com/briefing).

*This document is informational and not legal advice. The figures cited (case counts, settlement ranges, detection rates) reflect publicly available data as of May 2026 and our internal benchmarking; specific exposure depends on your facts and your jurisdiction. For advice on a current or threatened claim, consult counsel.*