



No portion of this article may be reproduced without
express written permission of Style Publishing Group, LLC.
©2007 • All rights reserved.



Style Publishing Group
P.O. Box 1676
Frisco, Texas 75034
Phone: 972.335.1181
Toll Free: 877.781.7067
Fax: 214.722.2313

E-mail: info@friscostyle.com
Web: www.friscostyle.com

Ad Sales: (972) 335-1306

When Warranties Don't Work

By Susan Blomd

KAREN MARIE FRITSCHI SHEEPISHLY admits the telephones in her family are “strongly attracted” to truck tires and the swimming pool.

Fritschi says she’s had many “telephone dramas” in her lifetime, but was surprised when a Sony service department employee seemed unimpressed that the telephone she brought in for replacement had been run over by a truck.

“The employee said, ‘Oh, someone ran over the phone,’” he says. “Then I said, ‘Is this common?’ and he responded, ‘Yes, very!’”

After such an easy fix, Fritschi, a director and national senior trainer for BeautiControl Cosmetics, Inc., was shocked by what the warranty did not cover on a recently purchased second cell phone when it turned out to be defective. The replacement phone she was given was also defective and when she tried to return the second defective phone, she was told she was out of luck.

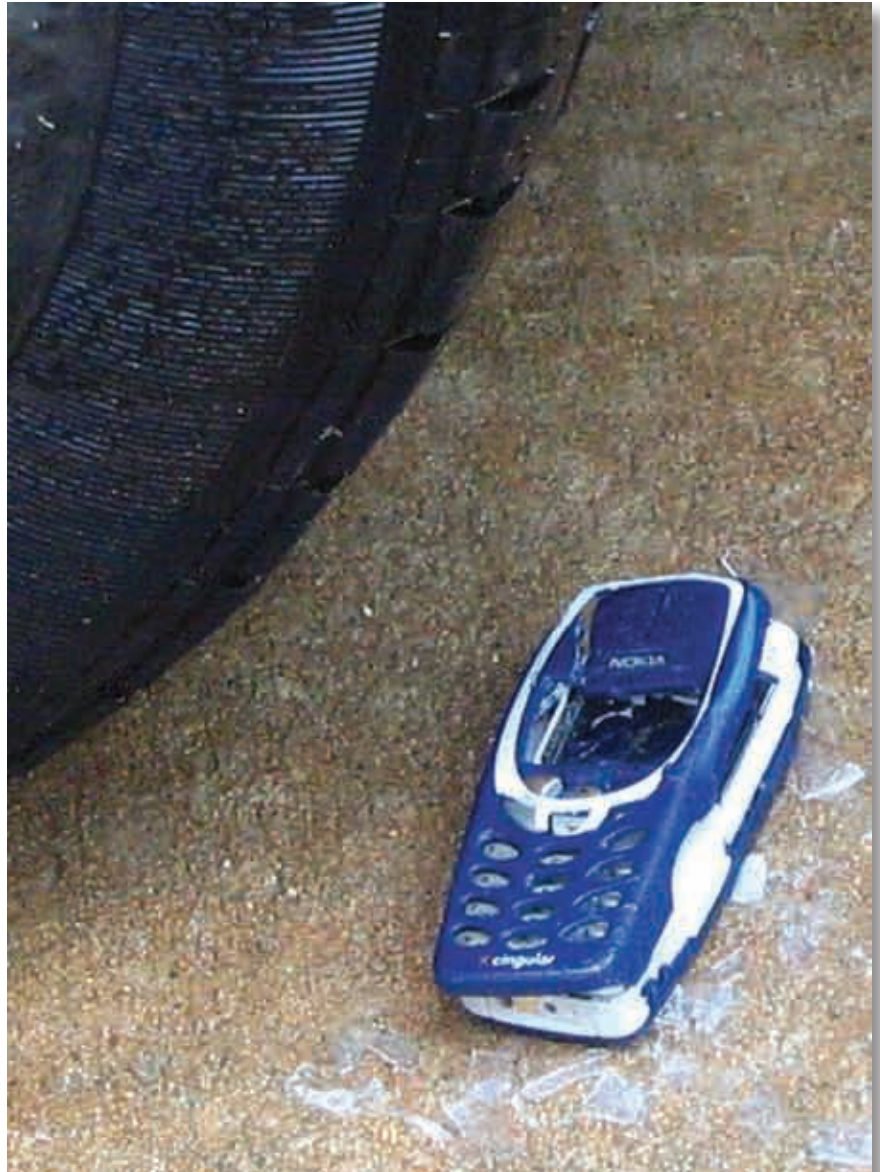
“Warranties on mobile phones are a joke,” she says. The manufacturer later acknowledged the defect, but in the meantime the warranty policy only allowed replacing it twice in one year and then was canceled, leaving Fritschi without a working phone.

“I have little faith in electronics today,” she says. “So we read Consumer Reports magazine and study at length before making a purchase – in hopes of having as few problems as possible.”

Many faint-hearted consumers throw up their hands and surrender when it comes to warranties.

REPAIR OR REPLACE

When is it easier to just replace something rather than have it repaired? Is it worth the hassle to fight a company over a warranty issue? For many it seems the answer is a matter of time versus money - it may be well worth



Crunch!

photo by Taylor Robinson

it to shell out the extra money rather than to hassle with a warranty dispute, especially if technology has made the product somewhat obsolete.

Kathy Singler, a Frisco mother of four young children, says when their last video cassette recorder started eating tapes and the picture started jumping - it was time to replace the malfunctioning machine before it devoured any more tapes.

“Unfortunately, they’ve become expendable rather than repairable,” Singler says. “We just went out and got another \$40 VCR... I know you only get what you pay for, but I’m just putting kid’s videos in there and I’m not going to pay a lot for one.”

But what if the product under

warranty is a larger-ticket item – like a big screen TV, washing machine or household furniture?

Denise Vick, a pre-school teacher at First United Methodist Church who has three children and a husband who travels a lot, says she juggles a hectic schedule but goes out of her way to make the time to get the most out of her product warranties - whether they’re big or small.

Vick’s most recent battle involved spending more than six months trying to get Haverty’s Furniture store to fix the leg of a dining room chair – and that was after the first repair job had only made the problem worse. The repair technician had drilled so much out of the broken piece that there

wasn't enough wood left for the screw to take hold.

"It seemed silly that the warranty company insisted on sending out repair workers that filled out paperwork and passed that paperwork through such extremely slow channels - all just to correct such a simple problem," Vick says.

The result: It took so long to remedy the situation that the dining room set had been discontinued, and Haverty's had no way of replacing the chair. They offered her a "buy-out" and she ended up getting to pick out a brand new set.

Was it all worth it? "In the long run, yes," she says. "Even though it took what seemed like an eternity, while we were waiting, we had the chance to re-assess the set's function for our family - it had fabric seats, and we have young children. The replacement set we picked out works better for us."

WHAT'S COVERED UNDER THE WARRANTY?

When it comes to warranty woes, the most vexing problem occurs when you feel your warranty should cover a repair, but the company disagrees.

"The biggest problem is that people don't read their warranties carefully enough," says Tom Kelley, a spokesman for the Attorney General of Texas, which houses the state's Consumer Protection Division.

"It's important for people to understand just what the warranty will and will not cover," Kelley says. "Individuals also need to realize that it's important to keep the lines of communication open with the warranty company they're dealing with - and to exhaust every effort they can before pursuing legal action."

The state's Consumer Protection Division has a regional office in Dallas and a statewide hotline available for the public to report problems; however Kelley said most people don't realize that the state only files civil suits under

the Deceptive Trade Practices Act when there's suspicion of fraud.

"We certainly welcome calls to our office," Kelley says. "But we only represent the public as a whole, not individuals."

Here are suggestions the Consumer Protection Division gives to those having problems with warranties and other consumer disputes:

Contact the business: Take your problem to the salesperson, manager

business refuse to honor a warranty?

- Always include photocopies of documents relevant to your complaint receipts, warranties, both sides of cancelled checks, contracts, etc. Do not send originals.)

IF A COMPANY MOVED OR WENT OUT OF BUSINESS

Another common consumer frustration occurs when you attempt to file a complaint against a company that is out of business or has moved without leaving a forwarding address. Even agencies that assist consumers may not have the resources to find these companies.

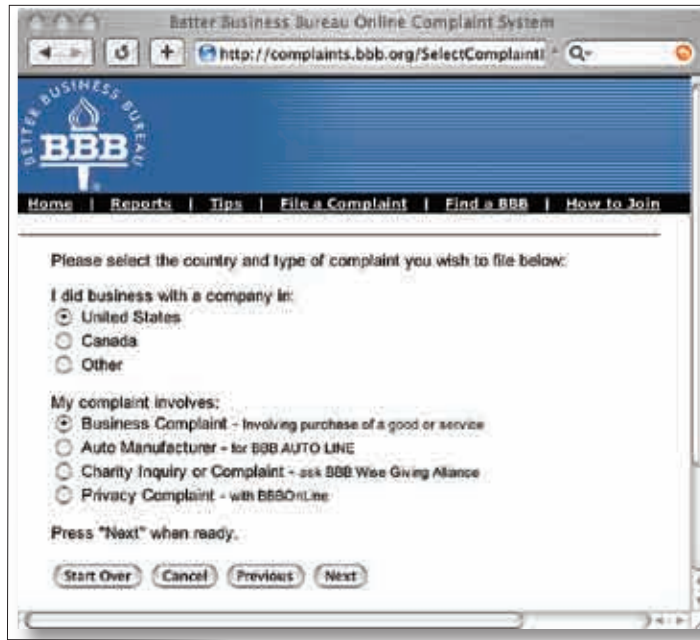
In some rare instances, consumers may recover some of their money if the company has filed bankruptcy. To have any chance, you must file a "proof of claim." Obtain a claim form from the clerk of the Federal District Court in which the business has filed for bankruptcy, fill it out, and return it to the clerk. Bankruptcy cases can be very complex, so you

may want to hire an attorney to help you - especially if your claim is large.

Arbitration or Mediation? In arbitration, a neutral party hears both sides of a complaint and makes a decision that will be binding on the parties, depending on the terms of the arbitration agreement. Usually, both sides formally agree to submit the dispute to an arbitrator. In mediation, a neutral party tries to get both sides to agree on a resolution of the complaint. Mediation can begin without any formal agreement between the parties. The Better Business Bureau offers mediation services. In some cases, the Bureau provides arbitration services.

Following these steps can alleviate the inconvenience and frustration of a product not functioning properly.

Susan Bland is a freelance writer living in Frisco.



File your complaint online with the Better Business Bureau

or the company's customer service representative. Most problems are resolved at this level. If you are still not satisfied, contact the owner or the company's headquarters.

Then seek help: If the business will not resolve a problem directly, consumers can file a complaint with the Office of the Attorney General, the Better Business Bureau or small claims court. The complaint should explain in detail, with documentation, what the problem is, whom it is with, and what you have done. In particular it should:

- Identify the business. Include the name and current address of the business.
- Describe the problem: Describe as completely as you can the problem with the product or service you have purchased. Were you told something that was untrue? Is it defective? Did the