

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. GANTT -- read once and referred to the Committee
on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to home or busi-
ness visits to repair appliances or equipment

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The general business law is amended by adding a new section
2 395-c to read as follows:
3 S 395-C. RELIANCE UPON THE ADVICE OF AN APPLIANCE REPAIR BUSINESS. IN
4 ANY CASE WHERE A CONSUMER IS CHARGED FOR A WRITTEN ESTIMATE WHEREIN A
5 PERSON ENGAGED IN THE BUSINESS OF REPAIRING HOUSEHOLD APPLIANCES
6 PROVIDES A DETAILED STATEMENT ESTIMATING THE PARTS AND COSTS NECESSARY
7 TO REPAIR SUCH AN APPLIANCE, AND RELYING UPON SUCH ESTIMATE THE CONSUMER
8 PURCHASES SUCH PARTS, SUCH CONSUMER SHALL BE ENTITLED TO A FULL AND
9 COMPLETE REFUND OF THE ESTIMATE CHARGE IN THE EVENT THE PART REMOVED
10 FROM THE APPLIANCE WAS, IN FACT, IN GOOD WORKING CONDITION. ANY SUCH
11 REPAIR BUSINESS SHALL BE DEEMED TO HAVE WARRANTED SUCH ESTIMATE AND
12 RECOMMENDATIONS, AND SHALL BE LIABLE FOR ANY ACTUAL AND CONSEQUENTIAL
13 DAMAGES INCURRED BY A CONSUMER WHO RELIED UPON SUCH ESTIMATE.
14 S 2. This act shall take effect on the first of January next succeed-
15 ing the date on which it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD03153-01-3