

RETURN POLICIES AND WARRANTIES **WHAT YOU NEED TO KNOW**

When are you able to return merchandise after you make a purchase? What can you do about defective goods? How long do you have to make an exchange? The answers to these questions depend on your reasons for returning the goods.

Warranties Protect Against Defective Goods

In the state of Maryland all goods, whether new or used, must be warranted.

Manufacturers and retail sellers often offer “**express warranties**” but are not required to do so. Express warranties state specifically what the manufacturer or seller will do if the product becomes defective or fails to perform as promised within a stated time period. While most express warranties are given to consumers in writing, a verbal statement or representation about a product by the seller also constitutes an express warranty. Since it is difficult to prove that a verbal express warranty has been made, consumers should have such verbal statements put in writing by the merchant.

“**Implied warranties**” are provided by law and are often not put in writing. Rather, when goods are sold, it can be assumed that they are in good operating condition and that for a reasonable period of time, will be fit for their intended purpose. Merchants cannot waive the implied warranty by selling goods “as is.” If goods are defective, the seller must repair or replace the goods or refund the purchase price.

Return Policies Govern Sales of Non-Defective Goods

In Maryland, merchants may establish their own rules for the return of non-defective goods. For example, merchants can have return policies that:

- Require consumers have proof of purchase, return goods in unopened packages or make returns within a certain time period;
- Provide only store credits or merchandise exchanges for returned items;
- Treat certain types of goods differently from others, exclude certain items from the return policy or allow no returns at all.

Maryland regulations, however, require that merchants disclose their return policies (including “no returns” policy) in writing. Return policies may be disclosed on the merchant’s sales form, on clearly visible signs, or on conspicuous labels attached to the goods. The disclosure must include all of the terms and conditions of the return policy.

If a merchant does not disclose its return policy, the merchant must accept returns for a reasonable period of time, provide consumers with cash refunds for a cash purchases and give cash or credit refunds for credit purchases.

Preparing for Returns

While most consumers don't plan or expect to have to return the goods they purchase, returning merchandise is frequently necessary either because the goods don't perform properly or just turn out to suit their needs. So while you are selecting merchandise, keep in mind the following tips so that any returns won't become a hassle.

- Ask about and read the warranty provided on goods, especially big-ticket items before purchase. Not all stores offer the same warranties so compare warranties while you shop for the best price.
- Read the merchant's return policy before making your purchase. If you do not see a sign that discloses the return policy, ask an employee or the store manager for a copy.
- If you are given verbal information about a product's performance or the store's return policy, make sure you get the information in writing.
- Keep copies of receipts, warranty information and any other written documentation where they can be easily located in case a problem arises.
- If the goods are defective or if you decide you want to return a non-defective item under the store's return policy, go back to the store as soon as possible. Consumers who put off making returns frequently forget until the warranty period or time limit for returns has passed.

**If a merchant refuses to honor a warranty or its return policy,
contact the Office of Consumer Protection at:
410-313-6420
<http://consumer.howardcountymd.gov>**

**To obtain this factsheet in an alternative format, please contact the Office of
Consumer Protection at 410-313-6420(voice/relay) or email us at
consumer@howardcountymd.gov.**