

CONSUMER'S EDGE

CONSUMER PROTECTION DIVISION, MARYLAND OFFICE OF THE ATTORNEY GENERAL

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MANY HAPPY RETURNS: REFUNDS AND EXCHANGES

A Maryland woman purchased a model train as a gift for her husband. He wanted to return the train for a refund, but the store said it accepted returns for store credit only, as was stated on the receipt and on a sign at the cash register.

One of the joys of the holiday season is the pleasure of giving. We devote lots of time and energy to finding the perfect gift, but because “the perfect gift” sometimes is not, you may want to make sure your purchase can be returned or exchanged. It helps to become aware of Maryland’s refund rule.

A retailer is allowed to set whatever policy it would like for returns or exchanges, as long as it posts the policy or prints it on the receipt. For example, a store can choose not to accept any returns at all, allow returns for exchange or store credit only, accept returns only within seven days of purchase, or accept returns only if the merchandise is in unopened condition.

The refund rule says that if a store imposes limitations on refunds or returns, the merchant must disclose its policy in writing so consumers are aware of the policy before making their purchases. Many stores now limit the number of returns a consumer may make. However, these “serial returner” limitations must also be disclosed in the store’s posted return policy. The refund rule does not apply to foods and perishable goods or merchandise that was custom-made for the buyer (like window draperies) or custom-altered (such as a business suit).

When the Store Has No Posted Policy

Suppose the store has not posted its policy and you return the item in good condition within a reasonable period of time. In that case, you may assume the merchant has no refund limitations, and you must receive a merchandise exchange, credit, or refund, depending upon the original transaction. Remember, it’s always best to ask

the retailer for the store’s refund policy before making any purchase.

When an Item Is Defective

Say the store has disclosed its limited return policy, but the item you purchased or the gift you received is defective. In that case, the merchant is required to repair the item, replace it, or give you a refund – regardless of the store’s return policy. Make certain the store understands you are returning the item because it was defective.



Returning Gifts

One problem gift recipients may face involves the return of merchandise after the item goes on sale. Without a gift receipt, the recipient may receive only the sale price rather than the price you paid. When buying gifts, here are a few suggestions to consider should the gift need to be returned:



1. Ask the store for a gift slip that you can enclose with the gift.
2. If the store does not offer gift receipts, enclose your original receipt, in a sealed envelope, with the gift. The recipient can open the envelope only to return the gift.
3. Always ask the store about its return policy. If the gift is not going to be given within the posted number of days allowed for returns, ask if the merchant would agree to note on the gift slip or receipt that the merchandise can be returned within a specified time after delivering, not purchasing, the gift.

Returning Online Purchases

When shopping online, you should find out what the company's return policy is before you place your order. See if you will have to pay a shipping charge to return the item, and how much that will cost. Also, some sites charge a restocking fee, or require a return authorization.

Look for the address where you would send a return, and how you can reach customer service if you have a problem. Also, find out if the company allows customers to return online purchases to their brick and mortar stores. To make returns easier, keep records of your purchase – print out a copy of your purchase order and confirmation number, and keep packing slips.

The Consumer Protection Division enforces the refund and exchange rule, and we count on consumers contacting us if a store is not in compliance. Call the Mediation Unit at 410-528-8662 (toll-free in Maryland: 1-888-743-0023) if you have questions or complaints. You may also file a complaint online at www.marylandattorneygeneral.gov.



HOW TO CONTACT US

Consumer Protection Division

200 St. Paul Place, 16th Fl., Baltimore, MD 21202

- **General Consumer Complaints:** 410-528-8662
Toll-free: 1-888-743-0023 TDD: 410-576-6372
En español: 410-230-1712
9 a.m. to 3 p.m. Monday-Friday
www.marylandattorneygeneral.gov/Pages/CPD/
- **Health Consumer Complaints:** 410-528-1840
Toll-free: 1-877-261-8807 TDD: 410-576-6372
9 a.m. to 4:30 p.m. Monday-Friday
www.marylandcares.org
- **For information on branch offices** in Largo, Salisbury, Hagerstown, and a full list of offices across Maryland, visit: www.marylandattorneygeneral.gov/Pages/contactus.aspx

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