WHAT KINDS OF THINGS ARE CONSIDERED VIOLATIONS OF THE LAW

A violation of the auto repair law is also a violation of the Consumer Protection Act (RCW 19.86). This means a consumer who is harmed may recover up to three times the amount of damages (up to $10,000) in a successful court action.

Under the law, the following specific actions are unfair, misleading or unlawful:

- False, deceptive or misleading advertising.
- Misstating the estimated price for a specific repair ("low balling").
- Keeping a customer's payment for parts not delivered or installed or for repairs not performed.
- Using a customer's vehicle for purposes not related to repair or diagnosis without their permission.
- Keeping payments from the customer and the warranty provider for the same covered part or labor.
- Failing to post required notice of rights sign.
- Failing to materially comply with the written estimate law.
- Failing to retain invoices and/or estimates for one year.
- Failing to give a customer a copy of any document they signed upon request.
- Charging the customer for "unnecessary" repairs. For purposes of the law, "unnecessary repairs" means those where the repair shop represented the repair as needed (as opposed to merely recommended) but for which there is no reasonable basis for performing the service.

A reasonable basis for a necessary repair includes, but is not limited to:

(a) That the repair service is consistent with specifications established by law or the manufacturer of the motor vehicle, component, or part;

(b) That the repair is in accordance with accepted industry standards; or

(c) That the repair was performed at the specific request of the customer

WHERE ELSE CAN YOU GO FOR HELP?

If you still need help there are additional resources for assistance.

They include:

- Contact the Consumer Resource Center in the Office of the Attorney General at 800-551-4636 (www.atg.wa.gov/consumer) or your local Better Business Bureau (BBB).
- Determine whether the owner of the facility will agree to resolve the dispute through a mediation or arbitration center.
- Consider taking the case on your own to a small claims court or talk to an attorney for further options.

FOR FURTHER INFORMATION

The Attorney General's Office provides information and informal mediation to consumers and businesses. If you have a question or want assistance resolving a problem, please contact one of the Consumer Resource Centers listed below.

The Attorney General is prohibited from acting as a private attorney on a complaint. If your complaint demands immediate legal action, you should consider private legal action in Small Claims Court (no attorney necessary) if your claim is under $4,000. If your complaint involves more than $4,000, you should seek a private attorney. You might also consider arbitration.

CONSUMER RESOURCE CENTERS
OFFICE OF THE ATTORNEY GENERAL

Web site.....http://www.atg.wa.gov/consumer

Statewide.....(800) 551-4636
(800) 833-6384 WA Relay Service

Bellingham.....(360) 738-6185
Seattle.....(206) 464-6684
Spokane.....(509) 456-3123
Tacoma.....(253) 593-2904
Vancouver.....(360) 759-2150
Lemon Law.....(800) 541-8898
(206) 587-4240 **Seattle**

Consumerline has taped information on a number of consumer related issues. In Washington call 1-800-551-4636.

The Attorney General's Office has a policy of providing equal access to its services. If you need to receive the information in this brochure in an alternate format, please call (206) 464-6684. The hearing impaired may call 1-800-833-6384 Statewide.

Provided courtesy of
Rob McKenna,
Attorney General of the
State of Washington

WASHINGTON STATE
ATTORNEY GENERAL'S OFFICE

AUTO REPAIR

BEFORE AND AFTER

AUTO REPAIR - BEFORE AND AFTER

HOW DO I DECIDE WHERE TO GET MY CAR REPAIRED?

You never know when your trusty car will fail you. That's why the best time to look for an auto repair facility is before you need one. Taking time to shop around is smart for you and your car.

If your car is still under warranty, check with the manufacturer to see if there are special requirements before you have repairs done.
If your car is no longer under warranty, do your homework and find a facility that will suit your needs.

The best referrals come from family and friends who have had positive experiences with a repair facility. You can also check with your local Better Business Bureau (BBB) and the American Automobile Association (AAA) to see what kind of consumer record the facility has. Finally, don't hesitate to ask for references from the facility itself.

WHAT ARE MY RIGHTS WHEN DEALING WITH A CAR REPAIR FACILITY?

Before you arrange to have any work performed, know your rights. Washington law requires auto repair facilities to act appropriately and provide you with certain kinds of information. (RCW 46.71).

By law you are entitled to:

- A written estimate for repairs that will cost more than $100, unless you waive that right or give permission to proceed with the repairs over the phone or in writing.
- Return or inspection of all replaced parts. You must make this request before they do the work.
- Approve orally or in writing any repairs that increase the original estimated cost, before taxes, by more than ten percent.
- If your vehicle is left with a repair facility without face-to-face contact between you and the facility, the facility must obtain your authorization orally or in writing before beginning work.

These rights are required to be posted in a prominent place in all repair facilities as a reminder to you.

WHAT TO DO WHEN YOU'VE DECIDED ON A FACILITY.

Once you've found a facility you like, remember that only the work you authorized can be performed and make sure to keep all written records of the transaction.

Before having repair work done:

- Find out whether the parts or service needed are covered by an existing warranty. If they are, make sure the repair facility will honor the warranties.
- If you need expensive or complicated repairs - consider getting a second opinion.
- Find out whether there will be a fee to find out what is wrong with your car.
- Get an estimate for both parts and labor needed for the fix. If it seems too high, ask for an explanation or consider getting a second opinion.

Once you authorize the repair in accordance with the estimate, you are required to pay for the cost of the repair before taking your car.

WHAT TO DO IF YOU'RE NOT SATISFIED WITH THE REPAIR.

Although most repair facilities will provide a good experience for their customers, there are some where problems may arise even if you've done your homework.

Here are some tips to consider if you find yourself having problems with the repair facility:

- The repairs you authorized didn't fix your car. Before you blame the facility for the problem, consider whether you authorized the needed repairs or tried to get by with the minimum. All too often we gamble on the cheap fix and it fails.
- If you authorized and received repairs as recommended but still are not happy - find out if the facility offers a warranty. Discuss the situation with the owner/manager and determine where the problem lies: miscommunication, poor workmanship, faulty diagnosis or defective parts.
- Once you've identified the problem, address it. Don't become the problem. Get organized and be prepared to negotiate.

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