

Case study: Refunds and warranties

Sophie bought some web design software at a shop near the company she works for. She bought it from a basket and above it there was a sign that read 'SALE!!—all items half price'. At the counter Sophie noticed that there was another sign behind the counter: 'No Refunds on Sale Items'.

That evening she tried the software but it was faulty. The computer would not accept the CD-Rom. Sophie was furious!!

1. Go to the *Money Stuff* website and find out what Sophie's options are. (www.moneystuff.fairtrading.nsw.gov.au). Go to *Just the Facts*, click on *Buying Stuff* and click on *Implied conditions in a sale contract, Refunds, Warranties and Consumer Redress*.

2. DISCUSS with a partner what Sophie can do next and write your responses here.

Sophie should:

3. What evidence will Sophie need if she wants to return the software?

4. Sophie went back to the shop and asked for a refund. The sales assistant said no, she couldn't have a refund because the item was on sale. Sophie asked to see the manager but he was not in the shop.

What can Sophie do now?



5. Sophie told Tye what had happened the next morning at breakfast. Tye explained that he had a similar problem with a game he tried to return once. He gave Sophie a copy of a letter he had written to the company to make a complaint.

This is the complaint letter that Tye had written. READ the letter.

Play-up Games Store
22 Long Street
Chaps Hill 2405

Dear Mr Play-up,

I bought my Spinechiller Supergame from you and it's completely stuffed. If you don't give me my money back I will have to sue you.

Signed
Tye

Why isn't the letter effective? List at least four reasons.



Being a smart cookie, when Sophie wrote a letter of complaint she did not use Tye's letter as a model. Here is the letter she wrote:

Sophie Harrison
98 Strange Road
Talula NSW 2968

The Manager
Dippy Computers
123 Main Street
Northbend NSW 2999

Dear Sir,

I am writing to seek a refund for WEBdez software which I purchased at your store on the 8th February. I have enclosed a photocopy of the receipt.

The disk is faulty and my computer won't accept it.

Yesterday your sales assistant refused to give me a refund because the software was on sale. However, regardless of whether the item was on sale, it is not of merchantable quality. I paid for software but I got an unusable piece of plastic.

I would like a refund rather than a replacement as I now doubt the quality of WEBdez products.

Yours sincerely

Sophie Harrison
10th February 2000

The shop owner replied to Sophie's letter and agreed to provide her with a refund.

Here is Sophie's advice:

When writing a letter of complaint, make sure you:

- state the problem clearly
- provide dates and details
- don't use emotive language
- state how and when you would like the problem resolved
- don't forget your contact details.

