



NEW TEXAS LAW ON MAIL-IN REBATES HELPS CONSUMERS

by Texas Attorney General Greg Abbott

MANUFACTURERS AND RETAILERS often attract shoppers by offering rebates and other discounts on purchases of goods or services. Some merchants offer instant rebates at the time of purchase, but mail-in rebates are far more common and are frequently a source of consumer confusion.

Customers often complain that mail-in rebates are burdened with hidden terms and conditions and undisclosed fees and costs. Consumers also complain that merchants often take months to issue rebate checks.

Under a new Texas law that took effect Sept. 1, 2007, a company offering a rebate must mail the rebate amount to the consumer within a stated time period. If no time period is stated, the company must pay the rebate within 30 days after the consumer submits a properly completed rebate request.

If a consumer submits an improperly completed rebate request within the appropriate time period, the company must either process the rebate as if it was properly completed or notify the consumer that he or she submitted an improperly completed rebate request.

Under the terms of the new law, a “consumer rebate” is limited to an offer of cash, credit, or credit toward a future

purchase in connection with the sale of a good or service sold for \$10 or more. It also is limited to offers that require consumers to mail or electronically submit a rebate request after the sale is completed.

The Office of the Attorney General (OAG) encourages consumers who are trying to claim mail-in rebates to keep good purchase records. Consumers must follow the instructions on the rebate form carefully and submit all required documentation on time. Anyone applying for a rebate should keep a copy of all documents sent to the manufacturer or retailer for reference in the event problems arise.

Consumers who do not receive their rebate check within the designated time frame should contact the company first. Most manufacturers and retailers will make a good-faith effort to resolve disputes with their customers. Many times, a lack of notice to a consumer that a rebate check will be late is the result of poor customer service, rather than a violation of the law.

Consumers who are not satisfied with the way their rebates were handled or who do not receive their rebate checks can file an online complaint with the Office of the Attorney General at

www.oag.state.tx.us. A violation of the new Texas rebate law is subject to action by an individual consumer or by the Office of the Attorney General under the Texas Deceptive Trade Practices Act. Consumers who believe a company has violated the new rebate law should notify us and describe the problem. Complaints should include whether the company used misleading terms or hidden conditions; whether it did not meet its obligations; or whether a rebate arrived late or never arrived at all.

Consumers also can file a complaint with the Better Business Bureau and the Federal Trade Commission (FTC). Rebates are subject to action by the FTC, which advises that companies must send rebates within the time frame promised – or if no time is specified, within a “reasonable” time frame. As with the new Texas law, the FTC often interprets “reasonable” as within 30 days. For more information, visit www.ftc.gov.

Remember: Patience is the key to mail-in rebates. Read the fine print of the rebate agreement and familiarize yourself with the expiration dates of the offer so you can claim the promised discount.

POINTS TO REMEMBER



MAIL-IN REBATES

The new Texas rebate law can be found in the Texas Business & Commerce Code, Chapter 35, Section 35.43. To view it online, visit www.capitol.state.tx.us.

To successfully claim a mail-in rebate:

- Keep close track of the date of purchase, the expiration date of the rebate offer, and the expiration date on the rebate check.
- Submit required paperwork in a timely fashion.
- Keep copies of the transaction for your own records.

If your rebate never arrives or arrives late, file a complaint:

OFFICE OF THE ATTORNEY GENERAL
(800) 252-8011
www.oag.state.tx.us

BETTER BUSINESS BUREAU
www.bbb.org

FEDERAL TRADE COMMISSION
(877) FTC-HELP (382-4357)
www.ftc.gov

For more information about this and other consumer topics, visit the Office of the Attorney General online at www.oag.state.tx.us.



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