

Write it Right!



STATE OF CALIFORNIA



DEPARTMENT OF CONSUMER AFFAIRS

Write it Right: What we will cover

- ✓ Written Estimates
- ✓ Claim Checks
- ✓ Invoices
- ✓ Diagnostic Fees and Service Calls
- ✓ Unusual Circumstances
- ✓ Advertising
- ✓ Guarantees

Need More Help?

➤ Email: homeproducts@dca.ca.gov

➤ Phone: (916) 999-2041

➤ [Text of EAR Law and Regulations](#)

Written Estimates

- ✓ A service dealer may not perform repairs or charge a customer for repairs until the customer has been provided with an **estimate** in writing and the customer specifically **authorized** the repairs.

Written Estimates (2)

- ✓ After a written estimate has been provided to the customer the service dealer may not charge for work done or parts supplied in excess of the written estimate without the prior oral or written consent of the customer. If such consent is oral the service dealer shall make a notation on the invoice of the date, time and name of person authorizing the additional repairs.

Written Estimates (3)

- ✓ Where a written estimate is provided in the residence the estimate shall include as part of the labor charge:
 - transportation and travel charges
 - initial service call charge (if any)

Remember - SALES TAX and other applicable taxes shall not be considered as part of the written estimate.

Written Estimates (4)



✓ “Don’ts” in your estimates

- Don’t give a minimum or maximum estimate!
- Don’t exclude costs (except for taxes) from your estimate. Estimates must include all charges!
- Don’t just give an oral estimate – be sure you provide an estimate in writing first!

Written Estimates (5)

- Example of a properly written estimate.

ABC Repair Service (999) 999-9999 1234 Anystreet Dr. Anytown, CA 99999 State Reg: E-12345		ESTIMATE \$ <u>150⁰⁰</u>	59018	
SERVICED BY <u>MARCK</u>		DATE <u>6-1-03</u>		
INVOICED BY <u>TED</u>		<input checked="" type="checkbox"/> SHOP JOB <input type="checkbox"/> HOME CALL		
<input type="checkbox"/> B & W <input checked="" type="checkbox"/> COLOR		<input type="checkbox"/> PICK UP <input type="checkbox"/> DELIVER		
IF EQUIPMENT IS TO BE SERVICED AT LOCATION OTHER THAN ABOVE—LIST BELOW				
ADDRESS		PHONE		
NAME <u>JOE CONSUMER</u>		MAKE <u>WARDS</u>		
ADDRESS <u>123 TRADE WAY</u>		MODEL <u>JS 2050</u>		
CITY <u>Anytown CA</u>		SERIAL <u>#131157Z</u>		
NATURE OF SERVICE REQUEST <u>NO PIC</u>		<input checked="" type="checkbox"/> C.O.D. <input type="checkbox"/> CHARGE		
<input type="checkbox"/> WARRANTY SERVICE		TYPE <u>50" Big Screen</u>		
GRADE	SERIAL NUMBER	PICTURE TUBE TYPE	MAKE	AMOUNT
LINE	QUAN.	PART NUMBER	PARTS DESCRIPTION	PRICE
1	1	364231	AGC 3amp Fuse	2 ⁰⁰
2	1	913677	Transistor HOT	33 ⁰⁰
3	1	339672	FBT Transformer	115 ⁰⁰
4				
5				
6				
7				
8				
9				
SERVICE DETAILS <u>Replaced defective parts listed above. Bench test 24 hours.</u>			TOTAL PARTS & TUBES	150 ⁰⁰
			TAX	11 ⁶³
			TECHNICAL CHARGE	150 ⁰⁰
			SERVICE CHARGE	—
ESTIMATE INCLUDES:			SERVICE CALL - PARTS - SHOP LABOR REMOVAL - RE-INSTALLATION	TOTAL → 311 ⁶³
CHARGES IF NOT REPAIRED \$ <u>25⁰⁰</u>		INCLUDES RETURN AND RE-INSTALLATION		
IF ADDITIONAL REPAIRS ARE NEEDED AFTER FIRST ESTIMATE IS MADE, YOU WILL BE CONTACTED FOR AUTHORIZATION OF ADDITIONAL CHARGES.				
REVISED ESTIMATE	CUSTOMER OK BY:	RECEIVED BY:	TIME AND DATE CALLED	
\$ <u>300⁰⁰</u>	<u>JOE</u>	<u>TED</u>	1:00 (PM) 6/3/03	
ACKNOWLEDGEMENT: I have read and understand the above estimate and terms and authorize removal of the above described equipment for purposes stated. I also understand when authorized repairs along with necessary materials are completed, an express repairman's lien is hereby acknowledged on above set to secure the amount of repairs thereto.				
The deposited property <input type="checkbox"/> is not insured <input type="checkbox"/> is insured or protected to the amount of the actual cash value against loss by theft, fire or vandalism.			<u>Joe Consumer</u> 6/1/03 CUSTOMER'S SIGNATURE DATE	
PICKED UP BY:		RECEIVED PERFORMANCE SATISFACTORY <input checked="" type="checkbox"/> OLD PARTS RETURNED TO ME <u>X Joe Consumer</u> 6/5/03		
GUARANTEE: All work performed by qualified technician. All materials used in the repair of this unit are of first quality and are guaranteed for a period of 90 days after date of repair.				

Written Estimates (6)

- Legal References:
 - Business and Professions Code §9844
 - California Code of Regulations §2722

Claim Checks

- ✓ A claim check is required when:
 - You remove a product from the home, home office, or private motor vehicle.
 - You accept a set or appliance for repair at your place of business.



Claim Checks (2)

- ✓ What needs to be on your Claim Check:
 - The name and registration number of the service dealer and the address and telephone number of the location where the set or appliance will be repaired.
 - The date the set or appliance was accepted or received by the service dealer.
 - A description of the item.
 - A description of the problem with the item.

Claim Checks (3)

What needs to be on your Claim Check (cont.):

- The name and address of the customer.
- The signature of the person receiving the item.
- Removal and/or installation charge (if any)
- Whether or not the item is protected to the amount of the actual cash value while with the service dealer.

Claim Checks (4)

What needs to be on your Claim Check (cont.):

– In prominent type, the following statement:

“An estimate as required (Section 9844 of the California Business and Professions Code) for repairs shall be given to the customer by the service dealer in writing, and the service dealer may not charge for work done or parts supplied in excess of the estimate without prior consent of the customer. Where provided in writing, the service dealer may charge a reasonable fee for services provided in determining the nature of the malfunction in preparation of a written estimate for repair. For information contact the Bureau of Household Goods and Services, Department of Consumer Affairs, Sacramento 95834.”

Claim Checks (5)

- Example of how a claim check form should look. (front)

ABC TV & APPLIANCE REPAIR 1234 Main Street, Anytown, CA 99999 State Reg # C99999 916.999.9999 Invoice Number 001234						
Received by Employee Jones #0444		<input type="checkbox"/> In Shop Repair <input type="checkbox"/> In Home Repair		Date Purchased 12/25/99	Invoice Date 07/02/2003	
Name Mary Smith				Make Dumont		
Street 123 Any Street				Model XYZ123		
City Anytown, 99999		Phone 999.8888		Serial Number 123456		
Customer Description of Problem Dead No pix or sound				The Deposited Property Is <input type="checkbox"/> Insured or Protected to the Amount of the Actual Cash Value Against Loss by Fire, Theft or Vandalism		
Quan	Part Number	Part Description		Price	Amount	
ESTIMATE AND CLAIM RECEIPT						
Service performed at (if not above location)				Total Parts		
Description of Labor				Tax		
				Labor		
				Service Call		
				Removal & Reinstallation		
				Total		
				Deposit		
				Balance Due		
Repaired by		HV Reading		AC Leakage		Microwave Leakage
Estimate	Parts \$50	Labor \$125	Svc Call \$49.95	Other charges \$45	Estimate Total \$275.00	Customer's Signature
Revised Estimate	Amount	Customer's Name	Date & Time Called	Employee Receiving Consent		
Charges if Not Repaired		If equipment is returned at the customer's request before services are performed a diagnosis and handling charge of...			\$94.95	Will be Made
Repairs Satisfactorily Completed and Old Parts Returned				Guarantee		
Customer Signature			Parts	Days	Labor	Days
Sample Claim Receipt 4/24/01				See reverse-side for additional information		

Claim Checks (6)

- Example (back)
 - This statement may appear on the front or back of the claim check.

"An estimate as required (Section 9844 of the California Business and Professions Code) for repairs shall be given to the customer by the service dealer in writing, and the service dealer may not charge for work done or parts supplied in excess of the estimate without prior consent of the customer. Where provided in writing, the service dealer may charge a reasonable fee for services provided in determining the nature of the malfunction in preparation of a written estimate for repair. For information contact the Bureau of Household Goods and Services, Department of Consumer Affairs, Sacramento 95834."

ESTIMATE
AND
CLAIM RECEIPT

Claim Checks (7)

Where in the code section does it specify claim check requirements?

- ✓ Business and Professions Code §9844
- ✓ California Code of Regulations §2721

Invoices

- An invoice must contain:
 - ✓ Business Name, Address and Telephone Number
 - ✓ State Registration Number
 - ✓ Date of Invoice
 - ✓ If the unit is removed, the invoice must indicate the address of the location where the set is repaired.

Invoices (2)

- An invoice must contain (cont.):
 - ✓ Description of the unit, including make, model and serial number
 - ✓ Name and Address of the Customer
 - ✓ A summary of the customer's description of what's wrong with the unit
 - ✓ Itemization of each part replaced in the unit, indicating warranty or charge for each part

Invoices (3)

- An invoice must contain (cont.):
 - ✓ Itemization and description of labor or technical services performed within warranty or for which a charge was levied
 - ✓ An itemization and description of all other charges
 - ✓ If used or exchanged parts are used, a statement indicating which part is non-new

Invoices (4)

- An invoice must contain (cont.):
 - ✓ Signature or employee number filling out the invoice
 - ✓ A statement of total charges
 - ✓ Signature or employee number performing the actual repair

Invoices (5)

- An invoice must contain (cont.):
 - In prominent type, the following statement:

“An estimate as required (Section 9844 of the California Business and Professions Code) for repairs shall be given to the customer by the service dealer in writing, and the service dealer may not charge for work done or parts supplied in excess of the estimate without prior consent of the customer. Where provided in writing, the service dealer may charge a reasonable fee for services provided in determining the nature of the malfunction in preparation of a written estimate for repair. For information contact the Bureau of Household Goods and Services, Department of Consumer Affairs, Sacramento 95834”

Invoices (6)

- Example (Front)

ABC TV & APPLIANCE REPAIR				
1234 Main Street, Anytown, CA 99999				
State Reg # C99999		916.999.9999		Invoice Number 001234
Received by Employee Jones #0444	<input type="checkbox"/> In Shop Repair <input type="checkbox"/> In Home Repair	Date Purchased 12/25/99	Invoice Date 07/02/2003	
Name Mary Smith			Make Dumont	
Street 123 Any Street			Model XYZ123	
City Anytown, 99999		Phone 999.8888	Serial Number 123456	
Customer Description of Problem Dead No pix or sound			The Deposited Property is <input type="checkbox"/> Insured or Protected to the Amount of the Actual Cash Value Against Loss by Fire, Theft or Vandalism	
Quan	Part Number	Part Description	Price	Amount
3	V1234	110mfd 50v Capacitor	2.00	6 00
1	X1234	2kohm 1watt Resistor	1.00	1 00
1	TR123	2N2055 Transistor	25.00	25 00
2	X11	J2099222	30.00	60 00
Service performed at (if not above location)			Total Parts	92 00
Description of Labor Replace shorted Caps and burnt resistor			Tax	7 22
Replace shorted transistors			Labor	125 00
			Service Call	49 95
			Removal & Reinstallation	45 00
			Total	319 70
			Deposit	
			Balance Due	
Repaired by Jim #0443		HV Reading 28KV	AC Leakage O	Microwave Leakage
Estimate	Parts \$50	Labor \$125	Svc Call \$49.95	Other charges \$45
				Estimate Total \$275
				Customer's Signature
Revised Estimate	Amount \$320	Customer's Name Mary Smith	Date & Time Called 7/1/03 2pm	Employee Receiving Consent Jim #0443
Charges if Not Repaired		If equipment is returned at the customer's request before services are performed a diagnosis and handling charge of...		\$94.95 Will be Made
Repairs Satisfactorily Completed and Old Parts Returned			Guarantee	
Customer Signature			Parts 90 Days	Labor 90 Days
Sample Invoice 7/02/03		See reverse-side for additional information		

Invoices (7)

- Example (Back)

"An estimate as required (Section 9844 of the California Business and Professions Code) for repairs shall be given to the customer by the service dealer in writing, and the service dealer may not charge for work done or parts supplied in excess of the estimate without prior consent of the customer. Where provided in writing, the service dealer may charge a reasonable fee for services provided in determining the nature of the malfunction in preparation of a written estimate for repair. For information contact the Bureau of Household Goods and Services, Department of Consumer Affairs, Sacramento 95834."

ESTIMATE
AND
CLAIM RECEIPT

Invoices (8)

- References in the Law
 - ✓ Business and Professions Code §9842
 - ✓ California Code of Regulations §2725

Diagnostic Fees and Service Calls

- A reasonable fee can be charged for diagnosing the malfunction in preparation of a written estimate for repair, **provided** that the customer was notified of the fee in writing prior to any work being performed.
- If the unit is repaired in the home, the customer must be notified of any fee for the preparation of a written estimate, in writing, prior to any work being done or the unit being removed from the home.
- Unless received by public carrier, the diagnosis fee must include any transportation or travel cost in conjunction with the diagnosis.

Diagnostic Fees and Service Calls (2)

- The service dealer shall quote a charge for each service call, and the diagnosis fee, if one is to be charged, prior to making each service call.
- If a diagnosis fee is charged, it shall be included in the service call charge.

Diagnostic Fees and Service Calls

(3)

- References in the Law
 - ✓ Business and Professions Code §9844
 - ✓ California Code of Regulations §2722.5

Unusual Circumstances

- Sometimes, unusual circumstances occur in which standard practices cannot be followed.
- Many of these circumstances are covered in California Code of Regulations §2722.6.
- When in doubt, contact the Bureau for assistance and guidance.

Guarantee of Work

- If a guarantee is used in conjunction with a repair or install the following must be provided in writing:
 - Nature and extent of the guarantee.
 - Identity of the guarantor.
- If a partial/no guarantee is provided:
 - The invoice must state what portion of the service is not covered by a guarantee.
- If not stated in the invoice, it will be assumed that the service is covered by an implied 30-day labor and 90-day parts guarantee.

Guarantee of Work (2)

- References in the Law
 - ✓ Business and Professions Code §9846
 - ✓ California Code of Regulations §2736

For More Information

- You can visit the Bureau online for more information at:

www.bhgs.dca.ca.gov

- Or contact us at:

homeproduct@dca.ca.gov

(916) 999-2041