

The Sprawling Branches of the Lemon (Law) Tree

There is more than autos & boats under its sheltering limbs

You may be well aware of it, but the Magnuson-Moss Warranty Act and the Consumer Protection Act is the best friend of the American purchaser of manufactured goods, all manufactured goods not just automobiles.

- Does your toaster oven insist on making *blackened everything*?
- That front-loading washer is actually a mold-making machine in disguise
- It takes 10 minutes to make popcorn in that new microwave
- While watching ***Game of Thrones***, your TV watching throne collapses
- All-in-One printers are great; yours randomly faxes your private emails
- Your alarm clock wakes you up on time *every other day*. ***You're fired!***

If there is an item, any qualifying item covered by a lemon law, the attorneys at www.lemonlaw.com are here to help.

The Consumer Protection Act also protects you when you buy something that doesn't work, or when you get trick, misled or swindled in a transaction. This State law prohibits a whole laundry list of activities. However, the most important for the purchasers of defective warranted goods is the provision that makes it illegal to fail to provide "promised benefits." The courts have ruled that a warranty is a promised benefit, and that a manufacturer or seller that fails to honor its warranty is violating this section of the MCPA. Further, remember that a warranty is not a promise to work on your product; it's a promise that they will fix it. This distinction is important, because otherwise, the seller could keep working on your boat or RV, never fix it right, and just waste your time in giving you the runaround.

The MCPA also allows for you to recover your damages (or \$250, whichever is greater) as well as your attorney's fees and costs. Again, This means that an attorney skilled in this area should be able to evaluate your situation and take your case without charging you anything out of your pocket for your fees.

These two laws have been used successfully by buyers of cars, trucks, boats, RV's, motorcycles, personal watercraft, AND also computers, appliances, furniture, and photocopiers which did not work right. Remember: it doesn't have to be a car or truck. If you own any consumer product which is defective, these other laws will protect you.

The **U.S. Consumer Product Safety Commission (CPSC)** has jurisdiction over more than 15,000 kinds of consumer products used in and around the home, in sports, recreation and schools including:

- appliances
- furniture
- lighting / lighter
- clothing
- household
- outdoor
- electronic / electrical
- children's products
- sports / exercise

And all the people said, “Amen!”

Let's go back to the horse & buggy days of consumerism, when the good intentions of our free commerce system goes horribly wrong.

President Ronald Reagan's policy of deregulation left consumers subject to fraud and other abuses by manufacturers. A federal law, the Magnuson-Moss Warranty Act of 1975, and Uniform Commercial Codes provided some protection for the consumer, but the way in which these laws were written meant the consumer usually ended up filing a lawsuit against the manufacturer. Seeking redress under either statute led to "frustration, delays, expense and uncertainty." (Kegley and Hiller, 1986, p. 88). Hence the need for a more consumer-friendly procedure.

Lawyers like it when business is good, but this was bad business and something needed to be done. Nobody wants to be up to their neck in red tape.

Remember, The Sprawling Branches of the Lemon (Law) Tree are there to cover you. Let [KIMMEL & SILVERMAN, ATTORNEYS AT LAW](#) help you get the consumer relief you deserve.