



For Immediate Release, Dec. 5, 2014

WICHITA, KAN. – The District Attorney’s Consumer Protection Division reminds consumers about some shopping rules and tips during the holiday shopping season:

RETURN POLICIES: A store is not required to accept the return of any item if there is nothing wrong it. When purchasing an item, don’t assume you can return it as many stores don’t allow returns. If a store accepts returns, there are usually conditions that must be met before a return is accepted.

Remember: Before making a purchase, investigate whether returns are accepted, and if so, what is required of you - for example, must have your receipt, must return in a specified time, must have original packaging material, etc.

LAYAWAYS: A consumer may consider a layaway plan where the consumer makes payments toward the total purchase price but the store holds the item until the full price is paid.

Remember: If the store allows layaways, be sure you know the rules.

Do not assume if you stop paying for an item that you will receive a return of all your payments. If you choose a layaway plan, make sure the store plainly discloses its policy. Always obtain a receipt for each payment made and an itemized account of the amount remaining.

HIGH PRESSURE SALES: Don’t allow yourself to be coerced into a purchase by high pressure sales tactics. Walk away. Buying goods or services that you neither want nor can afford, can cause substantial hardship to you.

Remember: Proving high pressure sales tactics is difficult and, as a result, consumers often have little recourse. Therefore, to avoid becoming a victim of high pressure sales, simply say “no” and walk away. If it is a good and legitimate deal, it generally is available again at a later time.

GIFT CARDS: A store that is in business today may not be in business in another three months. Investigate recent financial news to determine if there is any indication that a particular chain or store is likely to close in the near future. If you purchase a gift card and the store closes, there is generally no recourse unless you can prove the store sold the card with knowledge that it was going to close.

In Kansas, gifts cards are now governed by these rules:

- Cards shall not contain an expiration date less than 5 years from the purchase date.
- A gift certificate sold without an expiration date is valid until redeemed or replaced.
- A merchant is not required to redeem a card or certificate for cash.
- Fees may not be charged against the balance of the card within 12 months of the issuance of the card or certificate;
- If limitations or conditions are disclosed to the purchaser of a certificate or card at the time of purchase, but the purchaser does not comply with the same, the issuer is not required to redeem the card or certificate.

The above rules do not apply to:

- Gift certificates or cards distributed to a consumer without any money or other thing of value being given in exchange for the certificate or card by the consumer.
- Certificates or cards sold below face value at a volume discount to employers or nonprofit and charitable organizations for fund raising purposes.

Remember: If you have reservations about purchasing a gift card, consider a gift card provided by a major credit card supplier. Generally, these cards allow more flexibility such as shopping on line, in person or by phone, and if the card is lost or stolen, it has the protection and security features provided by major cards. For more information, contact the Consumer Protection Division at 660-3653.

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