

## **SECURITY ALARM INSTALLATION REQUIREMENTS WITHIN THE CITY OF WICHITA**

The District Attorney's Consumer Protection Division wants you to know the legal requirements for alarm companies and their technicians. If the alarm company or its technicians are unable to provide verification of required licenses and certifications, do not do business with that person or company. Also, alarm contracts can be long and in small print. Read and understand all provisions before signing any contract. Some terms are discussed below.

### **THE TECHNICIAN** who installs or services a system in your home:

The *technician* must be certified ***and have an alarm certificate*** from the City of Wichita. To be certified, the technician must pass at least a "level one" test for security alarm installation by a recognized testing company. The City's Metropolitan Area Building and Construction Department (MABCD) issues an alarm certificate to the technician after passing the exam. ***A technician is required to carry proof of certification and display it when requested. For further information on a particular technician, contact the MABCD at 268-4413.***

Anyone involved in the installation and/or service of an alarm system in your home who is not certified must be accompanied by a certified technician.

### **THE ALARM COMPANY** whose technicians are in your home:

An alarm company operating within the Wichita city limits must have a business alarm license issued by the City of Wichita's Business License Department. The application must contain the name of each certified technician installing or servicing alarm systems on behalf of the company. Call the City's Business License Department at 268-4553 to determine if an alarm company is properly licensed.

Any person, who engages in the operation of an alarm business within the City without having first obtained a license to operate is subject to being charged with a misdemeanor. Upon conviction, the person shall be punished by a fine of not more than \$500 or imprisonment not to exceed six months or by both.

### **THE ALARM CONTRACT,**

#### ***Contracts:***

The contract is often a multi-page document in small print. Read and understand it before signing.

***Companies Who Neither Install nor Service Systems:***

Some alarm companies use a wholly separate company to solicit door to door and to secure contracts from consumers. Solicitors are usually not certified technicians who have been checked by the City of Wichita's License Department. In Kansas there is no law requiring an alarm solicitor to pass a criminal background check.

***Equipment Installation and System Monitoring:***

There may be two contracts - one is for the installation of the alarm **equipment** and another for the **monitoring** of the system. The person who knocks at your door may secure both contracts and assign the monitoring contract to another company.

A "system purchase and services agreement" covers the equipment and the monitoring.

***Three Day Right to Cancel Provision:***

A "door to door" alarm contract contains a right to cancel **within 3 business days**. When the contract is signed, a "notice of cancellation" must be included. Don't sign a contract under the mistaken belief that you always have a three day right to cancel when a notice is not included.

The company representative must complete the "Notice of Cancellation" by entering the name of the supplier, the address of the supplier's place of business, the date of the transaction, and the date by which the consumer may give notice of cancellation which is not earlier than the third business day after signing.

To cancel, the consumer must mail or deliver a signed and dated copy of the cancellation notice to the supplier in accordance with the information in the notice.

If an alarm company has installed equipment within the three business days window and you cancel, the alarm company will make arrangements to have the equipment removed.

***Initial Contract Term:***

The length of the "initial term" of a contract is commonly 36 months. There was a company selling alarm systems in Wichita with an "initial term" of 58 months. Some contracts may include a specific provision if you move. (Military members, if called to active duty, may be able to cancel such a contract by virtue of the Soldiers and Sailors Civil Relief Act).

### ***Assignment of Contract:***

An alarm company can assign a contract, but the consumer cannot. There may be this provision:

*“You may not transfer this Agreement to someone else (including someone who purchases or rents your premises) unless we approve the transfer in writing. “*

Such a provision does not guarantee that you can be free of the initial term.

### ***Changing Alarm Companies Before Your Original Contract Expires:***

If you change alarm companies, you could incur a penalty or be required to make all remaining payments left under the contract. Any representation by the new company that the old contract can be cancelled without fees is incorrect.

### ***Cancellation of Your Contract before Expiration of the Initial Term:***

Alarm contracts typically contain provisions that you cannot cancel the contract prior to the expiration of the initial term. If you sign a contract for 36 months, be prepared to pay for 36 months.

### ***Automatic Renewal Provisions:***

The contract may contain an automatic renewal provision which means your contract will automatically renew. If you wish to cancel, do so within the defined window in the contract. A typical provision requires the consumer terminate, in writing, within 30 days prior to the end of the initial term or the contract will automatically renew.

### **Additional:**

1. The ***requirements discussed above, apply to homes within the City limits of Wichita.*** Smaller incorporated towns within Sedgwick County may have their own regulations, may have adopted these same regulations or may not have any regulations for alarm companies and their technicians. Check with city officials in your community.
2. If you live in ***the unincorporated part of Sedgwick County, there are no specific regulations*** governing alarm companies, their technicians, or the installation of such systems.
3. Installation of a more complex security system (for example, which allows monitoring from a remote site), may require the services of a licensed electrician.
4. Before you purchase a system, check with the Better Business Bureau or this office for complaints against a particular company.
5. A certified technician is not required for the installation of medical device alarms.
6. Installation of fire alarms in Wichita is much the same as security alarm requirements. The City's Metropolitan Area Building and Construction Department (MABCD), is responsible for issuing a fire alarm technician certificate.