

The Lowdown on Maddening Breakdowns of Defective Products

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You watch with envy as your friends buy new flat-panel TVs or ultra-thin laptops. Or you marvel at their high-tech refrigerator, extra-capacity washing machine or quiet-as-the-country dishwasher.

"I want that," you say.

And why not? New things - new gadgets - are great. Everyone loves new.

After agonizing about the cost, maybe doing some research, you take a deep breath and reach for the plastic. As soon as you get the product home, you're ecstatic about your purchase.

"I've always wanted one of these," you say. And now you have one.

The initial results are fantastic. The product performs just as expected, maybe better. Best of all, now it's your friends' turn to be jealous. You congratulate yourself on your consumer instinct.

Then, disaster strikes: The television picture becomes pixilated or disappears entirely, the laptop's hard drive corrupts your honeymoon photos, the refrigerator keeps food so cold it freezes everything, the dishwasher floods the kitchen, the washing machine doesn't drain properly and mold grows on your clothes.

What do you do? You pull out the paperwork that came with the product, look up the manufacturer's toll-free, customer service number and dial.

"How may I help you?" an operator asks.

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"I just bought ___ and now it doesn't work," you say.

"When did you buy the ___?" the operator asks.

"Last ___," you say.

"Oh," the operator says. "That was ___ and one month ago. Our warranty is only good for ___. I'm sorry. We can't help you."

"But I spent \$1,000 on ___ and now it's just a giant paperweight," you respond.

"I'm sorry," the operator says. "Your warranty has expired. If you want the ___ fixed, you'll have to pay for it yourself."

And pay you do - through the nose. With the price of labor, the repair of your new ___ winds up costing you hundreds of dollars.

You're a disgruntled consumer, and you cannot believe the unfairness of this situation. "I never would have bought this ___ if I had known it would only work for ___."

I've heard this story more times than you could ever imagine.

Am I the world's unluckiest consumer?

No, I'm a class-action lawyer. As part of my job, I represent consumers who've bought products that failed to live up to the manufacturers' promises, or inexplicably conk out right after the warranty period ends.

How can consumers protect themselves?

Research is crucial

No one likes homework. But you probably like wasting your money even less.

No longer can a consumer only rely on the historic performance of a particular brand. Manufacturers change product design. They may switch component suppliers or buy or make components in countries where quality standards may be less rigorous.

If your first step is thorough research, you're a bit less likely to become a disgruntled consumer. (See the accompanying, nonexhaustive list of Web sites I've found helpful when researching consumer goods.)

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Another very good source of information is experienced salespeople. These people get paid to know their products - and they hear from customers when products they've sold don't work as advertised. Sales professionals who've helped you before and haven't led you astray are strongly preferred.

Your paperwork is your evidence

When making a purchase of any big-dollar item, make sure to keep invoices, receipts and credit card statements. If you need to return an item, lodge a complaint, arrange for a warranty repair or file a lawsuit, having this paperwork will make your job easier. Without it, your rights may be hampered.

Also, fill out warranty cards by mail or online. If there's a defective product notification or recall by the manufacturer, or a class-action settlement, it will be easier to find you and notify you.

Make customer service serve you

Let's assume you've done your homework and bought a recommended product. Later, it breaks - after the warranty expired. What should you do?

Your first recourse is the manufacturer. It may not seem this way, but companies generally want to keep their customers happy. Give the company a chance to do right by you. But also know that manufacturers receive a huge volume of communications from consumers, often in the form of rambling phone calls.

Stand apart from this group by communicating coherently with the company. The best method is by writing a letter or e-mail. Be sure to mention a product's model and serial number, when and where you bought it, the purchase price, and the date and price of any repairs. Include receipts. Also considering writing to the Better Business Bureau, the state Attorney General's bureau of consumer frauds and protection, and the city Department of Consumer Affairs. If you do, make clear in your communication with the manufacturer that you're seeking help from these agencies. Companies do not want to be investigated and often make an extra effort to make you whole to avoid scrutiny. Of course, keep copies of everything.

Talk to people with power

If you call a company's customer service number, remember that operators often have little knowledge of the product and even less authority to deviate from company policy regarding out-of-warranty problems.

If the rep can't help you, ask politely to speak with a supervisor. They usually have more power to make discretionary decisions. Although it's an extra step, it's smart to write a followup letter or e-mail after talking with customer service. A written record of your communications will help.

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Move quickly

Remember that laws on warranties or deceptive trade practices impose time limits on when you can file a claim. If you decide you want to sue, be prompt in consulting with a lawyer to get advice on whether the laws intended to protect consumers may work for you - even though the product no longer does.

Before you buy, web sites worth your time:

- buzzillions.com
- consumeraffairs.com
- consumerdemocracy.com
- consumerreports.org
- consumersearch.com
- epinions.com
- inods.com
- myproductadvisor.com
- products.howstuffworks.com
- ratings.net
- reviews.cnet.com
- viewpoints.com
- wize.com