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**Feature**

## Trader Responsibility

Many of us prefer to buy goods on hire purchase when we don't have ready cash, be it white goods, furniture or hi-tech electronic gadgets such as mobile phones, laptops or desktops.

And, when there is a problem with the item, particularly if it happens within the warranty period, we knock on the doors of the hire purchase company to get the item fixed, replaced or seek refund in extreme situation.

Many a times, your hire purchase company will have to take the item back to run checks or to have the item fixed while you are still making your regular payments. And, after a while, you do get your troubled item back – either repaired or replaced with a new one.

But, did you know that some consumers are not that lucky and don't get to ever see the items they give to their hire purchase company for repair!

In one case at hand, Samu had purchased a Dell computer on a credit arrangement with the hire purchase company in December 2006.

After eleven month's usage, the computer developed some problems and the hire purchase company took the CPU for repairs. The fixed CPU was given back to Samu but within six months of use, the computer again started giving problems. The CPU was again taken for another round of inspection and repair in July 2008.

Samu kept waiting for the CPU, all he had was the computer screen which was of no use to him. Upon waiting for almost a year for it to be returned, a frustrated Samu made his decision to stop making payments to the hire purchase company. Samu expected the hire purchase company to contact him.

To Samu's surprise, after a lapse of some six years, he received a statement from the hire purchase company, dated 5 March 2015 that he was in arrears of \$1452.47 which he has to clear.

In a state of confusion and helplessness, Samu filed a complaint with the Council. He could not understand why the company decided to bill him when the item was not returned after repairs and he made payments for a year without using the item.

The Council investigated the case and learned that the hire purchase company in question had sold the CPU for \$549 on 8 June, 2009 and deducted this amount from the total balance owed by Samu, which amounted to \$1452.47.

The Council was then informed by the hire purchase company that the statement was sent to Samu by mistake and that his account had been written off and the file was closed. The company clearly stated that Samu had no outstanding balance.

Samu was delighted with the news after sleepless nights but questioned the way the hire purchase company was doing business which was not in line with the Consumer Credit Act. Samu was wondering why the CPU was not returned to him and on what basis the item was sold when it was not a repossessed item.

This is one of many cases which the Council has come across over the years where traders act irresponsibly, having total disregard for fairness in the marketplace.

At this juncture, the Council is advising consumers to demand for the repair sheet from the company when the repaired item is delivered. If there is a delay and you don't get to hear from the company, then you must find out why there is a delay.

The onus is also on the hire purchase company to keep their customers informed on the progress of the repair works and in case of a delay, a replacement item should be given for use till the item is repaired. Trader-responsibility is paramount here.