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| *WARNING:*   1. Use of this letter in any way is subject to the terms and conditions of the copyright owner, which can be found here: <http://aclc.org.nz/terms-and-conditions/> 2. The copyright owner has permitted use of this letter for the purpose of helping people to resolve their own legal issues. 3. Providing this letter and permitting its use does not amount to legal advice and is not an adequate substitute for legal advice. 4. The copyright owner has taken reasonable efforts to ensure this letter is legally accurate and up-to-date. However, the copyright owner takes no responsibility for errors, omissions, or consequences for the manner in which the letter is used. 5. We strongly recommend you obtain independent legal advice before using this letter.   *USING THIS LETTER:*   1. Fill in the areas that are marked with square brackets - [LIKE THIS]. 2. Print and Sign. 3. Make a copy then post the letter. 4. Do NOT send this instruction page.   *WHEN TO USE THIS LETTER:*  Use this letter to ask for a refund when goods supplied failed to comply with consumer guarantees, AND the failure was of a substantial character.  The failure to comply is of a substantial character when:   * a reasonable consumer would not have bought the goods if they were fully aware of the problem; * the goods are different in a significant way from the supplier’s description (or from a sample or demonstration model); * the goods are substantially unfit for their usual purpose, and the goods cannot easily and within a reasonable time be made fit for purpose; * the goods are unfit for a purpose you told the seller you wanted them for, or the seller said they would be fit for, and the goods cannot easily and within a reasonable time be made fit for that purpose; or * the goods are not of an acceptable quality because they are unsafe. |

[DATE]

[YOUR NAME]

[YOUR ADDRESS]

[SUPPLIER’S NAME]

[SUPPLIER’S ADDRESS]

**Sent by [POST/EMAIL]**

Dear [SUPPLIER’S NAME]

**RE: REQUEST FOR REFUND – SUBSTANTIAL FAILURE OF GUARANTEE**

I am writing to request a cash refund. The reason for the refund is that goods were supplied that failed to comply with consumer guarantees, and the failure was of a substantial character.

The item you supplied me with is:

[LIST ITEMS]

The item failed to comply with consumer guarantees because:

[DELETE 4 OF THE FOLLOWING:]

1. A reasonable consumer would not have bought the goods if they were fully aware of the problem.
2. The goods are different in a significant way from the supplier’s description (or from a sample or demonstration model).
3. The goods are substantially unfit for their usual purpose, and the goods cannot easily and within a reasonable time be made fit for purpose.
4. The goods are unfit for a purpose you told the seller you wanted them for, or the seller said they would be fit for, and the goods cannot easily and within a reasonable time be made fit for that purpose.
5. The goods are not of an acceptable quality because they are unsafe.

Please send the refund to the address above or contact me to arrange payment. I look forward to hearing from you.

Yours faithfully,

[YOUR NAME]

[YOUR PHONE NUMBER]