



CONSUMER ALERT: **FAQs on Refunds Related to COVID-19**

The outbreak of COVID-19 caused by a novel coronavirus has resulted in a public health emergency and state of emergency. Individuals and businesses across the world are taking extraordinary steps to limit in-person interactions between people. The pandemic has caused events to be canceled, travel plans to be modified, and businesses to close or change how they operate. These events have prompted consumers to ask a number of questions about their entitlement to refunds.

This guidance from the New Jersey Division of Consumer Affairs offers answers to some of the most common questions about refunds. These answers describe what the law requires in New Jersey. Businesses always can provide refunds even when they are not required to do so under the law.

Some rules on refunds apply generally to most consumer merchandise. Other goods and services have special rules. This guidance explains the general rules, and also addresses the specific rules for some of the consumer goods and services that have been most affected by COVID-19.

1. I would like a refund for goods that I have recently purchased or paid for. Am I entitled to one?

With some exceptions, retail establishments in New Jersey must disclose their refund policies for non-perishable merchandise, including whether the business offers refunds and, if so, in what form and under what conditions. The policy must be posted on a sign either attached to the merchandise itself, affixed to each cash register at the point of sale, or posted at each store entrance used by consumers.

The retailer's refund policy generally will determine whether you are entitled to a refund. If a retailer fails to post its policy, or fails to honor its terms, the retailer may be in violation of New Jersey's Consumer Fraud Act. You may file a

complaint with the Division of Consumer Affairs by going to:
<https://www.njconsumeraffairs.gov/Pages/Consumer-Complaints.aspx>.

2. My gym or health club is closed. Will I get a refund or credit on my membership fees?

If your health club facility is closed for more than 30 days, you generally are entitled either to extend your contract with the health club facility for a period equal to the length of the closure or to receive a prorated refund of the amount you paid.

This protection for consumers whose health club facility closes for more than 30 days is limited in scope. It does not apply to single-sport or single-focus establishments like basic aerobic or dance centers, yoga or spin studios, or children's gyms that offer only scheduled/hourly classes; martial arts, gymnastic, or dance schools; or swim clubs, tennis clubs, or racquetball clubs. It also is limited to establishments that devote at least 40% of their facility to the preservation, maintenance, encouragement or basic development of physical fitness or physical well-being through physical exercise, and that allow patrons to use the establishment whenever it is open or during specific time periods (like all weekends, weekdays, mornings, etc.).

For closures less than 30 days, and for establishments exempt from the 30-day refund rule, you should review the terms of your contract and contact the business about their credit or refund policy. You also may file a complaint with the Division of Consumer Affairs by going to:
<https://www.njconsumeraffairs.gov/Pages/Consumer-Complaints.aspx>.

3. I was planning to take a cruise but am changing my travel plans. Can I get a refund or avoid a change fee?

Some cruise lines and travel agencies have changed their refund, cancellation and change policies in response to the current public health situation. You should closely read the cancellation and change terms in your ticket contract, and also reach out to the cruise line and any travel agency with which you did business to inquire about current refund policies and options. If you bought travel insurance, you also should speak with the travel insurer about whether you have a covered claim.

If you still have a dispute or issue with a cruise line after pursuing these options, you can contact the Federal Maritime Commission's Office of Consumer Affairs & Dispute Resolution Services here: <https://www.fmc.gov/resources-services/cruise-passenger-assistance/>. The FMC cannot order a cruise line to refund a passenger who decides not to travel, but does offer voluntary dispute resolution services that may be helpful. To file a request for assistance from the FMC's Dispute Resolution Service, you should email complaints@fmc.gov with a subject line of "Complaint v. ..." and insert the name of the cruise operator and a very brief description of the issue in the body of the email.

If you feel like you have been given false, misleading or otherwise unconscionable information in response to inquiries with a cruise line or travel agency (such as claims that a particular cruise presents no risk of coronavirus exposure), you also may file a complaint with the Division of Consumer Affairs by going to: <https://www.njconsumeraffairs.gov/Pages/Consumer-Complaints.aspx>.

4. What can I do if my flight is cancelled, or I am unable or unwilling to make a scheduled trip due to COVID-19?

When an airline is at fault for the cancellation or delay, passengers may be entitled to a refund of the ticket price and associated fees. When the airline is not responsible for weather and other unforeseeable events that may delay or cancel flights, many passengers are not automatically eligible for a refund, particularly if they purchased non-refundable tickets. However, many airlines have recently modified their refund, cancellation and travel-change policies in response to the current public health situation. If you need to change or cancel your travel plans, you should contact the airline for more information. In addition, if you purchased travel insurance, you are encouraged to speak with the travel insurer about whether you have a covered claim.

For more information about the general rules relating to air travel and refunds, you can visit the website of the Federal Aviation Consumer Protection Division at: <https://www.transportation.gov/airconsumer>. You can file a complaint here: <https://airconsumer.dot.gov/escomplaint/ConsumerForm.cfm>

5. Can I get a refund for my ticket(s) to a concert, play, or other event?

You should start by identifying who you bought your ticket(s) from. Reach out to the seller to request a refund or credit and, if necessary, determine if the seller has changed their cancellation or refund policies in response to the current public health situation.

If you bought your ticket(s) from a ticket broker (ticket reseller) in New Jersey, the broker is generally required to disclose their cancellation policy, and to provide a refund for most or all of the price paid, in many cases, for cancelled events. There are some exceptions and exclusions to these rules, however. You can find out more about the rules that apply to ticket resellers in New Jersey here:

<https://www.njconsumeraffairs.gov/Statutes/ticketresellerslaw.pdf>.

6. I would like to file a complaint about an unlawful or unconscionable refund practice.

If you believe you have been cheated or scammed by a business, or suspect any other form of consumer abuse, you can file an online complaint with the Division of Consumer Affairs by visiting our [website](#) or calling 1-800-242-5846 to receive a complaint form by mail.