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BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 3. PROFESSIONS AND VOCATIONS GENERALLY [5000 - 9998.11] (*Heading of Division 3 added by Stats. 1939, Ch. 30.)*

CHAPTER 20. Electronic and Appliance Repair Dealers [9800 - 9874.5] (*Heading of Chapter 20 amended by Stats. 1978, Ch. 1161.)*

ARTICLE 5. Informal Adjustment of Complaints [9860 - 9863] (*Article 5 added by Stats. 1963, Ch. 1492.)*

9860. (a) The director shall establish procedures for accepting complaints from the public against any service dealer or service contractor.

(b) This section shall remain in effect only until January 1, 2028, and as of that date is repealed.

(Amended (as amended by Stats. 2022, Ch. 625, Sec. 88) by Stats. 2023, Ch. 508, Sec. 20. (SB 814) Effective January 1, 2024. Repealed as of January 1, 2028, by its own provisions. See later operative version, as amended by Sec. 21 of Stats. 2023, Ch. 508.)

9860. (a) The director shall establish procedures for accepting complaints from the public against any service dealer.

(b) This section shall become operative on January 1, 2028.

(Amended (as amended by Stats. 2022, Ch. 625, Sec. 89) by Stats. 2023, Ch. 508, Sec. 21. (SB 814) Effective January 1, 2024. Operative January 1, 2028, by its own provisions.)

9861. If the complaint does not appear to state any violations of this chapter or of the regulations made pursuant to this chapter, the director shall so advise the complainant and take no further action.

(Added by Stats. 1963, Ch. 1492.)

9862. If a complaint indicates a possible violation of this chapter or of the regulations adopted pursuant to this chapter, the director may advise the service dealer of the contents of the complaint and, if the service dealer is so advised, the director shall make a summary investigation of the facts after the service dealer has had reasonable opportunity to reply thereto.

(Amended by Stats. 1994, Ch. 1275, Sec. 52. Effective January 1, 1995.)

9862.5. (a) If a complaint indicates a possible violation of this chapter or of the regulations adopted pursuant to this chapter, the director may advise the service contractor of the contents of the complaint and, if the service contractor is so advised, the director shall make a summary investigation of the facts after the service contractor has had reasonable opportunity to reply thereto.

(b) This section shall remain in effect only until January 1, 2028, and as of that date is repealed.

(Amended by Stats. 2023, Ch. 508, Sec. 22. (SB 814) Effective January 1, 2024. Repealed as of January 1, 2028, by its own provisions.)

9863. (a) If, upon summary investigation, it appears probable to the director that a violation of this chapter, or the regulations thereunder, has occurred, the director, in their discretion, may suggest measures that in the director's judgment would compensate the complainant for the damages they suffered as a result of the alleged violation. If the service dealer or service contractor accepts the director's suggestions and performs accordingly, the director shall give that fact due consideration in any subsequent disciplinary proceeding. If the service dealer or service contractor declines to abide by the suggestions of the director, the director may investigate further and may institute disciplinary proceedings in accordance with the provisions of this chapter.

(b) This section shall remain in effect only until January 1, 2028, and as of that date is repealed.

(Amended (as amended by Stats. 2022, Ch. 625, Sec. 91) by Stats. 2023, Ch. 508, Sec. 23. (SB 814) Effective January 1, 2024. Repealed as of January 1, 2028, by its own provisions. See later operative version, as amended by Sec. 24 of Stats. 2023, Ch. 508.)

9863. (a) If, upon summary investigation, it appears probable to the director that a violation of this chapter, or the regulations thereunder, has occurred, the director, in their discretion, may suggest measures that in the director's judgment would compensate the complainant for the damages they suffered as a result of the alleged violation. If the service dealer accepts the director's suggestions and performs accordingly, the director shall give that fact due consideration in any subsequent disciplinary proceeding. If the service dealer declines to abide by the suggestions of the director, the director may investigate further and may institute disciplinary proceedings in accordance with the provisions of this chapter.

(b) This section shall become operative on January 1, 2028.

(Amended (as amended by Stats. 2022, Ch. 625, Sec. 92) by Stats. 2023, Ch. 508, Sec. 24. (SB 814) Effective January 1, 2024. Operative January 1, 2028, by its own provisions.)