

Lemon Law Refund Request Verification Form

New Vehicle/Motor Home Repurchase Information

Name: _____

Account ID: _____

Vehicle Information

(1) VIN number _____

(2) Original purchase, lease, or in-service date _____

(3) Repurchase/buy-back date _____

(4) Is the vehicle a "**new motor vehicle**"? "New motor vehicle" means any new self-propelled vehicle that was originally purchased or leased at retail from a new motor vehicle dealer or leasing company in the state of Washington and was initially registered in the state or issued a non-resident military temporary license. It does not include vehicles purchased or leased by a business as part of a fleet of ten or more vehicles at one time or under a single purchase or lease agreement. *RCW 19.118.021(12)*

Yes – go to Question (5)

No – **STOP:** Vehicle does not qualify for refund.

Defect Information

(5) Does the defect "**substantially impair**" the vehicle? "Substantially impair" means to render the vehicle unreliable, or unsafe for ordinary use, or to diminish the resale value of the vehicle below the average resale value for comparable motor vehicles. *RCW 19.118.021(21)*

Yes – go to Question (6)

No – **STOP:** Vehicle does not qualify for refund.

If yes, explain: _____

(6) Does the vehicle have a "**nonconformity**"? "Nonconformity" means a defect or condition that substantially impairs the use, value, or safety of a new motor vehicle. It does not include a defect or condition that is the result of abuse, neglect, or unauthorized modification or alteration of the vehicle. *RCW 19.118.021(14)*

Yes – go to Question (8)

No – go to Question (7)

If yes, explain: _____

(7) Does the vehicle have a "**serious safety defect**"? "Serious safety defect" means a life-threatening malfunction or nonconformity that impedes the consumer's ability to control or operate the vehicle for ordinary use or reasonable intended purposes, or creates a risk of fire or explosion. It does not include a defect or condition that is the result of abuse, neglect, or unauthorized modification or alteration of the vehicle. *RCW 19.118.021(19)*

Yes – go to Question (9)

No – **STOP:** Vehicle does not qualify for refund.

If yes, explain: _____

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Reasonable Number of Attempts

- (8) If the vehicle has a “**nonconformity**”, has it been subject to diagnosis or repair **4** or more times, at least **1** of which is during the period of coverage of the applicable manufacturer’s written warranty, and the same nonconformity continues to exist? *RCW 19.118.041(2)(b)*
- Yes – go to Question (12) No – go to Question (10)
- (9) If the vehicle has a “**serious safety defect**”, has it been subject to diagnosis or repair **2** or more times, at least **1** of which is during the period of coverage of the applicable manufacturer’s written warranty, and the same serious safety defect continues to exist? *RCW 19.118.041(2)(a)*
- Yes – go to Question (12) No – go to Question (10)
- (10) Has the vehicle been out of service by reason of diagnosis or repair of one or more nonconformities for a cumulative total of **30** calendar days, with at least **15** of them during the period of the applicable manufacturer’s written warranty? *RCW 19.118.041(2)(c)*
- Yes – go to Question (12) No – go to Question (11)
- (11) Within a 12-month period, have there been **2** or more different serious safety defects, each of which have been subject to diagnosis or repair **1** or more times, where at least one attempt for each serious safety defect occurred during the period of the applicable manufacturer’s warranty and within the eligibility period? *RCW 19.118.041(2)(d)*
- Yes – go to Question (12) No – **STOP**: Vehicle does not qualify for refund.

Offset Usage – Service records must be provided to substantiate the information below.

- (12) Original purchase price of vehicle _____
- (13) Original purchase, lease, or in-service date _____
- (14) Date of first attempt to diagnose or repair a nonconformity or serious safety defect _____
- (15) Total miles traveled by vehicle between (13) and (14) _____

Required Documentation

If the refund claim is **arbitrated** you will need to provide:

- ✓ Completed Lemon Law Refund Request Verification form.
- ✓ Full copy of the New Motor Vehicle Arbitration Board decision and signed acceptance document.
- ✓ Copy of signed dealer invoice/purchase order showing amount of sales tax paid.

If the refund claim is **not arbitrated** you will need to provide:

- ✓ Completed Lemon Law Refund Request Verification form.
- ✓ Copy of signed dealer invoice/purchase order showing amount of sales tax paid.
- ✓ Signed statement from consumer acknowledging receipt of refunded sales tax (statement should include consumer’s name, date, amount of refunded tax, and name of dealer/manufacturer providing the refund).
- ✓ Copy of refund check made payable to the consumer and/or lien holder.
- ✓ All service records to substantiate offset usage calculation.
- ✓ All service records to document the nonconformity or serious safety defect and the required number of attempts to diagnose or repair.
- ✓ Workpapers detailing calculations used to arrive at refund request amount.