

11 NCAC 08 .0907 UNFAIR COMPETITION AND DECEPTIVE PRACTICES

Unfair methods of competition or unfair or deceptive commercial acts or practices shall include, but not be limited to:

- (1) Failure to perform repairs, alterations and/or additions completely or in a workmanlike and competent manner.
- (2) Repeated failure to give timely notice of inability to appear for a scheduled repair.
- (3) Representing used manufactured homes, appliances, or fixtures as new or failure to identify used appliances, fixtures and/or equipment in new manufactured homes.
- (4) Repeated failure to respond promptly to consumer complaints and inquiries.
- (5) Failure to give clear and conspicuous notice that the wheels, axles, and/or tongue are not included in the sales price, when such is the case. An example of clear and conspicuous notice is a sticker or printed notice in bold face type stating "The purchase price does not include the wheels, axles, and tongue of this manufactured home."
- (6) Failure to give clear and conspicuous notice of the significance of leveling a manufactured home and when releveling becomes the customer's responsibility. An example of clear and conspicuous notice is a sticker or printed notice in bold face type stating "Proper set-up, leveling and anchoring of your manufactured home is necessary in order to assure proper functioning and safe operation of your manufactured home."
- (7) Misrepresenting the model year or size of a manufactured home. Size shall be calculated as follows:
 - (a) length means the distance from the exterior of the front wall (nearest to the drawbar and coupling mechanism) to the exterior of the rear wall (at the opposite end of the home) where such walls enclose living or other interior space, but not bay windows, porches, drawbars, couplings, hitches, wall and roof extensions, or other attachments;
 - (b) width means the distance from the exterior of one side wall to the exterior of the opposite side wall where such walls enclose living or other interior space, but not bay windows, porches, wall and roof extensions, or other attachments;
 - (c) measurements may be represented to the nearest foot.

*History Note: Authority G.S. 143-143.10; 143-143.13;
Legislative Objection Lodged Eff. December 22, 1982;
Eff. January 1, 1983;
Amended Eff. March 1, 1988 at ARRC request to cure referenced Legislative Objection;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*