

14-405.

(A) The duties prescribed in § 14-404 OF THIS SUBTITLE may not be imposed on a guarantor if [he] THE GUARANTOR shows that while the consumer product was in the possession of any person other than the guarantor, damage or unreasonable use, including failure to provide any reasonable and necessary maintenance disclosed under § 14-403 of this subtitle, caused the product to malfunction.

(B) THE DUTIES PRESCRIBED IN § 14-404 OF THIS SUBTITLE MAY NOT BE IMPOSED ON A PROVIDER IF THE PROVIDER SHOWS THAT WHILE THE PRODUCT WAS IN THE POSSESSION OF ANY PERSON OTHER THAN THE PROVIDER, DAMAGE OR UNREASONABLE USE, INCLUDING FAILURE TO PROVIDE ANY REASONABLE AND NECESSARY MAINTENANCE DISCLOSED UNDER § 14-403 OF THIS SUBTITLE, CAUSED THE PRODUCT TO MALFUNCTION OR CAUSED THE INABILITY OF THE PROVIDER TO PROVIDE ANY SERVICE UNDER THE SERVICE CONTRACT.

14-406.

(a) If a guarantor OR PROVIDER violates any provision of this subtitle, the Attorney General may obtain a court order prohibiting the guarantor OR PROVIDER from further violations.

(b) At least [seven] 7 days before the filing of an action for the order, the Attorney General shall give appropriate notice to the guarantor OR PROVIDER stating generally the relief sought.

(c) The court may issue an order or render a judgment necessary to:

(1) Prevent violations of this subtitle; and

(2) Restore to the person damaged any money or property acquired by means of any practice in violation of any provision of this subtitle.

14-407.

(a) It is the policy of the State to encourage:

(1) [a] A guarantor voluntarily to establish procedures whereby a guaranty dispute is fairly and expeditiously settled through informal dispute settlement procedures; AND

(2) A PROVIDER VOLUNTARILY TO ESTABLISH PROCEDURES WHEREBY A SERVICE CONTRACT DISPUTE IS FAIRLY AND EXPEDITIOUSLY SETTLED THROUGH INFORMAL DISPUTE SETTLEMENT PROCEDURES.

(B) A guarantor OR PROVIDER who establishes informal dispute settlement procedures may elect to settle guaranty disputes OR SERVICE CONTRACT DISPUTES, AS THE CASE MAY BE, in cooperation with any private agency or the Consumer Protection Division of the Attorney General's office.

[(b)](C) The guarantor OR PROVIDER is liable to the person guaranteed for any wrongful breach of a guaranty OR WRONGFUL BREACH OF A SERVICE CONTRACT, AS THE CASE MAY BE, and is under a duty to: