

- (1) Repair a malfunctioning or defective consumer product; or
- (2) If repair is not commercially practicable or cannot be timely made, replace the malfunctioning or defective consumer product.

[(c)] (D) (1) If a guarantor is unable to fulfill the terms of the guaranty within 10 days of the tender or delivery of a consumer product to the guarantor, [he] THE GUARANTOR shall provide on request of the person guaranteed a brief written explanation of the reasons for the delay.

(2) IF A PROVIDER IS UNABLE TO FULFILL THE TERMS OF THE SERVICE CONTRACT WITHIN 10 DAYS AFTER THE DATE ON WHICH THE PROVIDER IS REQUIRED TO PERFORM OBLIGATIONS UNDER THE SERVICE CONTRACT, THE PROVIDER SHALL PROVIDE ON REQUEST OF THE PERSON GUARANTEED A BRIEF WRITTEN EXPLANATION OF THE REASONS FOR THE DELAY.

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: