



NEW YORK STATE SENATOR

Jeffrey D. Klein

Klein Calls Out Jennifer Convertibles

JEFFREY D. KLEIN October 8, 2007



Bronx, who purchased a sofa from Jennifer Convertibles which was delivered in a damaged condition. After the DeLoretos' repeated attempts to return the ripped couch for a refund were met with hostility and rejection by company employees, another couch of the same design was delivered, without their consent, in a clumsy attempt to settle the matter. Bullied into accepting delivery on an item they had neither ordered nor desired, the DeLoretos reached out to Senator Klein who was able to intervene on their behalf.

New York stores. In 1998 the NY State Attorney General successfully sued Jennifer Convertibles after receiving hundreds of complaints from unsatisfied customers like the DeLoretos. A Consent Order and Judgment were issued, ordering the chain to make full restitution to 780 customers, and pay a \$70,000 fine. Jennifer Convertibles was further ordered to refrain from future illegal business practices. However, in 2004 the Attorney General had to haul Jennifer Convertibles back into court for violating the terms of the original judgment by continuing to engage in the same illegal return practices. The court agreed, holding the company in contempt of its 1998 order and spelling out needed reforms such as giving customers the opportunity to inspect deliveries prior to acceptance, making timely refunds and repairs, and creating a more responsive customer service operation. Jennifer Convertibles was again ordered to make restitution to a second group of victims and pay a larger state fine of \$275,000.

Since the 2004 decision, there have been 16 other reported cases of similar abuse, suggesting that the company has returned to or never completely abandoned its illegal pattern of consumer abuses.

“Such outlandish and fraudulent business practices are unacceptable. The DeLoretos did not ask for anything more than a refund on a damaged purchase, but instead were met with an ill-mannered and unprofessional response unbecoming a reputable retailer. Such behavior by a company that has already been found in violation of the same laws twice before is beyond the pale. I am calling on the New York State Attorney General and the New York City Department of Consumer Affairs to re-open their investigation into Jennifer Convertibles and finally force them to obey state laws,” said Senator Klein.

“We wanted a convertible so that our grandchildren could spend more time with us, but the sofa we received was coming apart at the seams! All we wanted was a refund and to take our money elsewhere, but we were treated like criminals,” said Mr. DeLoreto.

Bronx. It was delivered on June 24th, 2007. Upon delivery, the DeLoretos noticed that the couch was severely damaged and rejected it. They were told by the delivery man that he could not return the couch and that they could bring up the issue with the Customer Service Department of Jennifer Convertibles. When the DeLoretos called Customer Service they were told that because they had accepted delivery of the couch, it could not be returned, but only exchanged. After repeated calls to the store which went ignored, Mr. DeLoreto finally made contact with the store manager, Sam Addi, who responded: "we have your money, you have the couch: the sale is final." Senator Klein's office received a similar response from the manager who explained that as long as he was the manager of the store the DeLoretos would not get their money back.

Roughly two weeks later, the DeLoretos received the unsolicited second sofa, which they rejected because they didn't want the same piece of furniture made of similarly cheap material that they hadn't even asked for. Once again, the delivery man refused to take the couch back and the DeLoretos were forced to deal with yet another unwanted sofa, which was ultimately left on their side-walk as refuse.

Bartow Avenue. Not to be deterred, the Senator's office contacted the Public Relations department of Jennifer Convertibles which purported to give the request special consideration in deference to the Senator's status as an elected official. The Vice President of Customer Services, Martin Ehrlich, personally contacted the Senator's office to apologize and to offer the DeLoretos an immediate refund. The damaged sofa was removed a week later.

"Had it not been for Senator Klein we would've been completely stuck. It shouldn't take a call from an elected official to be treated with basic decency, like a paying customer. After the shocking and horrible way we were treated, I would never buy anything from Jennifer Convertibles again," added Mrs. DeLoreto.