

# WEST VIRGINIA CODE: §46B-3-7

## §46B-3-7. Disclosure requirements.

- (a) The dealer shall make all disclosures required by this section.
- (b) In all circumstances listed in subsection (c) of this section, the dealer shall disclose the following information with respect to the goods that are the subject of the rental agreement in a clear, conspicuous, and easily understood manner:
  - (1) Retail value;
  - (2) Rent-to-own charge;
  - (3) Rental period;
  - (4) Number of periodic payments required for ownership;
  - (5) Amount of each periodic payment;
  - (6) Total of all payments; and
  - (7) Whether the goods are new or have been previously rented or are otherwise used.
- (c) The dealer shall make the disclosures required in this section:
  - (1) On a label attached or posted on top of the goods displayed to any potential consumer if the goods are displayed on the premises of the dealer and offered under a rent-to-own agreement by that same dealer;
  - (2) In any rent-to-own agreement as defined in §46B-1-5 of this code;
  - (3) In any telephone communication with a potential consumer; and
  - (4) In any radio, television, or printed advertisement for the goods when the amount of the periodic payment for the item is included in the advertisement.
- (d) For any goods displayed or offered online and for which a consumer can enter into a rent-to-own agreement online or remotely through electronic commerce, a dealer may, in lieu of attaching the disclosure required by 46B-3-7(c)(1) of this code to the goods, provide the same information electronically so long as such information is disclosed in a clear, conspicuous, and easily understood manner.
- (e) For any goods offered to the consumer under a rent-to-own agreement by one dealer, but displayed by any other person or on the premises of any other dealer, the dealer offering the rent-to-own agreement may provide the information required under §46B-3-7(b) of this code

electronically, as described under §46B-3-7(d) of this code, or on a label, as described under §46B-3-7(c)(1) of this code.

(f) Any oral communications concerning the terms and conditions of the transaction shall be incorporated into a written agreement which shall govern the transaction.

(g) In any transaction involving more than one dealer, only one dealer may make the disclosures required by this article: *Provided*, That when the name of the dealer is required to be disclosed, all dealers shall be disclosed.

(h) A dealer may disclose information that is not required by this section only when the additional information is not stated, used, or placed in a manner that may contradict, obscure, or distract attention from the information required by this section.