

13-23-4 Rescission.

- (1) A consumer may rescind a contract for the purchase of health spa services if he enters into the contract and gives value at a time when the health spa is not fully operational and available for use, and if the health spa does not become fully operational and available for use within 60 days after the date of the contract.
- (2) A consumer's right to rescind his contract under this section continues for three business days after the health spa becomes fully operational and available for use.
- (3) A consumer who rescinds his contract under this section is entitled to a refund of any payments he has made, less the reasonable value of any health spa services he actually received or \$25, whichever is less. The preparation and processing of the contract and other documents are not considered to be health spa services that are deductible under this subsection from any refundable amount.
- (4) Any rescission of a contract under this section is effective upon the health spa's receipt of written notice of the consumer's intent to rescind the contract. The notice may be delivered by hand or mailed by certified mail postmarked no later than midnight of the third day after the health spa becomes fully operational and available for use.

Enacted by Chapter 105, 1987 General Session