Dry Cleaning

What the law says

When you have clothes or other items dry cleaned, the law says the dry cleaning must be:-

- **carried out with reasonable care and skill**. This means that the articles should be cleaned properly and not damaged; *and*
- **finished in a reasonable time,** unless a specific time has been agreed. This would normally mean within a few days, unless the delay was due to circumstances outside the dry cleaner's control; *and*
- **provided at a reasonable cost,** unless a definite price has been agreed.

If the **fault wasn't caused** by the dry cleaner**,** or was not due to **wear and tear**, you may have rights against the **seller.**

Remember:-

- **keep** your dry cleaning ticket, as you may have difficulty re-claiming your property without it
- dry cleaning may **not** remove all **stains**
- dry cleaning may **highlight** existing **wear**, for example, the weakening of curtains by exposure to sunlight.

Your rights if the dry cleaning is unsatisfactory

Full refund or re-clean
If the item is poorly cleaned, you can ask for a refund. If the cleaner offers to reclean the item it may be reasonable to allow them to do this.

Compensation
You may be entitled to compensation if: -

- the contract has been broken (**breach of contract**) and the cleaning was not carried out with reasonable care and skill or finished within a reasonable time or at a reasonable (or agreed) price; *or*
- the dry cleaner has been **negligent** and has damaged the item, for example, advised you that a garment was safe to be dry cleaned and this was untrue; *or*
- the dry cleaner made a **false claim** that persuaded you to use their service; *or*
- you have accepted a **reclean** or a **repair** and this has not solved the problem.

The amount of compensation will depend on the seriousness of the breach of contract and could include the cost of having the item cleaned elsewhere. If

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the item is totally ruined, your compensation would be based on the value of the item. This takes into account the purchase price but the dry cleaner can make a deduction to allow for the use you have had. If it is possible to repair the item and bring it back to its original condition, your compensation would be based on this cost.

How to solve your problem

Once you have decided what your rights are, you will need to contact the dry cleaner, who is responsible for dealing with your complaint. The following steps should solve your problem:-

- check that the fault is not the result of **normal wear and tear**
- **contact the dry cleaner straight away.** Take the item back, and ask to speak to the manager or owner. Alternatively, write to the manager or owner, and keep a copy of your letter. Explain your problem calmly but firmly and ask for a **refund**, a **repair**, or **compensation**
- **if you cannot agree on what caused the fault**, find out whether the firm is a member of a trade association such as the **Textile Services Association**. The TSA have an informal conciliation service which will attempt to resolve the matter. If this fails they will suggest assessment by an independent test house. There will be a charge for this, and the fee will be paid by the losing party
- if the dry cleaner is not a member of the TSA or other trade association, or if you do not wish to use the services of an association, it may be necessary to obtain an expert's opinion. The expert can be anyone suitably qualified, but a test house specialising in this area is the obvious choice (see below). You need to write to the dry cleaner and agree which expert will be used, and agree that you will **both** be bound by the expert's findings
- if you have obtained your evidence and the matter is still not resolved**,** write to the dry cleaner repeating your complaint and the steps that have been taken. Say you are giving them fourteen days to resolve the problem or you will consider legal action. Send your letter by **recorded delivery** with a copy to their head office, if applicable. Be sure to **keep copies** of all correspondence
- **if the dry cleaner makes an alternative offer**, you can either accept or continue to **negotiate**. Be realistic in what you will accept. You may not get a better offer by going to court.

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- **if the dry cleaner doesn't reply to your letters**, refuses to do anything, or makes a final offer you are unwilling to accept, your only choice is to go to court. **Remember court is your last resort.** Before going to court you need to consider whether you have sufficient **evidence**. You will have to prove that the dry cleaner is responsible for the problem and you may have to arrange for an expert report on the problem. You will also need to find out whether the dry cleaner is **solvent**. It is not worth suing a person who has no money.

If you have lost money on dry cleaning, don't waste more money on a case you cannot win.

Organisations that deal with dry cleaning

Textile Services Association (TSA)
The TSA has an internal conciliation service which you can use if you have a complaint against one of its **members**. TSA can be contacted on: **020 7843 9490.**

Independent test houses
Dry Cleaning Technology Centre
Tel: **01943 816545**

British Textile Technology Group
Tel: **0161 445 8141**

Drycleaning Complaints Arbitration Service (DCAS)
DCAS is able to test garments and provide a report that can be used in a court case. There is a charge for this service.
Tel: **01423 560436**

Other fact sheets that might be helpful

- Starting court action
- Supplier goes out of business
- Goods

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