

Protecting Wisconsin Consumers for 75 Years

## Home improvement – Cancellation notice

### Three day right to cancel

If you were *solicited* and signed a contract for more than \$25 at your home (or *away from* the contractor's regular place of business), Wisconsin law allows you three business days to cancel. The contractor is required to provide you with two copies of the notice of your right to cancel at the time the contract is signed.

To cancel the sale, the cancellation notice **must be in writing**. Use one of the two copies of the notice of your right to cancel and write on it, "I hereby cancel this contract." You must sign and date it and mail it to the contractor. The notice of cancellation must be mailed to the contractor before midnight of the third business day after the contractor gave you the notice. Sending cancellation notices by certified mail, return receipt requested, lets you know your notice was delivered.

If you did not receive a cancellation notice, you may also send a letter, telegram, or other correspondence indicating your intention to cancel.

*On the back of this fact sheet is a sample home improvement cancellation notice.*

### Canceling after three days

What do you do if you want to cancel the contract and it is after the first three business days?

Here's how to cancel home improvement contracts if *you pay* for but *don't get* materials and/or services:

- Give a written notice canceling the contract.

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- Demand return of all money the contractor has not yet spent on the project. (The contractor must return this amount to you within 15 days.)
- Demand delivery of all materials which the contractor has purchased with your money. (The contractor must deliver the materials within 15 days or within 5 days after the contractor receives materials from the supplier, whichever is later.)

### Violations

Criminal violations of home improvement laws can result in maximum fines of \$5,000 or imprisonment for up to a year, or both. Civil violations can result in maximum fees of \$10,000. In addition, you may sue for twice the amount of your loss, plus court costs and reasonable attorney fees.

### For more information

For more information, or to file a complaint, contact the Bureau of Consumer Protection at:

**(800) 422-7128**

2811 Agriculture Drive  
PO Box 8911  
Madison WI 53708-8911  
(608) 224-4976

**FAX: (608) 224-4939**

**TTY: (608) 224-5058**

**E-MAIL:**  
**DATCPHotline@Wisconsin.gov**

**WEBSITE:**  
**www.datcp.state.wi.us**

Date: \_\_\_\_\_ (mm/dd/yyyy)

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RE: Written Demand for Accounting/Refund**

This letter is to assert my rights under Wisconsin Administrative Code, Chapter ATCP 110, Home Improvement Trade Practices.

Because I believe that you have failed to provide the materials and services in our contract in a timely manner, I hereby demand the following pursuant to Wis. Admin. Code, § ATCP 110.07(2):

- 1. That our contract is cancelled;
- 2. That all monies given to you which were not spent on the performance of our contract be returned to me with **15 (fifteen) calendar days** after this demand is delivered to you;
- 3. That if any of my payments to you have been used for the purchase of materials, any materials purchased but not yet used be delivered to the job site specified in the contract within **15 (fifteen) calendar days** after this demand is delivered to you; and,
- 4. A written accounting for all payments that were made to you which gives specific details of how all payments were spent or used by you. Under law, this written accounting must be given to me **within 30 (thirty) calendar days** after this demand is delivered to you.

Wis. Admin. Code, ch. ATCP 110 was adopted under Wis. Stats, § 100.20(2). It is enforced by the Wisconsin Department of Agriculture, Trade and Consumer Protection. Violations are punishable by fines of up to \$5,000 or imprisonment for up to one year, or both. In addition, any consumer who loses money because of a Wis. Admin. Code, ch. ATCP 110, violation may sue for double the amount of their loss, plus court costs and attorney fees.

I have been advised that failure to respond to the above demands would be in violation of Wis. Admin. Code, ch. ATCP 110.

Signed: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Street: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_