



# Motor vehicle repairs

Ontario's Consumer Protection Act gives you some legal rights when your vehicle needs repairs. You can complain if the repair shop charges you too much, they do work that you did not ask for, or they do poor quality work.

## Who does the law apply to?

The law applies to anyone who is paid to repair your vehicle. This includes dealerships, neighbourhood garages, used car lots, and specialty garages like muffler, lube, transmission, and body shops.

## What vehicles are covered by the law?

The law covers repairs to cars, vans, trucks, motorcycles, and motor-assisted bicycles.

## Can I find out how much the repairs will cost?

Yes. Before you agree to get repairs done, the repair shop must offer to give you a written estimate. The estimate must have a lot of details, including:

- name and the name of the repair shop and their contact details
- the odometer reading at the time of the estimate
- an exact description of the work to be done
- a list of the parts to be installed and whether each one is new, used, or reconditioned
- the price of each part

The estimate must also include:

- the total charge for labour and how it is calculated
- a list of any other charges
- the total amount that you will be billed
- the date of the estimate and the date it expires
- the date when the repairs will be finished

## **Do I have to pay to get an estimate?**

Some repair shops will charge you a fee to give an estimate. They are allowed to do this only if they told you ahead of time how much the fee would be and you agreed to it.

But if the work is done by the same repair shop that gave you the estimate, they cannot charge a fee for the estimate.

## **Can work be done without an estimate?**

Yes, you can tell the repair shop that you do not want an estimate, if you agree on a maximum cost for the repairs instead.

## **Does the repair shop have to give a bill or invoice?**

Yes, once the work is done, the shop must give you a bill or invoice. The bill or invoice must contain the same kinds of details that must be in an estimate and other information such as:

- a detailed list of all charges for parts, labour, or anything else, and the total charge,
- the details of any warranties, and
- an explanation of your rights under the Consumer Protection Act.

## **What if the repairs cost more than I expected?**

If you get an estimate and then tell the shop to do the work, they cannot charge you more than 10% over the estimate amount.

If you said you did not want an estimate and you agreed to a maximum amount instead, the shop cannot charge any more than the amount you agreed to.

## **Can the repair shop do work without my permission?**

No, the repair shop cannot do any work on your vehicle without your permission.

## **Does the repair shop have to give me a warranty?**

Yes, the shop must give you a warranty for at least 90 days or 5,000 kilometres, whichever comes first. The warranty must cover all new and reconditioned parts and the labour to replace them. But the warranty does not have to cover things such as:

- fluids, lights, tires, or batteries,
- parts that were not originally warranted by the manufacturer when the vehicle was new, or
- parts that you have misused or abused.

## **What if I'm not satisfied with the repairs?**

You can use the warranty or tell the repair shop what the problem is, and give them a written list of your complaints. If the repair shop will not fix the problem, you could try to get a written report from a different repair shop saying that the original shop did not do the job properly.

## **What if I don't pay the bill?**

If you do not pay the bill, the shop has the right to keep your vehicle, as long as they followed the rules about estimates and got your permission to do the work. After 60 days, they can even sell your vehicle. A safer option is to apply to Small Claims Court. When you apply, you must pay the full amount of the bill to the Court. The repair shop must then return the vehicle to you within

three days. The court case will decide how much money the shop gets and how much you get back.

## Where can I file a complaint about a repair shop?

You can file a complaint with the Ministry of Consumer Services by submitting their Consumer Complaint Form.

<https://www.consumerbeware.mgs.gov.on.ca/esearch/compform/english/complaint.jsp>

## What if I need legal help?

Some community legal clinics or law school legal clinics can help you with consumer law problems. Visit [www.legalaids.on.ca](http://www.legalaids.on.ca) or call **1-800-668-8258**.

To find a lawyer or paralegal in your area who can give you a free 30-minute consultation, visit [www.findlegalhelp.ca](http://www.findlegalhelp.ca).

For a directory of lawyers, paralegals, and mediators who provide help at reduced rates to financially eligible people, visit [www.justicenet.ca](http://www.justicenet.ca), call **1-866-919-3219**, or email [info@justicenet.ca](mailto:info@justicenet.ca).

For free legal advice for consumer problems, call **1-855-255-7256** or visit [www.probonoontario.org](http://www.probonoontario.org).



Visit [www.stepstojustice.ca](http://www.stepstojustice.ca) for more information about consumer problems. This is general information for people in Ontario, Canada. It is not intended to be used as legal advice.

Vous pourriez avoir droit à des services en français devant les tribunaux ou auprès d'organismes gouvernementaux. Visitez [www.justicepasapas.ca/droits-linguistiques-des-francophones](http://www.justicepasapas.ca/droits-linguistiques-des-francophones).