

## OFFICE OF CHARITABLE AND REGULATORY PROGRAMS

### Extended Service Contract Providers – Frequently Asked Questions

Extended Service Contract Providers in Virginia are required to register with the Office of Charitable and Regulatory Programs (OCRP), and comply with the provisions of the Virginia Code §59.1-435 – 59.1-441.

#### Who is an "Extended Service Contract Provider?"

The Code defines an **extended service contract provider** as “any person or entity other than a public service corporation supervised by the State Corporation Commission, who is the original manufacturer or seller and who solicits, offers, advertises, or executes extended service contracts. Such definition includes the obligor of the contract sold, solicited, offered, advertised or executed by the original manufacturer, seller or obligor.”

An **obligor** is defined as “the person who is contractually obligated to the purchaser to provide services under the extended service contract and who is (i) the original manufacturer or seller of the merchandise covered by the extended service contract, (ii) acting through or with the written consent of the original manufacturer, seller or purchaser of the merchandise covered by the extended service contract, or (iii) acting through or with the written consent of a manufacturer or seller of merchandise similar to the merchandise covered by the extended service contract.”

#### Requirements for registration

Extended service contract providers are required to register with OCRP and file appropriate levels of surety prior to offering, advertising, executing or causing to be executed any extended service contract for a consumer product. This registration must be renewed annually on July 1<sup>st</sup>.

Any matter subject to the insurance regulatory authority of the State Corporation Commission pursuant to Title 38.2 is not subject to the provisions of this chapter.

Licensed or registered motor vehicle dealers, as defined in §46.2-1500, are not subject to the provisions of this chapter.