

# DAVID LEE

**Your Order Will Not Ship Unless This Is Signed!**

**107 CLAY STREET \* NORTH EAST, PA 16428 \* PHONE 800/926-3853 \* FAX 814/725-2383**

**GENERAL E-MAIL: davidlee@davidleefurniture.com; ORDERS & CUSTOMER SERVICE: orders@davidleefurniture.com**

## **DAMAGE/LOSS/DELIVERY POLICY**

- 1.) If David Lee Designs chooses the common carrier delivery company for shipment of a furniture order, David Lee Designs will handle any claim resulting from damage and/or loss caused by said common carrier delivery company, as long as the damage/loss instructions provided by David Lee Designs with each shipment are followed by the consignee (receiver) to the best of their ability. David Lee Designs assumes no responsibility for lost or damaged shipments if damage/loss instructions are not followed by the consignee.

(If our factory is closed at the time the delivery is attempted, the receiver should use their best judgment as to whether or not they should accept or refuse the damaged shipment. In either event, the words "RECEIVED AS DAMAGED", "RECEIVED SHORT" or "REFUSED AS DAMAGED" must be handwritten on the delivery paperwork presented by the truck driver. This will allow us to file a damage/loss claim. THE TRUCKING COMPANY ASSUMES NO LIABILITY IF THESE WORDS ARE NOT WRITTEN ON THE DELIVERY PAPERWORK.)

- 2.) **All common carrier deliveries are CURBSIDE DELIVERY ONLY, unless otherwise requested. The extra fee for INSIDE DELIVERY consists ONLY of delivery INSIDE THE DOOR. The driver WILL NOT unpack, move up or down stairs, assemble any items, or cart away packaging/bedding. The receiver must be prepared to have assistance at time of delivery to move the merchandise in and about the home, if they deem necessary. INSIDE DELIVERY, if required, must be requested prior to the order leaving the factory, and the buyer is responsible for any and all charges related to this request.**

Common carrier companies consider "concealed damage" any damage that was not noted at time of delivery. Obviously, it is in the consignee's best interest to open all cartons and inspect all merchandise in front of the driver at the time of delivery so that damage of any kind can be noted, whether or not the cartons themselves are damaged.

If you choose not to open the cartons in front of the driver, and you do not note damage at the time of delivery, these steps must be followed:

- 1.) When you find concealed damage:
- Retain damaged items and packaging – Not only the damaged items must be held at the point where received, but the containers and all inner packing materials must be held until an inspection is made by a carrier inspector.
  - Call carrier to report concealed damage and request inspection – The call should be placed immediately upon discovery of the damage, but under no circumstances should it be put off longer than 48 hours after delivery. Failure to report concealed damage within this 48-hour period will almost certainly result in the carrier denying your claim.
  - Request a claim form from the carrier.
- 2.) Steps to take when carrier makes inspection of damaged items:
- Have damaged items in receiving area – Make certain the damaged items have not been moved from the receiving area prior to discovery of damage. Allow inspector to inspect damaged items, cartons, inner packing materials, and freight bill. Be sure to retain your delivery receipt – it will be needed as a supporting document when the claim is filed.
  - After inspector fills out inspection report, carefully read it before signing. If you do not agree with the facts or conclusions made by the inspector on the report, do not sign it. Unless repairs will be completely satisfactory, be sure the inspector requests "replacement" on the inspection report. A new item can be ordered only if the inspection report specifies "replace".
- 3.) Steps to take after inspection has been made:
- File your claim with the carrier. If the damage is severe enough to require a replacement, you must order a replacement from David Lee. As you are filing the damage claim and you will receive reimbursement from the carrier, you must pay David Lee for the replacement merchandise. The freight charges for your replacement, as well as the cost of the replacement merchandise, can be included in your damage claim with the carrier. If you are able to have the merchandise repaired, you may purchase repair parts from David Lee. The cost of these repair parts can be included in your damage claim with the carrier.
  - Continue to retain damaged merchandise – Even though the inspection has been completed, damaged items cannot be used or disposed of without written permission from the carrier, which should be given within 2 weeks of inspection.
  - Do not return damaged items – Return of such items should not be made without our written authorization.
  - Secure a receipt from the carrier if damaged items are picked up for salvage. If you surrender damaged merchandise to a carrier for salvage because it is valueless to you, be sure to secure a receipt from the driver when it is picked up, and retain that receipt.

**PLEASE NOTE: DAVID LEE IS NOT RESPONSIBLE FOR DAMAGE NOT NOTED AT TIME OF DELIVERY!**

I certify that I understand & agree to the above terms/conditions, & that I have reviewed the common carrier delivery policy.

CONFIRMATION #: \_\_\_\_\_ ESTIMATED SHIP DATE: \_\_\_\_\_

PO: \_\_\_\_\_ COMPANY: \_\_\_\_\_

DATED: \_\_\_\_\_ BY: \_\_\_\_\_