

367.397 Cancellation of club membership.

- (1) Any person who has elected to become a member of a club may cancel such membership by giving written notice any time before midnight of the third business day following the date on which the person signs a contract containing the notice of "Members' Right to Cancel" required by KRS 367.399. Such cancellation shall be without liability on the part of the member and shall entitle the member to a refund of the entire consideration paid for the contract.
- (2) Notice of cancellation shall be in writing and delivered personally or by mail. If given by mail, the notice is effective upon deposit in a mailbox, properly addressed and postage paid. Notice of cancellation need not take a particular form and is sufficient if it indicates, by any form of written expression, the intention of the member not to be bound by the contract. If delivered personally, the notice is to be accepted by any agent or employee of the club, and a receipt for the notice shall be given by that agent or employee to the person canceling.
- (3) The entitled refund shall be delivered to the member within ten (10) days after notice of cancellation is given.
- (4) Rights of cancellation may not be waived or otherwise surrendered.
- (5) Cancellation shall not relieve the member from paying for any vacation or merchandise actually used by the consumer prior to the date of cancellation.

Effective: July 15, 2008

History: Amended 2008 Ky. Acts ch. 172, sec. 1, effective July 15, 2008. -- Amended 1988 Ky. Acts ch. 62, sec. 2, effective July 15, 1988. -- Created 1982 Ky. Acts ch. 21, sec. 2, effective July 15, 1982.