

§ 25A-29. Default charges.

(a) If any installment is past due for 10 days or more according to the original terms of the consumer credit installment sale contract, a default charge may be made in an amount of fifteen dollars (\$15.00). A default charge may be imposed only one time for each default.

(b) If a default charge is deducted from a payment made on the contract and the deduction results in a subsequent default on a subsequent payment, no default charge may be imposed for the default.

(c) If a default charge has been once imposed with respect to a particular default in payment, no default charge shall be imposed with respect to any future payments which would not have been in default except for the previous default.

(d) A default charge for any particular default shall be deemed to have been waived by the seller unless, within 45 days following the default, (i) the charge is collected or (ii) written notice of the charge is sent to the buyer. (1971, c. 796, s. 1; 2017-45, s. 1.)