

Know Your Consumer Rights

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Many technicians and retailers new to the satellite industry are not aware that the Over-the-Air Reception Devices (OTARD) Rule, a federal law, protects the rights of the consumer as to where they can or cannot install and use a satellite dish. OTARD continues to play an important role in supporting the sale and installation of satellite dishes.

Despite federal protection on this issue, gated communities, gentrified neighborhoods, landlords and even some municipalities continue to try and limit where a satellite dish can be installed. In some instances, these entities impose undue fees on a consumer for the right to install a satellite dish. In our experience with this issue, we have usually found that the parties responsible for trying to prevent the installation of a satellite dish were not aware that their actions violated the OTARD Rule.

Word of mouth is an important source of new revenue and if consumers feel they are prohibited from installing a satellite dish then it could negatively affect your income. Failure to properly protect the consumer under the OTARD Rule could result in lost income or result in another retailer making that sale as they were able to properly assist the customer. It is your responsibility as a professional satellite technician to understand a consumer's rights and be able to educate them to ensure that they can get the products and services they desire.

The Federal Communications Commission (FCC) implemented the OTARD rule on October 16, 1996 and garnered authority for the rule via Section 207 of the Telecommunications Act of 1996. The OTARD rule protects the right of the consumer to install a satellite reception system on their property without undue restrictions or fees. In 1999, this rule was expanded to include renters provided that the satellite dish was installed on their "exclusive use" area such as a balcony or patio. Though this rule has been challenged on numerous occasions it continues to be upheld by the FCC.

In protecting the consumer, the SBCA recommends that the retailer and/or installer do not address OTARD violations directly with the landlord, home owners association or municipality, but, rather, they should help inform the consumer of their rights. The SBCA is available to assist in this manner and has established a site dedicated to assisting consumers on this issue at <http://www.sbca.com/otard>.

In it you will find information on the FCC regulation along with a one-page flyer that you can give to consumers. You will also find an online form that when filled out and submitted to us will provide us with information we need to review and address the situation.

The satellite industry is very aggressive in protecting the right of the consumer to install a satellite dish. Such efforts will continue to help grow the industry. The more information we have regarding regulatory issues in your area the better we can address them and ensure that we have satisfied customers.

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