

# Rental with Purchase Option

## Terms & Conditions

The Magic Flute, Ltd., 182 Northgate One, San Rafael, CA, 94903  
(415) 479-3112, [www.themagicflute.com](http://www.themagicflute.com)

NO REFUNDS WILL BE GIVEN for early return of rental instrument (except in the case of monthly renewal payments). The renter must leave valid credit card information in lieu of a security deposit. If the contract becomes past due, the one-month renewal rate will be automatically charged to the credit card on file. If the instrument is returned within the one-month renewal period, then a pro-rated refund will be gladly given. If The Magic Flute is unable to generate an automatic renewal within 7 days after the expiration of the contract (i.e., if the credit card on file is no longer valid or has been declined), then the renter will incur additional late fees of \$15 per month. If the instrument is returned after the expiration of the contract, the renter will be responsible for paying a daily fee pro-rated to the one-month renewal rate. If the contract becomes 60 days past due and the instrument is not returned a small claims action will be filed for recovery of the full contract balance including past due rent and late fees. (Renter Initial: \_\_\_\_\_)

**RENEWAL OPTIONS:** Reminders will be sent approximately 5 and 3 days in advance of the contract due date advising you of your options. Option #1: instrument may be returned without further obligation, thereby terminating the contract and forfeiting any accrued purchase credit (See RENT TO OWN/TRANSFERS OF PURCHASE CREDIT below). Option #2: Contract may be renewed at the applicable renewal rates, thereby accruing additional purchase credit. Option #3: Instrument on rent may be purchased outright. Initial and Renewal Rates are subject to change. (Renter Initial: \_\_\_\_\_)

**EXCHANGES TO DIFFERENT INSTRUMENT:** ONE exchange may be made to a different instrument of equal or greater Rent-To-Own price within the first 9 months of continuous rental (up to 12 months in the case of Early Bird Rentals) for a \$25 exchange fee. EXCEPTION: Free exchanges may be made to larger size violins, violas, cellos, and basses as needed (any time during the rental). Additional exchanges will not be permitted. (Renter Initial: \_\_\_\_\_)

**RENT TO OWN/TRANSFERS OF PURCHASE CREDIT:** The purchase credit accrued (i.e., the Rent and Tax portions paid) during the initial year of rental of an instrument is 100% applicable toward purchase of the instrument on rent. It is also transferable to any instrument of equal or greater Rent-To-Own price in the store: however, such a transfer of purchase credit is possible only upon return of the rented instrument within initial contract period. Exceptions are clearly marked. Purchase credit does not apply toward sale prices, sale only, or consigned instruments. Purchase credit accrued after the initial period (i.e., all subsequent payments of rent and tax) only applies to the instrument on rent and cannot be transferred toward the purchase of any other merchandise. Purchase credit may NOT be accrued beyond the Rent-To-Own value of the instrument on rent. When the contract balance is reduced to zero, the rental is void, and ownership transfers to renter. EXCEPTION: Purchase credit accrued on fractional size violins, violas, cellos, and basses (although capped at the Rent-To-Own value) can be retained for eventual transfer to larger sized instruments of the same type, as long as the renter

continues to make timely rental payments. All purchase credit accrued on a rental is forfeited when the contract is closed upon return of the instrument.

(Renter Initial: \_\_\_\_\_)

**INSTRUMENT CONDITION, MAINTENANCE, AND THE RENTER'S RESPONSIBILITY:** The instrument on rent has been cleaned, adjusted, and inspected by The Magic Flute Repair Shop, and has been deemed free of damage or wear affecting its overall working condition. The Renter is responsible for keeping the instrument clean and (where applicable) well lubricated, and for the instrument's proper assembly, disassembly, and storage. The Repair Shop does not guarantee the instrument on rent free of cosmetic blemishes. At the time of rental, The Magic Flute will notate existing blemishes on the face of the contract to the renter's satisfaction. Should the instrument sustain damage while in the renter's care affecting its overall working condition, The Magic Flute Repair Shop will repair it and bill the Renter at 50% of our normal shop rate of \$90 per hour. If the cost to repair the instrument is greater than its replacement cost, the renter will be charged the replacement cost, and The Magic Flute will retain possession of the instrument for salvage. In this case, the renter may continue the rental with a replacement instrument of the same type. Damage or wear merely affecting the cosmetic appearance of the instrument, but deemed by The Magic Flute to have been preventable with normal care, may or may not be repaired. Examples of such damage may include dents, scratches, cracks, and acts of vandalism. If such damage is deemed by The Magic Flute to significantly diminish the Rent-to-Own value of the instrument, the renter will be charged an amount equal to the reduction in Rent-to-Own value. Such charges will be determined at the sole discretion of The Magic Flute. The Service Policy covers the cost of all maintenance associated with normal wear-and-tear. The Magic Flute does not consider blunt contact (however incidental) that materially affects the overall working condition of the instrument as normal wear-and-tear. The Service Policy does not cover broken strings or drum heads. The Service Policy does not cover loss. (Renter Initial: \_\_\_\_\_)

**A SPECIAL WORD ABOUT BRASS INSTRUMENTS:** Instruments made out of brass are very delicate and dent easily. Trumpets, trombones, saxophones and all other brass-made instruments will be damaged if dropped, bumped, or sat on. The renter is hereby advised that extra caution must be taken to ensure proper care of these instruments. (Renter Initial: \_\_\_\_\_)

**A VERY SPECIAL WORD ABOUT TROMBONE SLIDES:** The trombone slide is the most important part of the instrument. It is also the most delicate. Even very small dents can affect the operation of the horn. In addition, the length of the trombone slide makes it more difficult to keep from being bumped in typical, crowded band-room situations. These repairs can be costly. The renter is hereby advised to exercise extreme caution to ensure proper care of trombone slides. (Renter Initial: \_\_\_\_\_)