

COMPLAINT NUMBER	18/381
COMPLAINANT	M Cottage
ADVERTISER	Zen Hotels
ADVERTISEMENT	Zen Hotels Digital Marketing
DATE OF MEETING	13 December 2018
OUTCOME	Settled

Advertisement: The advertisement for Zen Hotels' Lantana Lodge, which was hosted on the Trivago website, said "Risk free. You can cancel later, so lock in this great price today. FREE cancellation – No prepayment needed".

The Chair ruled the complaint was Settled.

Complainant, M Cottage, said: On 12/7/18, I booked a motel for my partner and children in Auckland on 5th-8th/10/18 through Trivago, advertised as book now/pay at motel and also free cancellation and no booking fee. However, upon booking, I found Zen Hotels immediately charged my credit card, and also overcharged me and downgraded the room I had booked. I immediately queried this with them and - due to their not being able to explain why they had charged my credit card and also overcharged me - I cancelled the booking and requested their advertised full refund. After a number of emails, I finally got a part-refund but Zen Hotels (who it turns out are based in Cyprus) have consistently refused to refund me in full. I then laid a complaint with Trivago, who allow this company to advertise falsely on their website and scam people, but Trivago, despite claiming: 'Please rest assured that before displaying rates from a booking site on trivago, a background check on the company is always conducted to ensure their legitimacy. Additionally, we do not display deals from any site that does not pass our initial integration check or where there are any reports that the site is not reliable' - have done nothing to help and are still allowing this company to advertise falsely with them. I have a full record of emails with both Zen Hotels and Trivago, and also the booking confirmation, showing the price as \$286, and my credit card statement showing they immediately charged me \$295.22 (not just an overcharge but the deal I booked said payment would be at the hotel upon arrival). Having only been refunded \$279.18, I am still waiting for them to refund me in full, as advertised. Unfortunately, after three months of trying to get them to refund me, it's clear they are not going to and, if possible, I would like Trivago to be forced to stop allowing motel companies to advertise falsely on their website, to prevent others being scammed. Thank you for your time and help in this matter. Regards - Michelle

The relevant provisions were Code of Ethics - Basic Principle 4, Rule 2.

The Chair noted the Complainant's concerns they did not receive a full refund after they cancelled their hotel booking and they were charged the full amount at the time of booking.

The Chair noted the Complainant received a full refund after making a complaint to the ASA and said it would serve no further purpose to place the matter before the Complaints Board. The Chair ruled that the matter was settled.

Chair's Ruling: Complaint **Settled**

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.