



**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

Issued by the Department of Transportation
on the 8th day of May, 2026

Complaint of

Cynthia Norwood

v.

Delta Air Lines, Inc.

Docket DOT-OST-2020-0128

Served May 8, 2026

ORDER OF DISMISSAL

On August 8, 2020, Ms. Cynthia Norwood filed a formal complaint with the U.S. Department of Transportation (Department or DOT) against Delta Air Lines, Inc., (Delta) alleging that the carrier violated 49 U.S.C. § 41712 (Section 41712), the statutory prohibition against unfair and deceptive practices, and was noncompliant with the Department’s April 2020 enforcement notice, by failing to provide a refund for cancelled flights.¹ Pursuant to 14 CFR 302.406(a)(2), we dismiss the complaint based on the totality of the circumstances, including that the passenger has been paid in full.

Complaint and Answer

Ms. Norwood states that on December 26, 2019, she purchased four one-way tickets via Sell Off Vacations on Delta from Halifax, Nova Scotia to Seattle, Washington with a layover in Calgary, Alberta, departing on September 19, 2020. She states that Delta cancelled the flight and, despite her request for a refund, only offered future travel credits. She argues that Delta’s practice of failing to provide a refund for flights that the carrier cancels is unfair under Section 41712,

¹ See U.S. Dep’t of Transp., Enforcement Notice Regarding Refunds by Carriers Given the Unprecedented Impact of the COVID-19 Public Health Emergency on Air Travel (April 3, 2020), available at: https://www.transportation.gov/airconsumer/enforcement_notice_refunds_apr_3_2020.

noncompliant with the Department’s enforcement notice, and unfairly disadvantageous to airlines that are complying with their obligations to refund passengers.

Delta filed its answer on August 24, 2020 admitting that it cancelled the flight in question and issued a voucher as compensation. The carrier states that it also has a policy to issue refunds to any passenger who requests one if Delta has cancelled the flight, but that it appears that Ms. Norwood contacted a travel agent, not Delta, to request a refund. Delta states that once it became aware of Ms. Norwood’s complaint it proactively processed refunds for the four tickets in her reservation.

Applicable Law

Under 49 U.S.C. § 41712, it is an unfair practice when a carrier refuses to provide refunds to passengers holding non-refundable tickets after the carrier cancels or significantly changes a flight. This is supported by Department precedent in various cases.²

In addition, under 14 CFR 259.5 as it existed on the date of this incident,³ U.S. and foreign air carriers operating at least one aircraft having a designed seating capacity of 30 or more seats were required to provide prompt refunds for cancelled flights as required by 14 CFR 374.3 and Regulation Z (12 CFR Part 1026) for credit card purchases, regardless of the reason for the cancellation.⁴ For credit card purchases, Regulation Z requires that refunds must be provided within seven business days of receipt of a written request from the consumer. Under 14 CFR 374.3(b), a violation of the refund timelines constitutes a violation of 49 U.S.C. Subtitle VII.⁵

DOT Findings and Conclusions

After carefully reviewing the information presented in the Complaint and the Answer, we have determined that enforcement action is not warranted. This decision is based on the circumstances presented, including Ms. Norwood’s receipt of a full refund and the significant amount of time that has passed since the incidents occurred.

² See, e.g., *Deutsche Lufthansa AG*, Order 2024-5-26 (June 3, 2024); *Scandinavian Airlines System*, Order 2023-7-8 (July 13, 2023); and *Air India*, Order 2022-11-9 (November 14, 2022).

³ The language in this order reflects Section 259.5(b)(5) as it existed at the time of the incident at issue. On April 26, 2024 and August 12, 2024, the Department published two final rules modifying U.S. and foreign air carriers’ commitments in Customer Service Plans related to refunds for cancelled or significantly delayed or changed flights. See 89 FR 32832 and 89 FR 65534.

⁴ Section 503 of the FAA Reauthorization Act of 2024 (2024 FAA Act) modified U.S. and foreign air carriers’ obligations with respect to refunds for cancelled or significantly delayed or changed flights. On August 12, 2024, the Department published a final rule to amend the Department’s refund regulations to be consistent with the 2024 FAA Act. See 89 FR 65534 (Aug. 12, 2024).

⁵ In enforcement orders, DOT has clarified that violations of section 259.5 are violations of Section 41712 specifically, not just 49 U.S.C. Subtitle VII generally. See, e.g., *American Airlines*, DOT Order 2017-7-9.

ACCORDINGLY, I dismiss the complaint filed in Docket DOT-OST-2020-0128 under the authority in 14 CFR 302.406(a)(2) delegated to me by the Assistant General Counsel of DOT's Office of Aviation Consumer Protection. Pursuant to 14 CFR 302.406(b), the order becomes effective as the Department's final action 30 days after service.

BY:

VINH Q. NGUYEN
Senior Attorney
for the Office of Aviation Consumer Protection

An electronic version of this document is available at www.regulations.gov.