

NHTSA ccmMercury Routing Slip



10105264

Printed: 12/22/2004

NHTSA #: E804-008706

XREF #:

Delivery: CRT

Rec'd Date: 12/22/2004

Doc Type: GEN

Address To: NHTSA

Referred By: NEC-110

Doc Date: 12/8/2004

Due Date:

S10 #:

DOT/I #:

RMP #:

Subject: CERTIFIED LTR INFORMATION COPY ADDRESSED TO TUSTIN NISSAN WRITER OWNER OF A 2004 MY NISSAN ARMADA REPORTING DEFECTIVE BRAKES

Ack Date:

Sign Office: ENFORCEMENT

Cleared Date:

File Loc:

Added By: AANDREWS x62543

Ack By:

Signature: NRN

Cleared By:

XREF File:

Modified By: AANDREWS

Signed For:

Cleared For:

Closed Date: 12/22/2004

Most Recent Comment:

Author:

ANAHEIM HILLS, CA

Tel:

Fax: E-mail:

Assigned To

Task

Asgn Date

Deadline

Returned Date

NVS-200

APPROPRIATE

12/22/2004

12/22/2004

NATIONAL HIGHWAY
TRAFFIC SAFETY ADMIN.

2004 DEC 22 P 2 11

EXECUTIVE SECRETARIAT

Jason
12/22/04
my

Anaheim Hills, CA

December 6, 2004

Tustin Nissan
30 Auto Center Dr.
Tustin, CA 92782

Dear Sir:

On April 3, 2004, I purchased from your dealership a 2004 Nissan Armada. I traded in a perfectly good truck as I liked the looks of the Armada, and it was to be the vehicle that my wife would drive.

At this time, I am demanding a full refund of the purchase price of the vehicle as I can no longer risk the lives of my wife and child with a vehicle which has inadequate brakes. There is absolutely no way that you can guarantee the safety of my family and you cannot expect us to continue to drive a vehicle that is a safety hazard to not only my family but others on the road if the brakes fail completely which is a definite possibility.

I brought the vehicle back to you on August 6, 2004 as the front end was vibrating so badly when applying the brakes that it was difficult to control the vehicle. At that time you replaced the brakes. I again returned to you on November 13, 2004 for the same exact problem and you again replaced the brakes. Within 3 miles of leaving your service area, the rims on the vehicle were covered in brake residue. Even a lay person can see that the problem was not corrected.

It is obvious to me and should be obvious to Nissan that the braking system is inadequate for the size of the vehicle. You are not fixing the problem but simply replacing worn brakes with the same type braking system. To add insult to injury, we have never once received a recall notice on this vehicle even though I understand this to be an ongoing problem. I can't sit around and wait for Nissan to correct the problem - I will not risk the safety of my family.

I've finished playing the game. My wife has difficulty controlling the vehicle when it starts to vibrate and I am extremely uncomfortable having her and my son in this vehicle. I have given you every opportunity to fix the problem and it is apparent that Nissan either does not know how to correct the problem or is simply not motivated to do anything

ES04-09706

about it. It is appalling to me that the braking problem persists. I'm not going to wait for an accident before I take action.

I expect an immediate reply as I intend to return the vehicle for a full refund. I have lost all faith and confidence in this vehicle and do not intend to keep it. We're not talking about a faulty light or door handle, we're talking about the braking system of a very heavy vehicle. It is shocking that you would even let me leave the service area knowing full well that you have not corrected the problem but just given it a "temporary fix".

Sincerely,

Encl: Service records

Copy to: National Hwy Traffic Safety Admin✓
CA Dept. of Consumer Affairs
Nissan No. American, Inc.
Nissan Design America
Nissan Technical Center

**THE ATTACHMENTS TO THIS
DOCUMENT HAVE BEEN REMOVED
TO PROTECT UNWARRANTED
INVASION OF PERSONAL PRIVACY
PURSUANT TO EXEMPTION 6 OF
THE FREEDOM OF INFORMATION
ACT (FOIA), 5 U.S.C. 552(b)(6).**