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# Complaint against Toyota of Greenville/ Toyota Corp

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What my experience with Toyota of Greenville/ Toyota Corp. has been is no less than an example consumer fraud, at it's worse.

### Background information:

In April of 2002, amidst consumer complaints Toyota Corp. established a support program for owners of Avalons, Lexus, Camrys, Celicas, Highlanders, Siennas, & Solaras. The affected engines were from the years 1997-2002. Of the aforementioned I have a 97 Avalon. This program was to cover, in part, and I quote from the company letter "The Customer Support Program will provide coverage for engine oil gel related damage for 8 years...". The policy would also cover rentals and other related expenses. Toyota stated that they were notifying all 3.3 million owners of these vehicles. I purchased my vehicle 3 months prior to this program. But, I was never notified even though I was in the computer at The local Toyota of Greenville. How they discriminated as to who received a letter and who didn't is not of interest to me.

In 2003 it became obvious that the Avalon was having serious internal oil consumption problems. We contacted Phyllis at Toyota of Greenville. She stated that it was a "Known Problem with Avalons but that there were no recalls on it" This is true since technically the program wasn't a recall. Over the following months, we began to experience the symptoms in a more pronounced way to the point of, the vehicle consuming a qt of oil every week, and spark plugs repeatedly fouling.

I then called Toyota of Greenville, back and spoke with Sherwood. I told him what the car was doing, blue smoke etc. I told him what I thought was the problem, engine oil gel. At this point I still didn't know of the program. I asked him if there was "any assistance that Toyota provides for owners since it's a known problem". His response was no, there are no recalls. I then brought the vehicle in so that they could diagnose the problem more specifically. In the meantime I called and spoke to Phyllis once more and asked if their "any relief that Toyota offered to it customers" Again the answer was no, and as it was with Sherwood she reiterated that the problem develops because of lack of vehicle maintenance.

After Toyota finishes diagnosing the process the mechanics evaluation is engine oil gel, and the engine needs to be completely overhauled for over 4500.00. In making this evaluation they never even removed the valve cover, as the sludge on the outside of the engine was undisturbed. Sherwood again refuses any knowledge of any assistance from Toyota, because the problem was my fault. At this point still I didn't know of the program. So I went to get a second opinion, before I let Toyota do the work. When I went to independent mechanic They responded that what I was having was a problem that Toyota was compensating it's owners for. I argued with him for a few minutes, as I had been told a number of times by Toyota that there was no such thing!! Thankfully he didn't back down, but produced the company letter acknowledging the problem. He stated that a previous customer had similar issues and Toyota dropped a new engine in her car!!

Armed with proof of the program I went back to Toyota and spoke with Guy Mobley. He volunteer little information about the program, even stating that customers are only informed about the program if Toyota looks at their engine and sees that it qualifies. He was unaware that Toyota had already looked at my car and determined that the problem was oil gel, and still denied existence of the program and was charging 4500.00 to fix it!! When he checked the mechanics work, he said "well the reason no one told you was probably because when they checked the car out there was something that they saw." He checked the report as well as questioned the mechanics, but found nothing. I suggested that it was probably because they never even removed the valve cover.

I then produced information from Toyota Corp. and read the Consumer support letter, to Guy. Both made it clear that Toyota was voluntarily providing this information about the Support program on the basis of ownership, and not on the basis of a mechanics evaluation. And yet I had both, and because I was ignorant, they willfully lied, and were content to bilk me out of 4500.00.

Mr. Mobley, began to talk about the qualifications for the programs. And the need to produce receipts of oil changes. When I went back to the two of the most recent oil change services that we used, they produce records but both were incomplete,

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one place even forgot to update mileage on the receipts. Mr. Mobley mentioned that I could bring oil purchase receipts, but since there is no proof of which vehicle the oil went into, or the mileage they aren't proof.

My argument was that Toyota Corp acknowledges that the problem will only occur in cars that have not received routine oil changes. So if my car has oil gel, according to company policy I shouldn't have receipts! Why have the consumer then try to produce something that is impossible for them to produce. The issue of receipts is just a means of pointing the finger at the customer and producing a reason for denying them coverage.

When the program initially started, all you had to show was one receipt from the past year. The updated program requires more frequent receipts. Had I known that this was even an issue (I.e. received the SPA or CSP), might I have been more diligent in keeping receipts. I could have even had the problem handled by Toyota sooner. At least I could have then researched the issue, began to use synthetic oil, and to use routine oil flush products, and the problem would have never occurred.

Mr. Mobley then stated that the reason things tightened up restriction-wise between the programs was that initially, they were replacing hundreds of engines at that dealership, and so there was abuse of a "good thing", and so I was suffering as a result of that abuse. So I produce a Toyota Corp. news article which stated that, of the 3.3 million owners that were notified by the original program, that only 3400 responded nationwide, and so the "supposed problem" was not a big issue at all. I asked Mr. Mobley, if you all were replacing hundreds of motors here in little ol'e Greenville, were they only replacing 10 and 15 in big cities, like New York? Clearly his initial reasoning, was just more of the same finger pointing double talk, that I was becoming familiar with.

Two days later I meet with Mr. Mobley again. I produced just 5 receipts. I stated that from Toyota's standpoint I don't qualify, but then their program is designed for just that reason. To make a public appearance of being concerned about their customers but behind closed doors to help as little as possible. I told him that I can accept my responsibility for not keeping my receipts, even though my engine would look the same with or without. I mentioned that throughout the process I was told by them that they cannot volunteer information of this program to their customers. Sherwood Channel even at one time said that "those things are matters of termination".

My viewpoint is that they can volunteer, (and readily do volunteer information) about anything that needs fixing on your vehicle when you bring it in if you are going to be charged for it. But here is a common problem that they can't volunteer information on, because Toyota will have to pay for it.

I requested from Mr. Mobley information concerning the company regional directors. I informed him that I could accept my loss, but what I had found through the ordeal was that, there were people in my same situation that didn't know about the program. There were used Avalons, and other qualifying vehicles on the used car lot. Was Toyota dealerships informing the new buyers that this program is in place for a "known problem". And that this program maybe expiring for them. On the Saturday of my 1<sup>st</sup> conversation with Mr. Mobley my time limit for the program expired!!! I said also there are lending institutions that are loaning money for the purchase of these vehicles, I spoke with two including my own and they didn't know of the problems, or the program. There were also two auto repair services that had customers who had gone through this and they didn't know about this program. Auto parts stores didn't know as well. And infact the only person I had spoke with that knew was that one mechanic. I told him that I could accept my loss but I couldn't accept that others would be blatantly left in the dark, and not informed, so I would do what I could to inform them.

In addition, I produced reports like that from AERA (Engine Rebuilders Association of America) Stating that the flaw exists in the engine design. From a combination of 3 things from "cold spots" deficient ventilation design, and too small of an oil return channel from the head to the oil pan. These reports were from independent engine rebuilders, and instructors, who studied the engine design. Incidentally, in 2003 when Toyota finally redesigned the engine, guess what things they altered??? Toyota's take was that the new design was not acknowledging a defect in the previous model, it was just to prevent similar problems from happening!

The next morning before I'm getting ready to contact the BBB. Guy Mobley, gives me a call stating that I qualify for the program. Which again makes you wonder what qualifies you? Does qualification have anything to do with your car, or what you know, how bad you have been lied to, and your desire to let others know.

But maybe there is a sincere effort restore trust? So when I drop the vehicle in they again have to check it out, to see what's needed to fix it. I then requested a rental car, per consumer support program directives. Mr. Mobley then denies that I'm entitled to one under the program. I begin to reach for the program paperwork to once again to prove what I'm entitled to, when he asked Sherwood Channel, who say yes he's entitled to a rental for only 3-4 days. This again was a blatant deception or lie as the program covers rentals for as long as they have your vehicle making the repairs. But I was tired of arguing, I told them I would sacrifice having a vehicle for the weekend, and pick it up on Monday.

On Monday or Tuesday Toyota Corp contacts me and establishes a case #200501190517. They reaffirm what I know about the rental. And that they will call the local dealer. I expressed to Joanne my frustration in having to prove the corporate policy to the local dealer in order not to be taken advantage of. I told her that I have not gotten the straight "truth" from anyone, unless they get backed into a corner by their lies. I told her that I still had some research to do on O2 sensors, but I would give them the opportunity to give me the straight truth. This way I could have at least some basis for "trust" in future dealings, afterall they were putting in a new short block. Joanne went on to tell me about the sensors readily and that under no circumstances were they connected with the oil gel. What she chose not to tell me is that the sensors are involved in another case settled by the BPA against Toyota, where Toyota has to contact owners of affected vehicles, by March of this year.

I'm thinking to myself at this point here we go again. So I call again the next day to ask about that settlement. Mind you, that the settlement notice states that if you have not received your letter from Toyota to call the same number I was calling. I asked the assistant about the issues regarding emissions and EPA lawsuit that was settled. She claimed ignorance, and repeatedly asked me what I was talking about, and what it dealt with!! I started reading off the government website address, so that she could type it in and see. Then She stops and said that she was having problems pulling up the page. At this point I'm frustrated so I hang up, I call back again, and request Joanne. And we do the same dance instead this time I've got the settlement notice printed out. So Finally I said, "Let me read it to you" I was no sooner through the first two sentences before she rattled a list of components and things that were involved. I didn't know that 2 introductory sentences could miraculously restored amnesia that way!!

Joanne, goes on to assure me that anything related to emissions is not oil related. I said, but If a car is burning, and consuming large portions of oil internally where is it expelled? She stated that the O2 and Catalytic converters are not covered or connected to oil gel damage, that's Toyotas stand. So once again I did some research. In the meantime, they finished up with the car. They reported that the Catalytic Converter was partially clogged and that if it is driven in this condition the engine would refuse to start, and that that's why the car even though it had a new engine would not accelerate.

I found manufacturer article after article on the internet stating 3 predominant reasons for catalytic converter failure. 1) Fluids--oil consumption by engine, or other fluids 2) Fuel mix is too RICH--oily Fouled spark plugs can lead to this 3) Physical damage, hit a boulder etc. Of those 3 reasons 2 are directly related to Oil Gel damage. At this point, I'm thinking for sure after putting in a new engine Toyota is not going to try to cover-up and bilk me out of more money. After all this whole process was supposedly to encourage and restore TRUST and here they are blatantly lying again. But sure enough were wanting to charge my wife 4,000 for a new catalytic converter. When it was directly related the oil gel.

When I arrived to talk with Mr. Mobley, this morning he again ask me to produce the support program policy, and to read off the portion that said that they would cover related damages. Once this was done, I asked them a few pointed questions. At this point they did not know of my research into the matter. They figured that I was just had another mark.

Question 1) Is it your contention that the catalytic converter clogging cannot be caused oil gel in my engine?

**Answer:** Guy, and Sherwood both resolutely, said "Correct". The converter involved the emissions, so it can damage the engine, but engine problem *could not* damage it. Guy then goes on to say that the only thing to his knowledge that will ruin a converter is dumping raw fuel into the converter.

Question 2) How do you know what damaged a converter?

**Answer:** Guy- I don't know if there is anyway, of telling without removing the converter and sending it away. ( If this is the case how can they say with any certainty that the damage to my converter was not from *2 of 3 of the most obvious causes*)

**Question 3)** What would cause an engine to run to "rich" causing unburnt fuel to reach the converter?

**Answer:** Guy- Usually a timing issue, when the engine timing is off. (this proves they blatantly lied on question number one when they said that an engine cannot damage a converter )

**Question 4)** Could a fouled spark plug upset the timing?

**Answer:** Guy-Yes I guess that that could probably happen but it's very..very unlikely. Sherwood- For that to happen your check engine light would come on and stay on for a long time. And your car would be skipping.

My response was that I was changing my spark plugs out at least every two months. In fact they should know that all the sparks were fouled when they checked the engine originally, and when they checked the engine before putting another in. (They have then have proof of two of the most common causes of damage.)

Then I again mention my disappointment /frustration over answers like I just received. I then pull out one of my research articles, and explain to them the 3 causes of catalytic converter damage.

- 1) Fluids getting in to the converter, If you have leaking valves seals oil consumption you are going to have this.. And that's a symptom of oil gel.
- 2) Too rich fuel mixture- Fouled spark plugs lead to this, and these fouled spark plugs are a symptom of oil gel.
- 3) physical damage- We can rule this out, because there is not outside damage to converter walls.

I then explain to them that I am not a mechanic and yet I am repeatedly put in a position where I have to explain fundamental principles of mechanical engineering to them, and they are the professionals!!! I related to them that of the 10 professional mechanics that I spoke with previously. All 10 felt it a no-brainer that excessive oil consumption would cause catalytic failure. I even went as far as check a Japanese engine specialist to see if there was something unusual about design that made this engine defy laws of physics. His response was that it works the same way. Many mechanics even stated that that oil consumption is what that look for first.

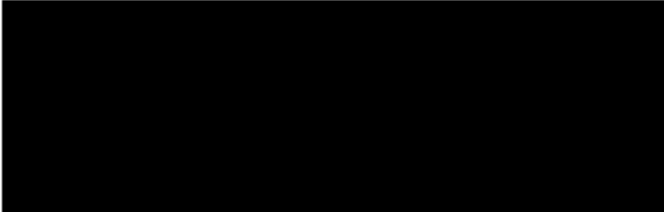
Their final response was that if the two things were connected the Corporation would tell them to replace it. My response , was that Toyota Corp. said that they depend on their mechanics to tell them because the dealers are like their eyes, ears and hands. At this point my frustration was too much. The dealer blames Corp, and Corp Points the finger at the dealer, and no one does anything.

#### **Conclusion:**

This is obviously consumer fraud, whether fueled by complete incompetence, and ignorance, or more likely by protocol. Just to see how deep it runs I called Toyota of Easley and Greer. I told them I had a 97 Avalon. I told them what it was doing. Both service reps said that there was no recall, but if I wanted I could bring it in and see if it qualifies. My response was if it can "qualify" then there must be a program that it qualifies for, right? " Ughh.. You just need to bring it in and we'll check it out for you", was the response.

Most customers will not do the research or have not the means, time, or persistence to do what I did. The dealership and Corporation are aware of this and are content to hide and scam those who are unwary. In the long run Toyota gave a me a new short block, but they made me dig through all the corporate and local cow manure to receive it. If they have a public support program then they should have to give those that they qualify for it what the program advertises. Anything less is dealing fraudulently with customers that they publicly claim they care about.

I have been without the service of my car for a month. I will not wait for Toyota to act, as I must travel out of town this weekend. I will sending copies of this letter certified to the following agencies listed on the next page.



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