

April 4, 2005

Bureau of Automotive Regulation
Michigan Department of State
P. O. Box 30046
Lansing, MI 48909-7456

10120379

Gentlemen:

Here is my complaint on my 2001 Pontiac Sunfire, a GM Certified Used Vehicle which passed a 110+ Point Inspection and undergone reconditioning. I have not yet driven the 3,000 mile coverage remaining on the factory warranty --- I do not feel at all safe in the vehicle.

I am sending the complete file to the National Highway Traffic Safety Admn., Washington, DC. Defective "reconditioning" was done after an accident to the car on April 21, 2004, affecting my safety.

I am also sending a complete copy of the complaint to the Better Business Bureau, 30555 Southfield Rd., Southfield, MI.

Yours Truly,

CC to: NHTSA, Washington, D.C. ✓
BBB. Southfield, MI.

2005 APR 27 AM 4:36

NAC
QA &
5/2/05

MICHIGAN DEPARTMENT OF STATE
AUTOMOTIVE COMPLAINT PAGE A-1

For office use only.

Please read the attached
brochure before filling
out this form.

Number		First Five Letters		Open Date		Open		Case #	
Office Close Date		Close		Field Close Date		Close		Mail Program	
\$ Recovered		Violations		Office Use Only					
Mechanic/Agent Number		Code		Code		First Three		Mechanic/Agent Number	

Your Name and Address:

PONTIAC, MI

Name and Address of the Business or Person You Wish to File a Complaint About:

JOE LUNGHANER CHEVROLET

475 SUMMIT DR.

WATERFORD, MI 48328

Best time to call: ANYTIME

(CAN I LEAVE MESSAGE)

Home Telephone:

Work Telephone:

() NONE

E-mail Address:

NONE

Business Telephone:

() NONE

Persons you dealt with at the business:

TOM WHEATON (2)
RANDY JORDAN (1)

Complaint: VEHICLE REPAIRS			Complaint: VEHICLE SALES		
Transaction Date:			Purchase Date: JULY 19, 2004		
Vehicle Year:	Make:	Model:	Vehicle Year: 2001	Make: PONTIAC	Model: SUNFIRE
Vehicle Number (VIN):			Vehicle Number (VIN): 1G2JB524817		
Circle all answers that apply to your repair transaction:			Circle all answers that apply to your sales transaction:		
Did you receive a written estimate prior to repairs?	Yes	No	Type of Sales Transaction:		
			Sale	Used	
Did the facility only perform the repairs you authorized?	Yes	No	Odometer	Salvage	Lease
			Rollback	Vehicle	Vehicle
Did the facility provide you with a final invoice?	Yes	No	Did you get copies of the documents you signed?	SOME	Yes No
				See A-1	
Do you have the parts the facility replaced?	Yes	No	Did you get more than one temporary registration?	Yes	No

Important! Copies of all invoices, receipts, and related documents must be attached. Remove credit card and personal account references on supporting documents. Please do not send original documents. Briefly describe your complaint below or attach your letter of complaint:

SEE COMPLAINT FORMS A-1 THRU A-6 AND THEN PAGES 1-of-14 THRU

14-of-14

(Use back side if more space is needed.)

Please suggest a fair settlement: SEE COMPLAINT FORM A-3

Your Signature

Date: April 4, 2005

Return by Mail: Bureau of Automotive Regulation, Michigan Department of State, P.O. Box 30046, Lansing, MI 48909-7546

Return by Fax: 517/373-8791 BAR web site: www.michigan.gov/sos (click on "Owning a Vehicle")

tear here

Pontiac, MI

Pontiac, MI
March 9, 2005
April 4, 2005

On 7/19/04, I purchased a 2001 Pontiac Sunbird, with 48,681 miles, from Randy Jordan, a salesman with Joe Lunghamer Chevy in Waterford, MI. This car is a GM Certified Used Vehicle re-conditioned and having passed a 110+ Point Inspection. I purchased a Major Guard Warranty. I questioned the salesman about the coverage under this warranty, and he told me the only things I would have to pay for would be gas, oil, coolants, air-conditioning refills, etc. I wrote this information on the Contract Registration, but he did not sign anything --- only verbal. I received the warranty booklet in the mail on 8/28/04.

The Michigan Bureau of Automotive Regulations states the buyer of a used car MUST be shown the previous owner's title. The salesman did not show me a title. On 4/21/04, this car was involved in an accident in Oakland County according to the Carfax Report. The damage was shown as "Minor" but since the damage affected the operation of the vehicle and/or its parts. Examples include broken windows, trunk lids, doors, bumpers and tires, I believe it was "Moderate".

On 8/23/04, having driven only 220 miles, I took my car to Lunghamer's Service Dept. to report a leak in the trunk, a right rocker panel not attached at the rear, and a rubbing noise in the rear. They would not fix the leak or the rocker panel because the warranty I had purchased as "bumper-to-bumper" was "mechanical" only. On Service Invoice 344969 reads: "Cause ... 6C Component - Inoperative" and re-placed and re-installed the rear springs. According to this Invoice, they did this work to repair a clinking noise in the rear of the unit. This work cost \$124.43 and was covered by my mechanical warranty. When the car was being checked for certification, prior to its sale, how could inoperative rear springs be checked as being O.K.? On Page 6-32 of the Sunbird manual it says "if you ever hear a rear brake rubbing noise, have the rear brake linings inspected immediately". Lunghamer's Service Mgr. told me the rubbing noise I had previously reported was "the tires rubbing on the pavement".

On 12/4/04 I took my car to Firestone Tires to have an oil change (as recommended by the Service Advisor at Lunghamer's on 8/23/04). While they were doing the oil change, etc., I asked them to check on the rubbing noise in the rear of the car. They found "debris" in the rear brakes; and said I needed 3 new tires because of badly-worn tread. At this time, I had only driven 958 miles. I could not believe a dealer would sell a used car as being GM Certified with tires that needed replacement so soon --- less than 6 months. Later, I asked a friend to look at the tires, and he told me all 4 tires had badly-worn tread because the indicators were showing, and were dry-rotted with cracks.

On 2/1/05, having had the car about 7 months and only driving it 1,281 miles, I took the car to Big O Tires. They inspected the tires and said "...tires dry-rotted up to 6/32 remaining ... 3 probable originals. Found bent rim under 4th non-original wheel, no fresh scrapes visible". There is no way I could have caused the badly-worn tread and dry-rot and cracks. Nor could I have damaged the rim, since there are no fresh scrapes on it. Big O Tires' Mgr. told me that if I had done any high-speed driving, a tire with cracks could have blown, possibly resulting in a crash.

A "CAUTION" block on Page 6-44 of the manual warns "A tire and/or wheel with cracks could fail suddenly, causing a crash". And perhaps the non-original tire, mounted on a badly-bent rim, could add to the possibility of a crash. How could tires in this condition --- one of which was mounted on a bent rim --- have passed the 110+ Point Inspection, been re-conditioned, and passed as a GM Certified Used Vehicle? The "CAUTION" and "NOTICE" blocks on Page 6-47 of the manual tell of these dangers. Also, Page 6-46 states that "any bent wheel should be replaced." Why was that not done prior to the sale of a GM Certified Used Vehicle?

I left a "Voice Mail" for David Snelling, Gen. Mgr. of Lunghamer's on 2/11/05 asking him to call me regarding my car, and he has not done so. I contacted Jose Rodriguez #47455 at Pontiac Customer Assistance on 3/1/05 telling him my feelings about this car, and he said he would call me on 3/4/05 between 2:00 and 4:00 p.m. He has not called me to date.

This 2001 Pontiac Sunbird had several serious defects which could have caused a crash, resulting in an injury or death. They are:

Defect 1 ... Allowing me to drive a GM Certified Used Vehicle, reconditioned and meeting 110+ Point Inspection, with "inoperative" rear springs. This car had been involved in an accident on 4/21/04 involving a right-rear impact with another vehicle. The trunk lid was probably damaged by the impact, and the right rocker panel was not properly re-attached.

Defect 2 ... 3 original tires with badly-worn tread, dry-rotted, with cracks

Defect 3 ... 4th non-original tire, in like condition, mounted on a bent rim

My suggested fair settlement would be: I would return the 2001 Pontiac Sunbird to the dealer; my name would be removed from the lien; the cash down payment of \$2,500 would be refunded to me by the dealer; the trade-in allowance of \$500 would be refunded to me by the dealer and the cost of 4 replacement tires and the bent rim, amounting to \$198.22 refunded to me by the dealer.

Pontiac, MI

COMPLAINT FORM
A-7

This is a news item in the Daily Oakland Press, Pontiac, MI. on 3/15/05. The accident was caused when a tire came off a car and crashed thru another car's window, resulting in an injury. As the article says, "it could have ended up much more tragic".

COMPLAINT FORM

Please refer to Page A-2 Para. 2, and Page 3 of 9 Carfax Accident Check regarding the accident on 4/21/04. It cost about \$3,000 to repair the car, and it could not be driven. The damage should be classified as MODERATE --- not MINOR.

PAGE A-4 ***

OP
3/15/05

POLICE

OAK PARK

Tire crashes through vehicle's windshield

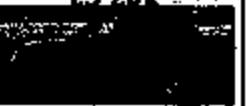
A Monday morning accident could have ended up much more tragic when a tire came off a car and crashed through another auto's window. A 27-year-old Ypsilanti woman suffered minor injuries after the tire crashed through the windshield of her 2002 Ford station wagon, according to the Michigan State Police. She was headed east on I-696 near Coolidge in Oak Park when her vehicle was hit by the tire, which came off a 1989 Mazda driven by a 37-year-old St. Clair woman, police said. The driver of the Mazda, who was headed west on I-696, was not injured in the accident, which happened at 7:20 a.m.

Lunghamer GMC

YOUR GM CERTIFIED USED CAR HEADQUARTERS

Pontiac, MI

*Complains
Form
A-5*

'01 CHEVY 5-10 1.6 EXT CAB  Alt. auto, CD, alum. wheels, low miles, Certified w/ Warranty! \$554847 ONLY 9,990	'02 CHEVY 5-10 7.2 EXT CAB  WOM! Extended cab, fully loaded!! 4M & a 2R2, Certified w/ Warranty! \$554867 16,381	'04 CHEVY BLAZER 1.9 2DR  All the power options, factory warranty! \$554877 Can you believe it's only... 13,928	'01 MERCURY SABLE  V6, air, remote entry, power windows/locks/seats, Excellent Condition! \$554637 7,790
'02 OLDS SI MONETTE  This has it all! Full power, DVD for kids, leather for Mom & Dad! \$554777 14,996	EVERY USED CAR SOLD INCLUDES WARRANTY		'00 JEEP GRAND CHEROKEE LIMITED  Check this out! V8, 4M, leather, but... \$554897 ALL FOR ONLY 15,762
'02 DODGE RAM 1500 QUAD CAB 4M  A 4M, 1 Owner, V8, power rear options! \$55585A ONLY 17,990	OPEN EVERY SATURDAY 9am-5pm For Your Buying Convenience		'02 DODGE NEON  DON'T PASS UP THIS VALUE! \$554317 5,988
'04 CHEVY ASTRO 4M  8 Passenger seating, fully loaded, factory warranty! \$554747 16,626	'06 DODGE CARAVAN EXT  Look here - it's a 2005, fully loaded, 7 passenger V8! \$554887 16,990	'03 CHEVY TRAILBLAZER LS  This car has it all! Full power, 4M, factory warranty & a 2 screen DVD system for the kids! \$554827 18,990	'02 PONTIAC GRAND AM BE  Power windows/locks, pre moonroof, air, CD! \$554347 14,990

Also at: 475 Summit Dr., Waterford, MI 48328

Lunghamer

GMC

Used Car Clearance Center

248-461-1000

5825 HIGHLAND RD. (M-59)
(Btw Airport & Crescent Ln Rd.) WATERFORD

100 - Point GM Inspection and Reconditioning

- ☒ Bumper to Bumper Limited Warranty
- ☒ 24-Hour GM Roadside Assistance
- ☒ 3-Day/150-Mile Satisfaction Guarantee
- ☒ No-Headline Market Based Pricing

Mon/Thurs: 9am-6pm
Tues/Wed/Fri: 9am-6pm
Sat: 9am-5pm



475 SUMMIT DR., WATERFORD, MI 48328

Complained Form
A-6



THE RIGHT WAY. THE RIGHT CAR.

Get All The Benefits Of GM Certified Used Vehicles

Buying a GM Certified Used Vehicle is an incredibly positive experience and could be one of the smartest decisions you'll ever make. We're the #1 selling certified used brand in America. For very good reason.

Our GM Certified Used Vehicles are no more than six model years old with under 60,000 miles on them. And every one of them has passed a 110+ Point Inspection and undergone reconditioning.

COMPREHENSIVE LIMITED WARRANTY

Our GM Certified dealers guarantee your confidence long after you've left the lot. You get an extra 3 months or 3,000 miles of coverage above and beyond any remaining factory warranty. For added peace of mind, your dealer can create a customized warranty just for you.

• 24-HOUR ROADSIDE ASSISTANCE

Our 24/7 assistance means you are not alone. Flat tire or engine trouble, we're there for you. For the life of the warranty.

• 100,000-MILE SATISFACTION GUARANTEE

Sleep on it. Drive it. Live with it. We want you happy. We insist. If you change your mind, return your car. Period.

**FOR MORE INFORMATION
GO TO GMCERTIFIED.COM TODAY.**

8 of 14

12/27/04 - Called "Pontiac Cares"
Customer Assistance
Center 1-800-762-2737. Talked
to Jose Rodriguez, #47455, who
gave me Service Reg. 1-293953990-
1866-942-4368. He called Bill H.
@ Auburn Pontiac and made
an appointment for me to see
him on 12/29/04 @ 9:00 am.

See Work Order 221027 of
12/29/04.

Please note "Recommended Services"
50K Maintenance - \$599.88. I
questioned the Advisor, David
Parker, if my GM Protection
Warranty, #813-636-391 would be
"Void" if I did not do this. He
said "No". I am a "Short
Trip / City driver" (my car
insurance is for 7500 annual
miles). This should not have
been recommended - Pg. 7-13.

Linghauer's

11/3/05 - Tom Wheaton had
right rocker panel
re-attached properly.

He ran water from
a hose on the trunk
lid = There was
NO leak

They (in Service) put
a "clip" on the left
rear paneling under
window = it is
now attached

Mr. Wheaton said the Original
Warranty would cover items
complained about prior to
Oct. 19, 2004 - rocker
panel & trunk
leak.

2/2/05 - Called David Parker
in Service at Auburn
Pontiac to request modifica-
tion of verbally quoted
cost to Job 2 - Waterleak -
Body on Inv. PNCS 221027.
They would pay half if
I would pay half. I ^{had} told
them "No". He never called
me back.

1 CARFAX Accident Check

[Top](#) [Glossary](#) [FAQs](#) [Hi](#) Pontiac, MI

14 of 14

Total Loss Check:



GOOD NEWS! No severe damage events were ever reported by a DMV for this 2001 PONTIAC SUNFIRE SE (1G2JB524817376860). If you find that any of the following severe problems were reported by a DMV and not included in this report, CARFAX will buy this vehicle back. You must register to activate this free guarantee!

☐ Salvage Title☐ Junk Title☐ Rebuilt/Reconstructed Title☐ Dismantled Title☐ Loss Due To Fire Title☐ Flood Damage Title☐ Hull Damage Title☐ Canadian Total Loss

Other Accident Indicators:



This 2001 PONTIAC SUNFIRE SE (1G2JB524817376860) had accident indicators reported to CARFAX from its sources. This section checks for accidents and/or related damage reported from many public and private sources. Not all accidents are reported to CARFAX. A vehicle inspection completed by your dealer or professional mechanic is recommended.

☐ No Salvage Auction Record Reported☐ No Fire Damage Record Reported☐ Police Accident Record Reported☐ No Crash Test Vehicle Record Reported☐ No Airbag Deployment Record Reported☐ No Damage Disclosure Record Reported

Accident Report Data:

04/21/2004

Source:

Michigan Police Report

Detail:

Accident Reported
in Oakland County
Involving a right rear impact
with another motor vehicle
Minor damage reported

Because I was not shown the previous owner's title, I do not know his name; therefore, I cannot locate the accident report.

Michigan Police Reports:

- Michigan provides an estimate of the extent of damage in its accident reports. Use these general descriptions to help you interpret the different damage levels:
 - SEVERE: The vehicle cannot be driven from the accident scene due to severe damage or an injury. This level of damage often results in a Salvage or Junk title. Check Section 1 - Total Loss Check for these problem titles.
 - MODERATE: The accident damage affects the operation of the vehicle and/or its parts. Examples include broken windows, trunk lids, doors, bumpers and fenders.
 - MINOR: The accident damage does not affect the operation of the vehicle. Examples include dented bumpers, fenders, grilles and body panels. This level of accident should not compromise vehicle safety.
 - NO DAMAGE: The vehicle was not damaged.
- Are processed if the estimated damage exceeds \$400

According to the National Safety Council, Injury Facts, 2003 edition, 12% of the 243 million registered vehicles in the U.S. were involved in an accident in 2002. Over 90% of these were

should be moderate?

WORK ORDER • 4

500 S. Opdyke Road Phone (248) 332-9300
PONTIAC, MICHIGAN 48341

Bill H.

Portion, MI
9-2-12

FACILITY REGISTRATION NUMBER F-130530

RECOMMENDED SERVICES

OPERATION	OPERATION DESCRIPTION	UNIT	AMOUNT	DATE	OPERATION DESCRIPTION	UNIT	AMOUNT
01PNZ50K	50K MAINTENANCE <i>Job # Trunk Lock</i>	MI	599.88	11/21/05	David Parker said the warranty would not be paid if I do not do this		

SERVICE HISTORY

DATE	REPAIR LIGHT	M. DATE	LOCATION	TECH. NO.	FILE	REMARKS	DATE & TIME REPAIRED
						and pg 7-13 in Manual - not necessary.	

SALESPERSON NO.

SERVICE

STATE REG# F138538

SALESPERSON NO.		VEHICLE NO.		VEHICLE MODEL		PRODUCTION DATE		STOCK NO		LICENSE NO		R.O. NO.	
1G2JB524817		01/PONTIAC/SUNFIRE/2DR		CUSTOMER NO.		OFFERED CONTRACT		DELIVERY DATE		DEPT. MGMT. INDR.		SELLING DEALER NO.	
DATE TIME 11/29/04		PONTIAC, MI		93776								11/02/04	
DATE TIME 11/29/04				SILVER/GRAY		CONTRACT NO.		EXPIRATION DATE		EXPIRATION MILES		SALE NO.	
				TURN IN		MILEAGE		ATTENDING NO.		ADDRESS		5434	
				PNZZ		Y		Y		A		49,802	
								10231		DAVID PARKER		★	
RECEIVED FROM		ADDRESS FROM		TERMS: STRICTLY CASH UNLESS ARRANGEMENTS MADE.									
08:58am		12/29/04 04:00pm		I hereby authorize the repair work herein set forth to be done on my vehicle in accordance with the above terms and conditions. I agree that you are not responsible for loss or damage to vehicle or articles left in vehicle in case of fire, theft or any other cause without your actual or not any delay caused by unavailability of parts or delay in parts shipment by the supplier or transporter. I hereby grant you and/or your employees permission to operate the vehicle herein described on a limited highway, or otherwise for the purpose of testing the vehicle. An express warranty is hereby made by the seller to the buyer to the extent of the above value to secure the amount of repair costs. I understand that payment is not necessary until the vehicle is repaired and returned to the place where the vehicle was repaired. I understand that payment is not necessary until the vehicle is repaired and returned to the place where the vehicle was repaired.									
APPROVED		LABOR RATE		X									
11/29/04													

ORIGINAL CUSTOMER ESTIMATE:				PARTS	LABOR	TOTAL
				0.00	0.00	0.00
COMMENTS : CHECK-OUT FEE COVERED BY BILL#						
1	C 60PNZ	TRM	CUST. STATES THAT THE RIGHT SIDE ROCKER PANEL IS LOOSE ON REAR EDGE.			
2	C 60PNZLEAK	WATERLEAK/BODY	CUST. STATES THAT THERE IS A WATER LEAK IN THE TRUNK ON THE LEFT SIDE, CHECK AND ADVISE.			
3	C 60PNZROLL INSP	ON A ROLL INSP	ON A ROLL INSPECTION			

ORIGINAL ESTIMATE SUMMARY				
PARTS	LABOR	TOTAL	HOURS	
AUTHORIZED ADDITIONS	DATE: _____ BY: _____			
AUTHORIZED ADDITIONS	DATE: _____ BY: _____			

THE ONLY WARRANTIES APPLYING TO THIS PART(S) ARE THOSE WHICH MAY BE OFFERED BY THE MANUFACTURER. THE SELLING DEALER HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR IT ANY LIABILITY IN CONNECTION WITH THE SALE OF THIS PART(S) AND/OR SERVICE. BUYER SHALL NOT BE ENTITLED TO RECOVER FROM THE SELLING DEALER ANY CONSEQUENTIAL DAMAGES, DAMAGES TO PROPERTY, DAMAGES FOR LOSS OF USE, LOSS OF TIME, LOSS OF PROFITS, OR INCOME OR ANY OTHER INCIDENTAL DAMAGES.

REPAIRS PROPERLY COMPLETED & CHECKED BY:

AUTHORIZED REPRESENTATIVE

Noted Prior Damage:		
Frt. End ☐	Rt. Fend. ☐	Rt. Door(s) ☐
Rt. Q. ☐	Rear End ☐	L. Q. ☐
L. Door(s) ☐	L. Fend. ☐	Roof ☐
Interior ☐	Glass ☐	Other ☐

**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).**