

NEW MOTOR VEHICLE BOARD

1507 21ST Street, Suite 330, Sacramento, California 95814

(916) 445-1888 (916) 323-1631 Fax nmvb@pacbell.net

*Ref V00
10150381
4-13-06*

RECEIVED

APR 14 2006

Arnold Schwarzenegger, Governor
State of California

Sunne Wright McPeak, Secretary
Business, Transportation & Housing Agency

David W. Wilson, President • Alan J. Skobin, Vice President

Robert V. Branzuela • Robert T. (Tom) Fleish • David C. Lizárraga • Haig Papaian • Andy Robles • Sushil K. Sharma • Glenn E. Stevens

NEW MOTOR VEHICLE BOARD

March 20, 2006

Tom Bowman
National Highway Traffic Safety Administration
400 Seventh Street, SW
Washington, DC 20590

*AAA to
10150381*

Case # C-0287-2006

Enclosed please find a copy of the complaint we received from [REDACTED] concerning his 2005 Fleetwood trailer.

We are referring the complaint to you since the facts appear to raise a matter within your jurisdiction. We are continuing our efforts on behalf of the complainant and have suggested that the complainant contact you for additional assistance.

Sincerely,

H. Collins

Heather Collins
Mediation Services Representative

HC:lg

Enclosure

cc: [REDACTED]

DEFECTS INVESTIGATION
OFFICE OF
2006 APR 12 A 8:09
RECEIVED
NVS-215
*NAG
2006
4/12/06*

State of California Arnold Schwarzenegger, Governor

Boats, Transportation and Housing Agency David Wright, Secretary

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Consumer Mediation Services Program

1507 - 21st Street, Suite 330
Sacramento, California 95814
(916) 443-1888 (916) 323-1631 Fax
E-Mail: nmvb@pacbell.net
Website: nmvb.ca.gov

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FEB 27 2006

NEW MOTOR VEHICLE BOARD

APR 04 2006

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MEDIATION REQUEST FORM

CASE NO.

COMPLAINANT NAME

FIRST MI LAST

ADDRESS CITY STATE ZIP CODE
Los Alamitos CA

TELEPHONE # TELEPHONE # E-Mail
cindypoe@msn.com

Complaint is against: (Check box and fill out all sections completely)

- Selling Dealer
- Servicing Dealer
- Manufacturer/Distributor

| | |
|---|--|
| NAME Mike Thompson's RV | NAME Fleetwood Motor Homes |
| ADDRESS 13940 Firestone Blvd. Santa Fe Springs, CA 90670 | ADDRESS 2350 Fleetwood Drive Riverside, CA 92509 |
| TELEPHONE # 562-921-0955 | TELEPHONE # 951-274-2004 |

| | | |
|-----------------------------------|-------------------|----------------|
| VEHICLE (Make) Gearbox Trailer | (Model) 260 FS | (Year) 2005 |
|-----------------------------------|-------------------|----------------|

| | | |
|------------------------------------|--------------------------------|------------------------|
| DATE OF PURCHASE / LEASE 7-9-04 | VEHICLE LICENSE NO. 1KZ6988 | CURRENT MILEAGE N/A |
|------------------------------------|--------------------------------|------------------------|

| | | |
|---|------------------------------------|----------------------------|
| <input checked="" type="checkbox"/> Purchase <input type="checkbox"/> Lease | MILEAGE AT PURCHASE / LEASE N/A | VEHICLE I.D. NO. 4CE7F2 |
|---|------------------------------------|----------------------------|

| | | |
|---|---|--|
| <input checked="" type="checkbox"/> New <input type="checkbox"/> Used | TYPE OF WARRANTY ON VEHICLE <input checked="" type="checkbox"/> Manufacturer's <input type="checkbox"/> Extended Warranty <input type="checkbox"/> No Warranty | |
|---|---|--|

Have you given written notice of defects to manufacturer? Yes No

Has manufacturer (or designated agent) attempted repairs? Yes No

If yes, list repair dates: _____

COMPLAINT

Please explain the details of your complaint and the action you are seeking on the reverse side of this form, or attach a typed 1-2 page letter.

IMPORTANT NOTICE: I understand a copy of this complaint may be sent to the dealer(s), manufacturer or distributor. Sections 20 and 3000 of the California Vehicle Code make it unlawful to use a false or fictitious name or knowingly make false statement or knowingly conceal any material fact in any document filed with the New Motor Vehicle Board.

Signature _____ Date 2/27/2006

| BASIS OF COMPLAINT | | Sales: |
|---|---|--|
| Mechanical Defects: | | |
| <input checked="" type="checkbox"/> Frame and Body | <input checked="" type="checkbox"/> Suspension system | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Engine | <input type="checkbox"/> Tires | <input type="checkbox"/> Financing |
| <input type="checkbox"/> Transmission & drive shaft | <input type="checkbox"/> Wheels | <input type="checkbox"/> Fraud |
| <input type="checkbox"/> Brake system | <input type="checkbox"/> Exhaust system | <input type="checkbox"/> Advertising |
| <input type="checkbox"/> Steering | <input type="checkbox"/> Inoperable accessories | <input type="checkbox"/> Damage by dealer during servicing |
| <input type="checkbox"/> Fuel system | <input type="checkbox"/> Cooling system | <input type="checkbox"/> Extended service contract |
| <input type="checkbox"/> Other _____ | <input type="checkbox"/> Electrical system | |

COMPLAINT- Explain the details of this complaint.

Trailer tongue weight is excessive. Tongue weight at the pin is 1,850 pounds dry. Amount of tongue flex has bent the diamond plate at the front of trailer. Trailer was taken to Mike Thompson's for repairs including fixing the diamond plate on 5/2/05 complaint of bending was made prior to warranty expiration. Mike Thompson's had our trailer until 8/15/05. At no time did Mike Thompson's or Fleetwood make us aware of the excessive tongue weight. We had already noticed that our Reese 1200 pound hitch and dual cam sway controls were showing signs of severe wear and fatigue. The manufacturer has offered to weld a ballast tube at the rear of the trailer at about 500 pounds. The tongue weight when fully loaded with appropriate fluids and cargo exceeds 2000 pounds and a large portion of the 120 gallon water tank is located in front of the forward axle causing more tongue weight. This trailer is unsafe and not marketable for resale due to its nonconformance. The excessive stress and weight to our tongue can and will lead to failure and possible injury or death. We have made our concerns known to Mike Thompson's and Fleetwood and an acceptable solution has not been reached. Adding more weight to our trailer will just cause our gross vehicle weight to increase and will not make a significant change on our tongue weight. Fleetwood has already acknowledged this problem and is trying to tell their customers as little as possible. It is almost impossible to communicate with fleetwood. They will not react until they have made the customer fight for what is fair and safe. I will not risk my family's life because Fleetwood is unwilling to stand by their product and make a safe resolution to our defect.

Please sign and date on reverse side

February 22, 2006

Fleetwood Motor Homes
2350 Fleetwood Drive
Riverside, CA 92509

Re: 2005 Gearbox 260FS
Vin# 4CB7E2623

Dear Sir or Madam:

This letter is to demand a full refund for the trailer referenced above. Fleetwood as the manufacturer and Mike Thompson's RV as the dealer has sold a trailer to me that was nonconforming to specifications causing it to be unsafe and harmful to my family.

The trailer was purchased at Mike Thompson's RV on July 9, 2004 for the amount of [REDACTED]. This trailer is less than 2 years old and is showing excessive wear on the tongue, 1200 pound Reese Hitch and dual cam sway. The first complaint on this issue was May 2, 2005. This was 2 months before our warranty expired. Trailer was brought to Mike Thompson's for various repairs on 5/2/05 at that time we made Mike Thompson's aware that the tongue of the trailer front had bent upward causing the front diamond plate on the front of the trailer to bend and split. At that time they admitted that the tongue was flexing up and hitting the diamond plate. They trimmed the diamond plate to make sure that our kids wouldn't cut themselves on it. At no time did Mike Thompson's reveal to us that we might have an issue with our tongue weight. I find that very unsettling that Fleetwood and Mike Thompson's would not make their customers aware of possible life threatening issues with their trailers. Our trailers tongue weight fully loaded with appropriate fluids exceeds 2300 pounds. This is not due to improper loading. We have spoken to Robbie Olsen at Fleetwood and he has offered for a 500 pound ballast to be welded to the rear of our trailer. He feels that this will get us down to 1300 pounds dry tongue weight. This is not acceptable to us. A large portion of the 120 gallon fresh water tank is located in front of the forward axle causing the tongue weight to continue to be excessive even with the extra ballast. 1300 pounds still exceeds the hitch rating for the hitch recommended by the Manufacturer and sold to us by the Dealer.

Fleetwood and Mike Thompson's have already recognized that this is a serious problem by buying back trailers with this same issue. We will not accept anything less than a complete buy back of our trailer for the full purchase price. This problem with my trailer is a safety issue and should be addressed immediately. If my request of a buy back is not met in a timely manner then I will continue with the process of notifying the New Motor Vehicle Board and file a mediation request.

Sincerely,

[REDACTED]

**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).**