



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

2006 NOV 21 AM 8:40

ELIOT SPITZER
Attorney General

REGIONAL OFFICE DIVISION
WESTCHESTER REGIONAL OFFICE

November 9, 2006

[REDACTED]
Peekskill, New York [REDACTED]

RE: Our File Number: 2006-587543
Company: Car Dealer

10174345

Dear [REDACTED]

On behalf of Attorney General Eliot Spitzer, I am writing to notify you that we have received your correspondence.

We appreciate your alerting us to this matter. We believe the organization shown below may be able to assist you and we are forwarding your correspondence there.

If you do not receive a response in the near future, please follow up directly with that organization. I suggest you attach a copy of this letter or, if appropriate, mention that you are adding new information.

Thank you for contacting us.

Very truly yours,

John Katzenstein
John Katzenstein/CW
Consumer Frauds Representative
Bureau of Consumer Frauds
And Protection

cc: National Highway Traffic Safety Administration
400 7th Street SW - RM 5232
Washington, DC 20590

M. [unclear]
11/21/06



ATTORNEY GENERAL ELIOT SPITZER
STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL
BUREAU OF CONSUMER FRAUDS AND PROTECTION
101 East Post Road
White Plains, NY 10601-5008
Tel. (914) 422-8755 Fax (914) 422-8792

COMPLAINT FORM

Consumer Hotline For Hearing Impaired
(800) 771-7755 TDD (800) 766-9898
<http://www.oag.state.ny.us>

File# 2006-587,847

PLEASE BE SURE TO COMPLAIN TO THE COMPANY OR INDIVIDUAL BEFORE FILING.

PLEASE TYPE OR PRINT CLEARLY IN DARK INK.

YOU MUST COMPLETE THE ENTIRE FORM. INCOMPLETE OR UNCLEAR FORMS WILL BE RETURNED TO YOU.

MAKE SURE YOU ENCLOSE COPIES OF IMPORTANT PAPERS CONCERNING YOUR TRANSACTION.

YOUR NAME		HOME TELEPHONE NUMBER	
STREET ADDRESS		BUSINESS TELEPHONE NUMBER	
CITY/TOWN	COUNTY	STATE	ZIP
Peekskill	Westchester	N.Y.	
NAME OF SELLER OR PROVIDER OF SERVICES		NAME OF OTHER SELLER OR PROVIDER OF SERVICES	
STREET ADDRESS		STREET ADDRESS	
CITY/TOWN	STATE	CITY/TOWN	STATE
Aurien Hills	NY		
TELEPHONE NUMBER	TELEPHONE NUMBER		
DATE OF TRANSACTION	COST OF PRODUCT OR SERVICE	HOW PAID (Check those which apply)	
3/2002	\$37,000	☐ Cash ☐ Check ☐ Credit Card ☒ Other <u>FINANCING</u>	
DID YOU SIGN A CONTRACT?	WHERE DID YOU SIGN THE CONTRACT?	DATE SIGNED	
☒ Yes ☐ No	CAROL AUTOPARK	3/2002	
WAS PRODUCT OR SERVICE ADVERTISED?	WHERE WAS IT ADVERTISED?	DATE ADVERTISED	
☐ Yes ☒ No	NOT APPLICABLE	N/A	
TYPE OF COMPLAINT (e.g. car, mail order, etc. Use the reverse side of this form to provide details)			
Car			
DATE YOU COMPLAINED TO THE COMPANY OR INDIVIDUAL		PERSON CONTACTED	JOB TITLE
10/11/2006 ☐ By Mail ☒ By Telephone ☐ In Person			CUSTOMER ASSISTANCE
NATURE OF RESPONSE		DATE OF RESPONSE	
UNSATISFACTORY AND IF AND WHAT CAN BE DONE FOR ME		10/11/2006	
HAS MATTER BEEN SUBMITTED TO ANOTHER AGENCY OR ATTORNEY? (If "Yes," give name and address)			
☒ Yes ☐ No BBB			
IS COURT ACTION PENDING? (Please describe as necessary)			
☐ Yes ☒ No			
MANUFACTURER OF PRODUCT		PRODUCT MODEL OR SERIAL NUMBER	
Daimler Chrysler		Jeep Grand Cherokee	
ADDRESS		WARRANTY EXPIRATION DATE	
P.O. Box 21-8004		3 YEAR / 36,000 MILES	
DID BUSINESS ARRANGE FINANCING? (If "Yes," give name and address of bank or finance company)			
☒ Yes ☐ No Chase			

PLEASE DESCRIBE COMPLAINT ON REVERSE SIDE

BRIEFLY DESCRIBE YOUR COMPLAINT

My CHIEF COMPLAINT WITH DODGE CHRYSLER'S 2002 STRATUS
GRAND CHALLENGER IS THAT THERE IS A COMMON PROBLEM WITH
THE HVAC SYSTEM THAT THEY'VE MADE A TSB
(TECHNICAL SERVICE BULLETIN) FOR WHICH REQUIRES CHARGES
TO SPEND AROUND \$1,000 IN LABOR FOR WHAT IS A DESIGN FLAW.

WHAT FORM OF RELIEF ARE YOU SEEKING? (e.g., exchange, repair or money back, etc.) REPAIR FEE OR
CHARGE / OR CODE TOTAL LABOR

WHO REFERRED YOU TO THIS OFFICE? My wife

READ THE FOLLOWING BEFORE SIGNING BELOW

PLEASE ATTACH TO THIS FORM PHOTOCOPIES of any papers involved (contracts, warranties, bills received, cancelled checks, correspondence, etc.). DO NOT SEND ORIGINALS.

NOTE: In order to resolve your complaint, we may send a copy of this form to the person or firm about whom you are complaining.

In filing this complaint, I understand that the Attorney General is not my private attorney, but represents the public in enforcing laws designed to protect the public from misleading or unlawful business practices. I also understand that if I have any questions concerning my legal rights or responsibilities, I should contact a private attorney. I have no objection to the contents of this complaint being forwarded to the business or person the complaint is directed against. The above complaint is true and accurate to the best of my knowledge.

I also understand that any false statements made in this complaint are punishable as a Class A Misdemeanor under Section 175.30 and/or Section 210.45 of the Penal Law.

Signature:

Date: 11-7-2006

HAVE YOU ENCLOSED COPIES OF IMPORTANT PAPERS?

Return to: Office of the Attorney General
Bureau of Consumer Frauds and Protection
101 East Post Road
White Plains, NY 10601-5008

October 20th, 2006

Daimler Chrysler Customer Center
P.O. Box 21-8004
Auburn Hills, MI 48321-8004

To whom it may concern,

I am contacting you regarding a problem I am having with my 2002 Jeep Grand Cherokee Limited, VIN # 1J4GW58N [REDACTED] recently lost heat in both zones of my dual climate control. Since my vehicle was no longer under warranty, I did some research and found that I was not alone in the exact problem I am having, it's quite common. So common that I easily found plenty of people with the exact same problem that were able to self-diagnose the problem using the Jeep's internal computer to output the system faults. Using the same method to enter the AZC self-diagnostic mode, the climate control display outputted the system fault codes 52-54-56. The cause of this code/problem is the exact same one that countless others I've been in communication with are experiencing due to the weak blend and recirculation doors in the HVAC systems. The doors are turned by a motor attached to the bottom of the door at the end of a hinge shaft. The motor stops turning when there is enough physical resistance from the door stopping against its housing. This puts stress on the shaft/door junction and over time strips the shaft so that it spins almost independently of the door. The motor then experiences little resistance and keeps turning, which sends the "travel too large" code. If you look up the codes 52-54-56 in the attached AZC fault codes list, you will see that the "travel too large" message is in each code. Since most of the consumers I've run into with this problem get that exact code, or have had the same problem diagnosed by a Jeep dealership service department, I already know that it will cost anywhere from \$800 - \$1000+ to be repaired, the majority of it being labor as the entire instrument panel assembly has to be removed.

To address this problem, Daimler-Chrysler released TSB 2400104 - NEW HVAC SUB-ASSEMBLY REPLACES BLEND OR RECIRC DOOR COMPONENTS. Each new sub-assembly consists of several individual components. The new sub-assemblies improve component reliability. It is recommended that the respective sub-assembly be installed if a blend air door(s), a recirculation door, a door link, or a sub-assembly housing requires replacement. These new parts cost less than \$200 according to the bulletin, but I find it hard to believe that Daimler-Chrysler expects their customers to pick up the tab on a design flaw. Especially a design flaw that is so labor intensive that even though the parts are less than \$200, the final bill will be in the \$1,000 area. A job so consuming that it wouldn't be wise to have it serviced by anything but a Jeep service technician. Not to mention some repair shops won't even take on the job due to the time and possible accountability of such a project.

I called Daimler-Chrysler Customer Assistance at (800) 992-1997 on October 18th, 2006 at approx. 11:30 a.m. I was informed that at this time, there was no recall for that issue and any "assistance" sought would be considered on a "case by case" basis. But in order to even be

considered for "assistance", I would have to take it to a Jeep dealership to have them diagnose the issue. Croton Autopark for instance, charges \$50 - \$100 to diagnose the problem, which means before my problem is even addressed, I'm already out money for them to tell me what I already know. And I don't know it because I looked it up online and everybody has the same problem, I know it because the vehicle's internal computer told me the problem via the codes listed in my first paragraph. And in case you doubt my claim about how common this problem is, when I called to find out how much it would be to get a problem diagnosed, when I told him it was a problem with having no heat he knew what I was talking about and quoted me \$1,100 - \$1,200 to have it fixed. He said there might be some other things that can cause just cold air to blow out, but he was already expecting it was an issue with the blend doors and sub-assembly.

Unfortunately, Daimler-Chrysler customer assistance could give me no information on what any possible "assistance" would come in the form of. But to expect a customer to take time from their work day to go to the dealership, pay to find out what they already know without any kind of guarantee as to how they might help them is beyond ridiculous. What you're basically telling your educated customer is that, "Yeah, we messed this design up, but we were able to fix it. So why don't you come in, pay to find out what you already know, and then you can pay for our mistake as well. Thanks." If this wasn't such a common problem, or the result of abuse on my part, I would have nothing to say. But I used this vehicle's components as designed, and due to a design flaw, I am going to be left possibly paying over \$1,000 so I can have a basic amenity such as heat.

Like most Jeep owners, this isn't my first Jeep. People that own Jeeps, are loyal customers, from the CJs and TJs up to the Commanders. My last 3 vehicles have been Jeeps and I had planned on moving to the Jeep Commander, but I'm not willing to act as if this problem doesn't exist. I started with the Wrangler SE, went to the Cherokee Sport, and now have a Grand Cherokee Limited with a sticker price of almost \$37,000. Not to mention, after I got my Grand Cherokee I took my mother to the same dealership where I bought mine so she could get one. And trust me, the reason Croton Autopark had a sale that day was because I sold it to her, not due to the efforts of their sale staff. The reason why I sold her on it was because I wanted her to be in one of the best SUVs on the planet with a 4x4 system second-to-none. I am a loyal Jeep customer, not to mention a loyal Chrysler customer with 3 additional Chrysler vehicles purchased between my wife and I. So in the past 10 years, just 3 people in my family have resulted in 7 Daimler-Chrysler vehicles.

It is my opinion that Daimler-Chrysler needs to do the right thing by it's customers. You shouldn't have to pay \$1,000+ to repair one of their more high end vehicles for what is in reality a design flaw. The HVAC system of this vehicle was not designed correctly, and Daimler-Chrysler is expecting their customers, the people that buy their products, to literally pay for their mistakes. Honestly, I don't know how they put that HVAC system together, saw what was happening, and decided to release it without any modifications. Of course there eventually were modifications, but after that generation of vehicle had ended as the TSB was released in January 2004.

I can be reached via email at [REDACTED] at [REDACTED] bekskill, NY [REDACTED]

Thank you for consideration on this matter.

Sincerely,

[REDACTED]

A/C self-diagnostic mode:

1. To enter the self-diagnostic mode, depress the a/c and recirc buttons at the same time and hold. Rotate the left temperature control knob clockwise (CW) one detent.

2. If you continue to keep the a/c and recirc buttons depressed, the A/C control module will perform a Segment Test of the Vacuum Fluorescent (VF) display. In the Segment Test you should see all of the display segments illuminate as long as both buttons are held. If a display segment fails to illuminate, the vacuum fluorescent display is faulty and the a/c heater control must be replaced.

3. After viewing the Segment Test, release the A/C and Recirc buttons and the display will clear momentarily. If there are no fault codes, the "00" display value will remain in the VF window. Should there be any codes, each will be displayed for one second in ascending numerical sequence (note: no effort is made to display faults in the order they occurred). The left side set temperature display will be blanked and the right side set temperature display will indicate current and historical codes (a historical max) presently active.

Once all codes have been displayed, the system will repeat the fault code numbers. This will continue until the left side set temperature control is moved at least one detent position in either direction, by pressing both the A/C and Recirc buttons at the same time, or the ignition is turned off. Record all of the fault codes, then see the Current and Historical Fault Code charts below for the descriptions.

AZC fault codes	
Input faults	01 = IR thermister circuit open 02 = IR thermister circuit shorted 03 = Fan pot shorted 04 = Fan pot open 05 = Mode pot shorted 06 = Mode pot open 07 = IR sensor delta too large 08 = Reserved 09 = Reserved 10 = One of four motor drivers has drive "A" shorted to ground 11 = Engine air intake temperature bus message missing 12 = Country code bus message missing
System faults	13 = Mode motor not responding 14 = AI (Recirc) motor not responding 15 = Left temperature door not responding 16 = Right temperature door not responding 17 = Mode door travel range too small 18 = Mode door travel range too large 19 = AI (Recirc) door travel too small 20 = AI (Recirc) door travel too large 21 = Left temperature door travel too small 22 = Left temperature door travel too large 23 = Right temperature door travel too small 24 = Right temperature door travel too large 25 = Calibration check sum error 26 = Engine coolant temp bus message missing 27 = Vehicle speed bus message missing 28 = Engine RPM bus message missing 29 = OAT bus message missing 30 = Display intensity bus message missing 31 = VIN number bus message missing 32 = Raw OAT buss message missing
Input faults	33 = IR thermister circuit was open 34 = IR thermister circuit was shorted 35 = Fan pot was shorted 36 = Fan pot was open 37 = Mode pot was shorted 38 = Mode pot was open 39 = IR sensor delta was too large

	40 = Reserved 41 = Reserved 42 = One of four motor drivers had drive 9A9 shorted to ground 43 = Engine air intake temperature bus message missing 44 = Country code bus message missing
System faults	45 = Mode motor was not responding 46 = AI (Recirc) motor was not responding 47 = Left temperature door was not responding 48 = Right temperature door was not responding 49 = Mode door travel range too small 50 = Mode door travel range too large 51 = AI (Recirc) door travel range too small 52 = AI (Recirc) door travel range too large 53 = Left temperature door travel too small 54 = Left temperature door travel too large 55 = Right temperature door travel too small 56 = Right temperature door travel too large 57 = Calibration check sum error 58 = Engine coolant temp bus message missing 59 = Vehicle speed bus message missing 60 = Engine RPM bus message missing 61 = OAT bus message missing 62 = Display intensity bus message missing 63 = VIN number bus message missing 64 = Raw OAT bus message was missing 65 = Reserved 66 = Reserved 67 = Reserved