



NEW MOTOR VEHICLE BOARD

1507 21ST Street, Suite 330, Sacramento, California 95811
(916) 445-1888 (916) 323-1632 Legal Fax (916) 323-1631 Mediation Fax
E-mail: nmvb@nmvb.ca.gov or NMVBMediation@nmvb.ca.gov
www.nmvb.ca.gov

2007 JUL 24 PM 12:10

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State of California

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Business, Transportation & Housing Agency

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July 13, 2007

CL-10198038-5292

National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
West Building
Washington, DC 20590

Case # C-0444-2007

Enclosed please find a copy of the complaint we received from [REDACTED] concerning his 2002 Toyota Prius.

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,

Jackie Grassinger
Mediation Services Representative

JG:jg

Enclosure

cc: [REDACTED]

aa
7/24/07
CC

Etta Dotson
Customer Relations Department



NEW MOTOR VEHICLE BOARD
Consumer Mediation Services Program
1507 - 21st Street, Suite 330
Sacramento, California 95814
(916) 445-1888 (916) 323-1631 Fax
E-Mail: nmvb@pacbell.net
Website: nmvb.ca.gov

RECEIVED
MAY 03 2007
LAWYER/STAFF/CLERK

MEDIATION REQUEST FORM

COMPLAINANT NAME

FIRST	MI	LAST	CASE NO.
[Redacted]			
ADDRESS		CITY	STATE
[Redacted]		Santa Cruz	CA
TELEPHONE # (Home)	TELEPHONE # (Business)	E-Mail	
[Redacted]	[Redacted]	[Redacted]	

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

☒ Selling Dealer ☒ Servicing Dealer ☒ Manufacturer/Distributor

NAME Toyota of Santa Cruz	NAME [Redacted]	NAME Toyota Motor Sales USA
ADDRESS 1200 Auto Plaza Drive Capitola CA 95010	ADDRESS Same as [Redacted]	ADDRESS 19001 South Western Drive Department WC 11 Torrance CA 90505
TELEPHONE # 831 462-4200	TELEPHONE #	TELEPHONE # 800 371 4321

VEHICLE (Make) Toyota	(Model) Prius	(Year) 2002
DATE OF PURCHASE / LEASE 11/2001	VEHICLE LICENSE NO. 4 PFT 810	CURRENT MILEAGE 53,200
☒ Purchase ☐ Lease	MILEAGE AT PURCHASE / LEASE 10,000 9366	VEHICLE I.D. NO. JT2BK12V810 [Redacted]
☒ New ☐ Used	TYPE OF WARRANTY ON VEHICLE ☒ Manufacturer's ☐ Extended Warranty ☐ 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: 8/2002, 3/2003, 4/2003, 5/2003, 6/2003, 7/2003, 1/2004, 11/2003, 12/2003

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 material facts in connection with the New Motor Vehicle Board.

Signature [Redacted] Date 5-3-7

BASIS OF COMPLAINT**Mechanical Defects:**

- | | |
|---|---|
| ☐ Frame and Body | ☒ Suspension system |
| ☐ Engine | ☒ Tires |
| ☐ Transmission & drive shaft | ☐ Wheels |
| ☐ Brake system | ☐ Exhaust system |
| ☐ Steering | ☐ Inoperable accessories |
| ☐ Fuel system | ☐ Cooling system |
| ☐ Other _____ | ☐ Electrical system |

Sales:

- | |
|--|
| ☐ Contract |
| ☐ Financing |
| ☐ Fraud |
| ☐ Advertising |
| ☐ Damage by dealer during servicing |
| ☐ Extended service contract |

COMPLAINT- Explain the details of this complaint.*see attached***Please sign and date on reverse side**

Hi,

My late wife purchased a 2002 Toyota Prius JT2BK12U810 [REDACTED] from Toyota of Santa Cruz (bar #AJ162800). After taking delivery we noticed that it was eating the right rear tire, and that if you took a high speed left sweeper that had a bump in it that the rear of the car would sway (from bump steer) in a manner that could be very dangerous if you were not prepared. The dealer did a few things after our numerous return visits about these issues, but eventually we discovered that it would eat a tire in about 3,000 miles. In January of 2003, after being told by the service manager that there was nothing that could be done, we started a claim with Toyota Motor Sales USA.

They sent a field technical specialist out to examine the car. After the inspection we were instructed to return with the car to the dealership every 3,000 miles so the tire wear could be established.

I did this until November of 2006, when I was instructed to go get four new tires (this is far from the first time I have purchased tires) and an alignment (which the dealer had been checking numerous times per my requests, and I had done independently just to confirm what was wrong.). I put off this expense until mid February of this year, when I did as instructed. I took the car to Soquel Alignment & Exhaust (bar #AA231639) and was informed that the rear axle was bent, and the cause of my rapid tire wear.

I have gone back to Toyota of Santa Cruz, and they refuse to take responsibility for the issue this car has had for the last 43,000 miles. I have contacted Toyota Motor sales again to find out about the issue that was established and tracked since 2003, and I am being told that I must either pursue the dealer to take action, or take the matter to a government agency.

At this time Toyota of Santa Cruz refuses to take action, and refuses to even give me the reason for their refusal in writing. When I call the customer relation manager, Marcia Haley, she directs me to the service manager Steve. When I talk to Steve he accuses me of being rude to Marcia, when in fact all I have done was tell her that I am trying to resolve the issue. When she directs me to Steve I tell her that he has already told me not to bother him about any issue I may have with my Toyota. I told her earlier today that I would like their refusal to honor the warranty on my automobile in writing, but she refused. And when I asked her why, she tells Steve she feels like I am being rude?

Steve will tell me why the dealership he works for refuses to repair my car on the telephone, but when requested he also refuses to place it in writing.

1. My car is now out of warranty. I have a problem with this because I have been taking my car back to them since 2003 to track tire wear per the instructions of Toyota Motor Sales's field technician. The car was in warranty when we established it had a tire wear issue.
2. My car has been in an accident. This is in fact correct. My late wife was hit in the front, which required major repairs to the car. Both before and after the accident it still had the right rear tire wear issue. It was not something that "appeared" after the accident. The repairs were conducted by Carmat Collision Center (bar #AK207919) in conjunction with Toyota of Santa Cruz on June thru August of 2002 at 19,893 miles. I was assured after the repair that the car's alignment was back as close as possible to the original specifications by the dealer. Carmat assured me that all of the damaged areas were to factory specifications. From the seat of the pants in the driver's seat the car handled no different from before.

The car was also sideswiped on the left side while my late wife's mother was driving it in November of 2003. Because my insurance needed to sue her for the repairs, we decided that since her daughter had recently died it was easier to just pay the local body shop (Chuck Fanucci Auto Body) to fix the immediate damage and toss some paint on it to confirm that it would not rust. Per the body shop's recommendation the car was taken to Straight Forward Alignment (sorry, I do not have their bar #) where the alignment was confirmed. At that time it was again established that the car's toe in the right rear was off. The documentation was presented to the Dealer, who said that they would look into it and discuss it with Toyota Motor Sales.

At my next service and tire check the service writer freaked over the body damage and suggested I get it aligned. I assured him that it had been aligned, and that the documents had been given to them immediately afterwards establishing the problem. When I picked it up, and at the visits afterwards, nothing more was mentioned.

Here is the point that we establish what I want. I want my car's alignment to be correct. Soquel Alignment assures me that this cannot be done by installing a shim (they don't seem to be made for Prius yet), and that the rear axle & hub assembly must be changed. Since this issue was established after we originally took delivery while the car was still under warranty, I want it covered. That's all. No additional tires, none of my other expenses to date. Just fix the established problem.

As for my back ground, I also used to own an automobile repair facility, so I am used to standing on the other side of the counter. I have also dealt with clients wanting something for nothing. I feel that I honestly can say that I am not asking for something to be repaired that I should actually be covering myself. I am willing to stand in front of a judge and state this under oath. This is an issue that has been established and documented since my late wife took delivery of the car.

I have also been told by a friend that works for Nissan that this car may be covered under my state's lemon law. I don't want or need Toyota to buy back this car, I just want it fixed.

Please tell me what I should do next. I have been a very patient man in this matter, but to be honest I have now run out of patience.

[REDACTED]
[REDACTED]
[REDACTED]
Santa Cruz, CA [REDACTED]
[REDACTED]
fax [REDACTED]
e-mail direct: [REDACTED]
e-mail general: [REDACTED]
webpage [REDACTED]

e-mailed 4-27-7 12:20 PM

1964 FIAT 600

5-2-07

IF YOU CAN PROVIDE INFORMATION, IF THE

FOLLOWING PARTS ARE AVAILABLE AND

THEIR COSTS ... PLS.

WE SERIOUSLY DOUBT IF THERE IS T.U.R.I.T.!

1- SPARK PLUGS @ — IN STOCK \$4.34 ea

FROM : PIRELL AUTO SERVICE

FORM NO. 1 091-2189

FORM NO. 2007 10-1991 P1

C. Ober & Co. Fiat Lancia Alfa Romeo Parts Order Form

Page 1 of 1

Protect Order Form
C. Ober & Co.

Before you print-out and send us this Order Form, click on the magnifying glass icon and read our ordering policies. If you have questions, please read through the FAQ.



Check one of the following options:

1. Fax (the fastest way to order) or
2. Mail a copy of this page with all the information filled in. We will return your Credit Card Billing address, your Billing address, and your signature.
3. Email your order by copying and pasting this form into your email.
4. We can accept UPS COD orders for an extra \$2.50 fee paid to UPS.
5. Be sure to read under our magnifying glass to make sure you understand all our policies!

NOTE: Please Do Not Duplicate Your Order. If you order by fax, and then send an email, we will fill your order twice. Always refer to your previous order whenever you want to follow up on an existing order. If you will mail order any of the items quoted, please tell us that you have already received a quote, and that you have the part numbers of the items you want. This saves time and money, and our customers won't appreciate effort.

Make: FIAT Model: 600 Year of Car: 1964

Place an X next to those that apply: () JAC () Jap () Jap L () Power Steering () Power Windows

Description of Parts Needed: ALL TUNE UP PARTS AVAILABLE ONE OF EACH



PLS. FAX BACK PRICE

Name: PIRELL AUTO SERVICE

CALL

Street (or PO Box): 1816 HILLSDALE BLVD

308

City: Daly City

AT

State: CA Zip or Postal code: 94015 County: SAN MATEO

650

Phone: (415) 991-2008 (800) (800) 800-8000

Email Address: PIRELLA@SBCGLOBAL.NET

Payment: () Visa () MasterCard () Discover () Amex

SBCGLOBAL.NET

Card No.:

Signature:

Important: Include your Credit Card Billing address here if it is different from the address above.

Send us fax your order form to:

C. Ober & Co.
2151-D Chabota Avenue, P.O. BOX 489-1128
Santa Clara, CA 95050 USA

Use your Store's Bank button if you get here from one of our Specialty pages.

Otherwise, Email your order now. Or back to the Top of this page. Or go to the Back page. Or Home.

WHAT WOULD YOU EXPECT TO
SEE IN A TUNE UP KIT?



FORM NO. 2007 11-1991 P1

FORM NO. 1 091-2189

FROM : PIRELL AUTO SERVICE