

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



MIKE COX
ATTORNEY GENERAL

September 20, 2007

P.O. BOX 30213
LANSING, MICHIGAN 48909
2007 OCT -3 AM 8:09

Refer to AG No.: 200713915
Web No.:

VOLKSWAGEN OF AMERICA
3499 W HAMLIN RD
MAIL CODE 3B01
ROCHESTER HILLS MI 48309

CL-10203755-36062

Dear Sir/Madam:

Re: [REDACTED]

Enclosed is a copy of the consumer complaint recently filed with this office by the above. Kindly review this information and advise us of your position in this matter so that we may have all the facts.

We receive a large number of complaints, and we do not make judgments about their validity until there is an opportunity for a response. Your answer is, therefore, important to our determination of whether further action is warranted. It will expedite the processing of this complaint if you could e-mail your response to cp_email@michigan.gov putting the AG No. in the subject line. We hope this will be our only request. If you fail to respond, we will determine what additional appropriate action is warranted under the Michigan Consumer Protection Act and other consumer laws.

The action we do take will be based in part on our experience, information and knowledge of and about the person complained against. Therefore, we appreciate your prompt reply within the next ten days, in writing, giving your position on this matter. If we do not hear from you within the next 30 calendar days, we will be recontacting you regarding this matter.

Sincerely yours,

MIKE COX
ATTORNEY GENERAL

Consumer Protection Division
(517) 373-1140
(517) 241-3771 - Fax

Enc.
1166
c: National Highway Traffic Safety Admin.

AA
10/30/07
LS

DEPT. OF ATTORNEY GENERAL
RECEIVED

SEP 10 2007

**CONSUMER PROTECTION
DIVISION**

Volkswagen Of America
3800 Hamlin Road
Auburn Hills, Michigan
48326

Mike Fox Automotive Inc
755 South Rochester Road
Rochester Hills Michigan
48307

Cedarville, Michigan
Sept. 4 2007

September 4, 2007

RE: 1995 Volkswagen Passat, Vehicle number WVWCE63B45E [REDACTED]
Purchased new from Fox VW, Rochester Hills, Michigan April 29, 2005

Problem with Air conditioning system. I have taken this vehicle to Authorized Volkswagen dealers eight times to have this problem corrected. The problem as described below still exists today.

Air conditioning would work and then quit for no reason and blow ambient temperature air, car interior would warm up to where the windows had to be opened up to get cooling. Unexpectedly it would work on an intermittent basis as described above. In spite of taking this vehicle to Authorized Volkswagen Dealers eight times to correct this problem, the problem still exists today. It is now at Fox Volkswagen in Rochester Hills. They have worked on it all of last week, with people from Volkswagen of America and have not come up with a solution. One of the things that they have discovered is melted solder joints.

There is a safety issue here also. While driving in the early morning under foggy conditions the interior of the windshield covered with a layer of fog due to the "Defrost" feature in the system being inoperative. The air conditioning system is designed to come on and send dehumidified air to the windshield area to clear the windshield in the "defrost" mode. I had to reach around quickly to try and find something to clean the windshield with so I could see where I was going. Finding a glove under the seat I was able to do that and then stop and clean the windshield completely before proceeding any further.

History of trying to get this problem repaired by Authorized Volkswagen Dealers:

Dealer visit # 1. 33,515 miles on the vehicle. Under warranty.

April 17, 2007:

Car taken to Brandon Volkswagen in Florida, as we were in Florida for the winter months. The Air conditioning was inoperative when I brought the car in to the Dealer. The Service Manager verified that the AC system was inoperative. Dealer replaced a relay and I was also informed by the Service manager that they "reset the computer". Air conditioning on this car operated for about a week or so and on the trip back to Michigan the above described problem reoccurred.

Dealer visit # 2.

I called Northside Volkswagen in my local area by Cedarville, Michigan and made an appointment to have the car Air conditioning system looked at.

On May 18, 2007 the car was taken in for repair to Northside Volkswagen. When I got the car there, they checked it and the air conditioning was inoperative. I was informed by the Service Manager that they applied 12 volt temporarily to the compressor clutch, then the compressor would turn and the air conditioning would work, but as soon as the temporary 12 volt supply was disconnected the compressor would quit. They found no power to AC compressor, the same condition as they found at Brandon Volkswagen. Their initial diagnosis indicated that there was a Diode "somewhere in the wiring harness" that might be bad, or the wiring harness itself might have a problem. I was informed that they would talk to Volkswagen Technical people and would try to come up with an answer. I drove back home with the system not repaired. I made another appointment to come back when they had more information from Volkswagen. Volkswagen of America was contacted was very well aware of this problem

Dealer Visit # 3.

On May 28, 2007 I took the car again to Northside Volkswagen. The Service Manager informed me that they had talked to Volkswagen and there was a service bulletin on the Air conditioning compressor on that car. Their answer was that they had to order a "Compressor Kit" and when it came in they would call, to come back in and they would replace the compressor, expansion valve, and a relay. I went back home again with no repair done. Driving to the dealer and back home is nearly 100 miles.

Dealer Visit # 4.

June 8, 2007

After a few calls to Northside Volkswagen the check if the parts were in, the car was taken in again. At that time they replaced the compressor and related items. After the repair, I drove about 5 miles on the way home and the air conditioning quit. About 25 miles later it came back on. Next morning upon starting the car, the air conditioning would not operate. I contacted Northside Volkswagen and informed them that their "fix" did not make any difference. They told me to call back, make an appointment, and come back to the dealership. They were in direct contact with Volkswagen Technical people on this matter.

Dealer visit # 5.

After arriving at Northside Volkswagen again, for the fifth time, the car was examined again and the diagnosis was that it might be the heating and airconditioning control module. The parts had to be ordered and again, I drove home with the same problem that I came there with. After the fifth Dealer visit the Air conditioning was still not functioning properly.

A considerable amount of time went by and after a number of phone calls, I took the car in to Northside Volkswagen on August 2nd, 2007

Dealer Visit # 6. Mileage on vehicle 40,505

On August 2nd, 2007 I drove the car to Northside Volkswagen and they replaced the heating and

Air conditioning control module. They also discovered that there was an internal fault with the ECM. They replaced the ECM. Airconditioning seemed to work. It worked all the way home and part of the next day, then it quit again. I informed the Service manager at Northside Volkswagen of the situation. He said he would contact Volkswagen Technical people on what the next step would be.

Dealer Visit # 7. Mileage on Vehicle 41710 miles

Not knowing where to turn, I called Fox Volkswagen in Rochester Hills Mi., 320 miles away, the dealer where I purchased the car and asked if they had any idea what could be wrong. I made an appointment for August 23rd, 2007. I took the car in and left it there overnight. They replaced a relay and a Ambient temperature sensor. They also soldered a solder connection that apparently had melted. I was informed that the system worked, and it worked for about 30 miles. In the morning when I started the car the Air Conditioning was inoperative.

Dealer Visit # 8.

On Monday Morning, August 27th, 2007 I took the car in again to Fox Volkswagen. The service Manager immediately checked to see if the Air Conditioning compressor was turning and it was inoperative. They pulled the car in to a stall and started to work on it while I was there. They could not find the problem. A technician drove the car overnight and found that the Air conditioning was inoperative for him also. I had to leave to go home to Cedarville and left on Thursday. Before I left, I saw the car, with the dash taken apart, with a bunch of wires unplugged. I talked to Mike, the service manager on Friday and was told that they had put in a lot of time into it, with no results. The car has been there all week without being able to be repaired. It is still there today.

This is a serious matter. There is a serious problem with this vehicle in the wiring harness or the electronic system. The Michigan Lemon Law states that if I bring the car in for the same problem four times and repairs have not been made properly that car falls under the "Lemon Law". I have had the above mentioned car in to Authorized Volkswagen Dealers eight times and it's still not fixed. I believe that I have been far beyond patient and have given Volkswagen plenty of time and opportunity to do a proper repair. I am now seeking a "Manufacturer Buyback" under the Michigan Lemon Law.

At this time I demand that Volkswagen of America to buy the car back. Invoice dated 04, 29, 2005 for [REDACTED] the original purchase of the vehicle, is enclosed. Additional money spent on a interior wood grain kit [REDACTED]

Car rental to get back to Cedarville Michigan, \$110.54. Replaced fuel filter by Fox VW while in for the AC problem on 08, 24, 2007 [REDACTED] Replaced two tires at 30,000 miles due to extreme cupping of tires, [REDACTED] There may be other incidental costs that may not be included in this summary. My wish is that this matter can be settled on an amicable basis without the need to contact an Attorney.

Enclosed are Dealer Invoices from April 17, 2007 with mileage of 33,515
Till August 23, 2007 with mileage on vehicle of 41,710
No Invoice has yet been printed to my knowledge when the Car was taken in on August 27th 2007 to Fox
Volkswagen.

Thank You,
Sincerely,

[REDACTED]

[REDACTED]
Cedarville Michigan [REDACTED]
[REDACTED]

CC:

Michigan Attorney General
Consumer Protection Division
PO Box 30213
Lansing Michigan 48909-7713

National Highway Traffic Safety Administration
Washington DC
20590

**THE ATTACHMENTS TO THIS
DOCUMENT HAVE BEEN REMOVED
TO PROTECT UNWARRANTED
INVASION OF PERSONAL PRIVACY
PURSUANT TO EXAMPTION 6 OF
THE FREEDOM OF INFORMATION
ACT (FOIA), 5 U.S.C. 552(b)(6).**