

[REDACTED]  
[REDACTED]  
Albany NY, [REDACTED]

P: [REDACTED]

F: [REDACTED]  
[REDACTED]

2008 OCT 21 PM 3:45

CL-10241570-7895

September 26, 2008

To whom it may concern,

This letter is a follow-up to a complaint I have already sent you. The complaint is in regards to my ongoing dispute with Toyota Motor Corporation and the defective frame in my 2001 Toyota Tacoma Truck.

On September 22, a case manger from Toyota's customer care center, Ms. Autumn Branch, called to make a verbal offer on the buy-back of my vehicle. Ms. Branch denied my request for a written copy of the buy-back offer, or its terms, threatened me that if I turned down the offer, or hung up the phone before accepting the offer, then Toyota's offer would be rescinded and I would risk a lower offer in the future. Only after I declined the offer, citing a lack of clarity for the terms, did Ms. Branch inform me I had "30 days to make up my mind."

On September 24 Mr. Joey Lopez, my original point of contact at Toyota Customer Care, called to remind me of Toyota's offer to purchase my vehicle. Mr. Lopez also denied my request to put the offer in writing. He did, however, inform me there "could be some flexibility" of Toyota's part to pay more if I could prove the case I was entitled to additional money.

The letter I have attached is my counter-offer and request for terms. As mentioned, Toyota is has been unwilling to put terms and the offer itself in writing, but I'm hoping that my request will be considered anyway. I have enclosed a copy of my latest correspondence to Toyota, repair records, estimates for vehicle value and a rental car.

I continue to hope that you, and/or your agency will look into this matter. Toyota continues to turn its back on a dangerous and obvious defect. It continues to act with malice towards owners of 2000+ model year Tacoma trucks. What will happen to uninformed drivers when the frames of those 2001 and newer Toyota Tacomas start to fail? 2001 and later year Toyota Tacoma owners were never sent notice of the manufacturer's defect causing frame failures - therefore most of these owners are driving around with potentially dangerous vehicles. Why hasn't Toyota recalled these flawed trucks? How many people are put in harm's way because of Toyota's failure to act?

Please take the time to review my request for action.

Sincerely,  
[REDACTED]

Enclosures

MC  
3/4  
10/21/08  
NJ

CC.

Mr. Joey Lopez  
Customer Care Case Manager  
19001 South Western Ave.  
Dept WC11  
Torrance, CA  
90509

NYS Consumer Protection Board  
Albany Office  
New York State Consumer Protection Board  
5 Empire State Plaza, Suite 2101  
Albany, New York 12223

United States Federal Trade Commission  
Federal Trade Commission  
Consumer Response Center  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

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

New York State Senator Neil Breslin  
Capitol Building, Room 414  
Albany, NY 12247

Better Business Bureau of the Southland  
315 N. La Cadena  
Colton CA 92324-2927

60 Minutes  
524 West 57th St.  
New York, NY 10019

NBC News  
30 Rockefeller Plaza  
New York, N.Y. 10112

Mr. Joey Lopez  
Customer Care Case Manager  
19001 South Western Ave.  
Dept WC11  
Torrance, CA  
90509

[REDACTED]  
Albany NY, [REDACTED]

P: [REDACTED]

F: [REDACTED]  
[REDACTED]

September 26, 2008

Dear Mr. Joey Lopez,

This letter is in response to Toyota's verbal offer of **\$10,355** for the buy-back of my 2001 Toyota Tacoma SR5 pick-up, VIN: **5TEWM72N01Z** [REDACTED], case # [REDACTED]. This offer is not acceptable. I have itemized a counter offer of **\$13,685** based on the following:

1. Toyota's verbal offer of **\$10,355**, based on "Kelly Blue Book Retail value" is incorrect. The actual Kelly Blue Book retail value of my truck is **\$11,350**.
2. On September 6, 2008 I paid Firestone Complete Autocare the sum of **\$622.88** for regular maintenance. Lia Toyota of Colonie inspected the truck, per the advice of Firestone Tire. Lia Toyota informed me that the frame failed their inspection, and the truck was no longer safe to drive. It is only fair that Toyota reimburse me for this work, as I would not have had the work done had I been able to determine the frame was structurally flawed.
3. On March 23, of 2007, I had Lia Toyota performed a **\$400** 5,000 mile service for the truck immediately after purchase. The truck should have been thoroughly inspected. Either Lia missed the serious frame rot already present, or the frame deteriorated to the point of failure with-in 18 months of this inspection. In both scenarios the outcome is unacceptable; I request that Toyota reimburse me for the cost of inspection and service by a Toyota Certified Repair Center.
4. The estimate of **\$1491.95** provided by Enterprise Rent a Car covers the cost of renting a comparable vehicle for the estimated time it will take for Toyota to issue me a buy-back check, "30 days and one week," as quoted by Toyota Care Customer Service on September 26, 2008. Should the processing of the check take longer than quoted, Toyota should be issuing a second check for the amount of additional rental days. Under Toyota's Warrantee Policy Bulletin (POL08-03):

*Complimentary loaner vehicles are allowed for customers waiting for their vehicles to be inspected further by a DSPM, FTS, or other region/private distributor associate and while optional repurchase process is being conducted. All efforts should be made to place the customer in a Toyota loaner vehicle... if a customer requires a loaner truck which*

*exceed the current \$35 per day guideline, the dealership can submit the higher rate with DSPM authorization.*

If Toyota is unwilling to compensate me for the cost to rent a comparable vehicle, is it possible to obtain a comparable complimentary loaner vehicle from a dealership as per the POL08-03 guidelines?

I have not been able to drive my truck since September 11, when Lia Toyota informed me the frame had failed inspection. I have been kind enough not to request refunds of costs associated with alternative transportation retroactive to that date. I have attached the complete invoice of each requested reimbursement, and documentation of the Kelly Blue Book Value, cost of repairs, Toyota's inspection, and the comparable rental quote. Please review my request for the appropriate reimbursement of **\$13,685**.

My request for a written copy of the offer and terms of the buy-back has been repeatedly denied. I have additional questions about the process that should be provided in writing. Please post, email, or fax me answers to the following questions so I am able to determine how the proposed buy-back is to be handled.

1. When should I expect the check for my truck?
2. Will Toyota be taking ownership of the truck? If so, when – before or after I am paid?
3. How should I make out the bill of sale and title to transfer ownership?
4. When the frame of my vehicle failed inspection, Lia Toyota of Colonie, NY informed me the vehicle was unsafe to drive. The dealership refused to allow me to store the truck on site while I pursued and negotiated a buy-back from Toyota corporate. The truck is now stored on private property, and cannot be driven, it must be towed. Will Toyota be providing this service? If not, will I be reimbursed for the cost of towing to return the truck to a dealership?
- 5.

Sincerely,

  
Enclosures

CC.

NYS Consumer Protection Board  
Albany Office  
New York State Consumer Protection Board  
5 Empire State Plaza, Suite 2101  
Albany, New York 12223

United States Federal Trade Commission  
Federal Trade Commission  
Consumer Response Center  
600 Pennsylvania Avenue, NW

Washington, DC 20580

National Highway Traffic Safety Administration  
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315 N. La Cadena  
Colton CA 92324-2927

60 Minutes  
524 West 57th St.  
New York, NY 10019

NBC News  
30 Rockefeller Plaza  
New York, N.Y. 10112

2001 Toyota Tacoma VIN: STEWM72N01Z [REDACTED]


[REDACTED]  
[REDACTED]  
Albany, NY  
[REDACTED]

P: [REDACTED]

F: [REDACTED]  
[REDACTED]

Item	Location	Cost
KBB value of truck	KBB.com	11,350
Repairs (9/6/08)	Firestone	622.88
Toyota Service Inspection upon purchahse	Lia Toyota	400.42
Comperable Rental vehicle while buy-back is processed	Enterprise Quote	1491.95
<b>Total Requested</b>		<b>13,865</b>

Reimbursement for Towing	To dealership	TBD
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## 2001 Toyota Tacoma Xtra Cab

- Trade-In Value
- Private Party Value
- Suggested Retail Value**
- Photo Gallery
- Compare Vehicles NEW!
- Blue Book Review
- Consumer Ratings
- Find Your Next Car
- Specifications

### BLUE BOOK® SUGGESTED RETAIL VALUE



**Condition** < WHAT'S THIS? > **Value**

**Excellent** **\$11,350**

**Suggested Retail Value Assumes Excellent Condition...** [More](#)



### NEXT STEPS:

- 
- 

**Average Consumer Rating (673 Reviews)**

★★★★★ **4.7 out of 5**

### Similar New Vehicles

<p><b>2008 Toyota Tacoma Access Cab</b></p>  <p><a href="#">Photos</a> <a href="#">Review</a> <a href="#">Incentives</a></p>	<p><b>2008 GMC Canyon Extended Cab</b></p>  <p><a href="#">Photos</a> <a href="#">Review</a> <a href="#">Incentives</a></p>
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[More Results](#)

[Check out the incentives available on a new 2008 Toyota Tacoma Access Cab](#)

**Vehicle Highlights**

**Mileage:** 129,400  
**Engine:** 4-Cyl. 2.7 Liter  
**Transmission:** 5 Speed Manual  
**Drivetrain:** 4WD

**Selected Equipment**

**Standard**

Power Steering	Cassette
AM/FM Stereo	Dual Front Air Bags

**Optional**

SR5	Cruise Control	Bed Liner
Air Conditioning	Single Compact Disc	Towing Pkg
Power Windows	ABS (4-Wheel)	Premium Wheels
Power Door Locks	Sun Roof	
Tilt Wheel	Sliding Rear Window	

### Blue Book Suggested Retail Value

**Shopping Tools**

- Free CARFAX Record Check
- Auto Loan from 6.34% APR
- Compare Insurance Rates
- Payment Calculator
- Extended Warranty Quote

**BUY A USED CAR**  
on Blue Book Classifieds™

ZIP Code

**LIST YOUR CAR FOR SALE**  
Special Package Offer!

**SOLD** For one low price you can reach millions of used car shoppers.

[Learn more now](#)

**FIND THE RIGHT CAR**  
Compare Used vs. New

**VIEW ANOTHER VEHICLE**

SELECT MODEL

- > Or Search by Category
- > Or Change ZIP Code



The Kelley Blue Book Suggested Retail Value is representative of dealers' asking prices and is the starting point for negotiation between a consumer and a dealer. This Suggested Retail Value assumes that the vehicle has been fully reconditioned and has a clean title history. This value also takes into account the dealers' profit, costs for advertising, sales commissions and other costs of doing business. The final sale price will likely be less depending on the vehicle's actual condition, popularity, type of warranty offered and local market conditions.

**Vehicle Condition Ratings**

Check Vehicle Title History

**Excellent**



**\$11,350**

- Looks new, is in excellent mechanical condition and needs no reconditioning.
- Never had any paint or body work and is free of rust.
- Clean title history and will pass a smog and safety inspection.
- Engine compartment is clean, with no fluid leaks and is free of any wear or visible defects.
- Complete and verifiable service records.

Less than 5% of all used vehicles fall into this category.

\* New York 9/26/2008

**Blue Book Retail Value Assumes Excellent Condition**

This value assumes the vehicle has received the cosmetic and/or mechanical reconditioning needed to qualify it as 'Excellent'. This is not a transaction value; it is representative of a dealer's asking price and the starting point for negotiation.

**NEXT STEPS:**

- Search Used Cars
- Free CARFAX record check

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Members' Benefit Program

**Pick a Vehicle:** 11 of 13 Vehicle Classes to choose from.

Vehicle Class	Description	Price Quote
<p>When you need a longer-term rental, we've got a plan for you. <a href="#">Learn More</a></p>		
Economy	Chevy Aveo or similar	\$ 599.99 USD / month \$ 929.74 USD Total <a href="#">see details</a>
	Ford Focus or similar	\$ 629.99 USD / month
Pickup Truck	Chevy Colorado or similar	\$ 849.99 USD / month \$ 1,491.85 USD Total <a href="#">see details</a>
Large Pickup	Ford F150 or similar	\$ 1,491.85 USD Total <a href="#">see details</a>
Cargo Van	GM Express, Ford Econoline or similar	\$ 789.99 USD / month \$ 1,281.05 USD Total <a href="#">see details</a>

**Your selections:**  
 Pick-up Location: **ALBANY, NY 12207-1500**  
 51 S. PEARL ST./PEPS ARENA  
 Tel.: (518) 472-1111  
 30.00 Excl. Tax Up.  
 Dates/Times:  
 Start: Sep 27, 2009 @ Noon  
 End: Nov 4, 2009 @ Noon

**Our Pick-Up Policy:** Need a rise from your place to our place? We'll Pick You Up. Book online now, then call our rental office at Tel: (518) 472-1111 for details about our pick-up service. (See [our responsible driver](#)) [Back To Top](#)





2116 Central Ave. • SCHENECTADY, NY 12304  
(518) 374-3700

CUSTOMER NO.	ADVISOR RICHARD MOORE	TAG NO. 85699	INVOICE DATE 09/06/08	INVOICE NO. TOCS325856
ALBANY, NY	LABOR RATE 94.00	LICENSE NO.	MILEAGE 129,274	COLOR RED/
	YEAR / MAKE / MODEL 01/TOYOTA TRUCK/		DELIVERY DATE	DELIVERY MILES
	VEHICLE I.D. NO. 5TEWM72N01Z		SELLING DEALER NO.	PRODUCTION DATE
	F.T.E. NO.	P.O. NO.	R.O. DATE 09/06/08	
	BUSINESS PHONE	COMMENTS	MO: 129274	

LABOR & PARTS  
# 1 09TOZFRAMECSP INSPECT FRAME HOURS: TECH(S):85611 WARRANTY  
CUSTOMER REQUESTS THAT THE FRAME BE INSPECTED AS PER THE  
CUSTOMER SUPPORT PROGRAM FOR FRAME CORROSION PERFORATION ON  
CERTAIN 1995-2000 TACOMAS  
FRAME FAILS INSPECTION

JOB # 1 TOTAL LABOR & PARTS 0.00

COMMENTS  
WAIT

TOTALS

** I AM HONORED THAT YOU HAVE CHOSEN COLONIE TOYOTA FOR YOUR SERVICE NEEDS. MY GOAL IS FOR ALL OF OUR CUSTOMERS TO BE MORE THAN SATISFIED WITH OUR SERVICE DEPT. IF FOR ANY REASON, WHAT SO EVER, YOU ARE NOT COMPLETELY SATISFIED WITH YOUR SERVICE EXPERIENCE PLEASE FEEL FREE TO CONTACT ME AT (518) 374-3700	TOTAL LABOR....	0.00
SINCERELY	TOTAL PARTS....	0.00
THOMAS J SINKORA	TOTAL SUBLET...	0.00
SERVICE MANAGER	TOTAL G.O.G....	0.00
BODY SHOP FACILITY ON PREMISES	TOTAL MISC CHG.	0.00
	TOTAL MISC DISC	0.00
	TOTAL TAX.....	0.00
	<b>TOTAL INVOICE \$</b>	<b>0.00</b>

\*\* REMEMBER THAT WE HAVE A FULL SERVICE BODY SHOP THAT CAN TAKE CARE OF ALL OF YOUR BODY REPAIRS BOTH DOMESTIC AND IMPORT CARS ARE WELCOME, CALL TO SET UP YOUR APPOINTMENT. ALSO FREE ESTIMATES - NO APPT.

CUSTOMER SIGNATURE

ALL PARTS ARE NEW UNLESS OTHERWISE SPECIFIED  
ANY WARRANTIES ON THE PRODUCTS SOLD HEREBY ARE THOSE MADE BY THE MANUFACTURERS. THE SELLER HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY 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 SAID PRODUCT.

DMV REG. NO. R3010714

**CONVENIENT SERVICE  
HOURS TO FIT YOUR  
SCHEDULE!**

Monday - Thursday  
7:00am - 7:00pm

Friday 7:00am - 6:00pm

SATURDAY 8:00am - 5:00pm

09/06/2008

COLONIE, NY. 12205

2001 TOYOTA TACOMA [MAROON]  
4-2694 2.7L DOHC

Lic #: A NY

Vin #:

In: 09/03/08 5:11PM

Mileage: 129,269

Out: 09/06/08 1:29PM

Store # 016098

RETAIL SALE

REG# 3010236

Description	Article Number	ID	Qty	Unit Price	Extended Price	Job Total
<b>SHOCKS (Rear-Both)</b>		03				<b>192.78</b>
37114 R SENA TRAC SHOCK	7024910	04TN	2	63.99	127.98	
REMOVE & INSPECT OR REMOVE & REPLACE REAR SHOCK &/OR STRUT ASSEMBLY, BOTH	7015792	04TN	1	64.80	64.80	
<b>TIE ROD ENDS (Left-Inner)</b>		03				<b>161.71</b>
70047 IN. TIE ROD END	7038881	04TN	1	104.94	104.94	
REMOVE & REPLACE F TIE ROD END, INNER, ONE SIDE	7023000	04TN	1	97.20	97.20	
PARTS DISCOUNT TIE ROD ENDS (LEFT-INNER)	7001639	04	-1	20.99	-20.99	
LABOR DISCOUNT TIE ROD ENDS (LEFT-INNER)	7001639	04	-1	19.44	-19.44	
<b>ALIGNMENT SERVICE</b>		03				<b>69.99</b>
Symptom:-						
ALIGNMENT SERVICE	7004578	04TN	1	69.99	69.99	
<b>STANDARD OIL CHANGE-5W30- UPTO5 QTS,</b>		03				<b>22.99</b>
TF335 OIL FILTER	7058149	04TN	1	3.99	3.99	
OIL CHANGE LABOR	7029718	04TN	1	9.00	9.00	
USED FILTER RECYCLING CHARGE	7004670	04TN	1	2.50	2.50	
5W30 GT-1 SYNTHETIC BLEND OIL	7029734	04TN	5	2.00	10.00	
PARTS DISCOUNT STANDARD OIL CHANGE-5W30- UPTO5 QTS,	7001674	04	-1	1.37	-1.37	
LABOR DISCOUNT STANDARD OIL CHANGE-5W30- UPTO5 QTS,	7001674	04	-1	1.13	-1.13	
<b>VEHICLE INSPECTION</b>		03				<b>19.99</b>
CHECK BRAKES AL LTHE WAY AROUND ALSO CHECK FOR RATTLING IN THE FRONT END VEHICLE INSPECTION	7028789	04TN	1	19.99	19.99	
<b>CLEAN LUBE AND ADJUST BRAKES</b>		03				<b>24.99</b>
ADJUST & CLEAN BRAKES-2 WHEELS	7016233	04TN	1	24.99	24.99	
<b>: FLUSH BRAKE SYSTEM :</b>		03				<b>59.99</b>
BRAKE SYSTEM FLUSH - FLUID	7088943	04TN	1	17.99	17.99	
BRAKE SYSTEM - FLUSH LABOR	7086967	04TN	1	42.00	42.00	
<b>NON-SYSTEM SERVICES</b>		03				<b>24.30</b>
REMOVE EXHAUST HEAT SHIELD	7003186	04TN	1	24.30	24.30	

**ORDER NOTES**

TECH NOTES THAT THE FRAME IS SEVERELY ROTTED ON THE RIGHT REAR OF THE VEHICLE ADVISE TO SEE GOVEL WELDING FOR REPAIR OR DEALER ABOUT THE RECALL PROGRAM

**Technician(s):**

04 RR PANGANIBAN 5U20

**Payment History:**

Discover	0589	622.88	006679
Total Tendered		622.88	

**Summary:**

Parts	242.54
Labor	334.20
Shop Supplies	0.00
Sub-Total	576.74
Tax (8.00%)	46.14
<b>Total</b>	<b>\$622.88</b>

See reverse side for Warranty Information

CUSTOMER NAME

[REDACTED]

SERIAL NO. 5TEWM72N01Z

[REDACTED]

TOTAL R/O'S

2

TOTAL SERV. DAYS 1

MAKE TT TOYOTA TRUCK

LN#	RO.NO.	RO. DATE..	MILES.	ADV/TECH	J#	T	OPERATION CODE.	DESCRIPTION.....
1	325856	09/06/2008	129274	A	85699			
				T	85611	1	W 09TOZFRAMECSP	INSPECT FRAME
2	288562	03/23/2007	103528	A	78764			
				T	70434	1	C 15TOZ5000	5000 MILE SERVIC
				T	70434	2	C 14TOZ0031A	4X4 ALIGNMENT
				T	70434	3	C 09TOZ5330	VENTILATOR LOUVE
				T	70434	4	C 14TOZ0028	BALANCE 2 WHEELS
				T	70434	5	C 16TOZFUELINDSER	PERFORM FUEL IND

(E=ENTER) (P=PAGE) (LINE#) (S=SUMMARY PRINT) (DV=DOCUMENT VIEW)