

JUN 03 2010

The Seal of the State of New Jersey is a circular emblem. It features a central shield with a blue field containing three white stars and a red field containing a white anchor. The shield is flanked by two female figures: Liberty on the left, holding a scroll with the word 'CONSTITUTION', and Justice on the right, holding a scale of justice. Above the shield is a crest depicting a plow and a sheaf of wheat. The entire emblem is encircled by the text 'THE GREAT SEAL OF THE STATE OF NEW JERSEY' and the date '1776' at the bottom.

Division of Consumer Affairs
Consumer Service Center - Complaint Review Unit
124 Halsey Street, 3rd Floor, Newark, NJ 07102

May 27, 2010 CL-10340035-8217

PAULA T. DOW
Attorney General

THOMAS R. CALCAGNI
Acting Director

Mailing Address:
P.O. Box 45025
Newark, NJ 07101
(973) 504-6200

Re: SUBARU OF AMERICA
File Number: 05-27-10G0000052104

Dear

Thank you for contacting the New Jersey Division of Consumer Affairs. Because the allegations you made in your letter are not within the Division's jurisdiction, we are referring this matter to:

US Dept of Transportation
NHTSA
Office of Defects Investigation (NVS-210)
1200 New Jersey Ave SE
Washington, DC 20590

All future correspondence, including inquiries and copies of additional documents, should be addressed to them.

Sincerely,

Patricia D. Saba

Patricia D. Pate
Supervisor
Consumer Service Center

NM
062110
TGW

RR11.pri

From: [REDACTED]
To: <ocpcom@dca.lps.state.nj.us>
Date: 1/28/2010 11:04 PM
Subject: OCP Complaint Form

Below is the result of your feedback form. It was submitted by
(delapiedra@hotmail.com) on Thursday, January 28, 2010 at 22:58:29

PrintNow:: PLEASE PRINT THIS COMPLAINT CONFIRMATION FOR YOUR RECORDS

ConsumerLastName: [REDACTED]

ConsumerFirstName: [REDACTED]

Consumer Street: [REDACTED]

Consumer City: Ossining

Consumer State: NY

Consumer ZIP: [REDACTED]

Consumer Home phone: [REDACTED]

Consumer daytime phone: [REDACTED]

Consumer Age Group: 45 - 59

Business Name: Subaru of America

Business Street: Subaru Plaza, P.O. Box 6000

Business City: Cherry Hill

Business State: NJ

Business ZIP: 08034-6000

Business phone 1: 1-800-782-2783

natureofcomplaint: automotive

2a New or Used?: New

2b. Leased or purchased?: Leased

2c. purchase price: \$26861.00

2d. current mileage: 3,411

2e. date of purchase: 14 FEB 2009

2e. warranty, service contractor as is: With warranty

2f. make: Subaru

2f.model: Forester 2.5 X / 9FH

2f.year: 2009

3.nameofcompanywithwhichyoudealt: Curry Subaru , Cortland Manor, NY

4.companyagents/employees: Bob Williams, Sales Consultant
Nancy Fiducia, Curry Subaru Service Advisor
Bill Hendrickson, Subaru of America, Customer Service

5.Complaintrelateddocs: No

6.ComplaintDescription: 1. Car leased new at Curry Subaru (formerly Curry Ford-Subaru), Cortland Manor on 14 Feb 2009.

2. Leased through Subaru Motors Finance (Chase Auto Finance)

3.Car always service only at Curry Subaru.

4.On 22 Sep 2009, around 9pm, the car with a mileage of 3,411 had a major malfunction. The car was remote started and within seconds, the wire harness burnt, melting some plastic parts. I run to the car and was able to turn off the engine, then it wouldn't start.

5.On 23 Sep 2009, called Curry Subaru to make an appointment for 24 Sep 2009. Subaru Roadside Assistance towed the car.

6.On 24 Sep 2009 Curry informs the car had a major problem. That they need to involve Subaru of America

7.On 25 Sep 2009, Curry Subaru calls to inform that Subaru of America representative had inspected the car and indicated that the electrical wire harness going to seat belts, air bags and other had burnt. They informed me that since the car had caught fire, I needed to call my insurance company.

8. On 25 Sep 2009, I called GEICO. GEICO's claim number is [REDACTED] Claim agent is Tricia Scott, Tel. (516) 714 7308

9. Subaru of America indicated that since this incident involved a fire, my insurance company was responsible for the claim. Subaru of America indicated in an email sent by Bill Hendrickson on 8 Oct 2009 (CustDirServices@subaru.com) that if the insurance company determined that there was a manufacturing defect that contributed to the fire, they would subrogate a claim with Subaru of America. Mr. Hendrickson also indicated that due to the nature of the incident, the vehicle does not meet the Lemon Law.

10. From Sep 2009, till December 2009, GEICO inspected the car and analyzed what had happened. GEICO informed on 7 Dec 2009, that Subaru of America considered that the findings from GEICO indicating that the incident happened due to a manufacturing defect were not conclusive.

11. On 7 December 2009, GEICO authorized the repair and informed via telephone that they still were in discussions with Subaru of America.

12. On 7 December 2009, I faxed the Estimate of Record written by Orlando Avellaneda of GEICO (Tel. 917-418-8193) to Nancy Fiducia at Curry Subaru.

13. During the months of December 09 and January 10, my wife and I had several conversations with Curry Subaru. They indicated that some of the parts were on backorder.

14. On 27 January 2010, Nancy Fiducia of Curry Subaru called to inform that after they repaired the car, it presented an electrical problem as a consequence of the burnt wire harness. Apparently, some of the airbags deployed spontaneously and that the car does not start. They are contacting the insurance company to get an authorization for supplementary parts.

I have been paying my monthly lease payments and I have not been able to drive the car for over 4 months.

I consider that Subaru of America has not treated me fairly. Furthermore, by not willing to address this problem and investigate the root cause of the problem, they may be putting other Subaru Forester owner's lives at risk. At this point, I believe, Subaru of America should replace my car with a new one. Since Subaru of America, the manufacturer, has not determined what failed, I'm afraid that if repaired, it could put my family's live and mine in danger.

Thank you for looking into this matter.

7lossamount: \$26861 plus the lease payments for the months I've been without a car

submit: Submit Complaint

REMOTE_HOST: 96.232.95.97
HTTP_USER_AGENT: Mozilla/4.0 (compatible; MSIE 8.0; Windows NT 5.1; Trident/4.0; GTB6.3; .NET
CLR 1.1.4322)
REMOTE_ADDR: 96.232.95.97