

APR 20 2011

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UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580



Office of the Secretary

APR 20 2011

The Honorable John Cornyn
United States Senate
5001 Spring Valley Road, Ste. 1125E
Dallas, TX 75244

FTC Ref. No. 14003818

Dear Senator Cornyn:

Thank you for your letter on behalf of your constituent, [REDACTED] of Laredo, concerning the repairs she had made on her car in response to the Toyota recall.

For your information, the Federal Trade Commission has been directed by Congress to act in the interest of all consumers to prevent deceptive or unfair practices and unfair methods of competition, pursuant to the Federal Trade Commission Act, 15 U.S.C. 41 *et seq.* In determining whether to take enforcement or other action in any particular situation, the Commission may consider a number of factors, including the type of violation alleged; the nature and amount of consumer injury at issue and the number of consumers affected; and the likelihood of preventing future unlawful conduct and securing redress or other relief. I would like to emphasize that letters from consumers like you provide valuable information that is frequently used to develop or support Commission enforcement initiatives.

I appreciate learning of your concerns; however, I should note that the jurisdiction of the Commission under the FTC Act does not extend to the situation described. Therefore, I have taken the liberty of forwarding your letter to the National Highway Traffic Safety Administration for review. Again, thank you for your interest in this matter, and please let me know whenever we can be of service.

Sincerely,

Donald S. Clark
Secretary of the Commission

✓ cc: Director, Office of Congressional Affairs
National Highway Traffic Safety Admin.
1200 New Jersey Avenue, SE
Washington, DC 20590

JOHN CORNYN
TEXAS

due

14003818

United States Senate

WASHINGTON, DC 20510-4305

April 11, 2011

Federal Trade Commission
Office of Congressional Relations
600 Pennsylvania Avenue, NW, # 404
Washington, District of Columbia 20580

Fax: 202-326-3585

Re: [REDACTED] 1 pages to follow

My constituent has sent the enclosed communication. A response which addresses his/her concerns would be appreciated.

Office of Senator John Cornyn
Providence Towers
5001 Spring Valley Road, Suite 1125E
Dallas, Texas 75244

ATTN: Elizabeth Polglase
(972) 239-3349
(972) 239-2110 (Fax)

E-mail: Elizabeth_Polglase@cornyn.senate.gov

Enclosure

FEDERAL TRADE COMMISSION
2011 APR 12 PM 1:53
OFFICE OF CONGRESS. BRN

[Redacted]

Email: [Redacted]
Promoted From Correspondence

Laredo, TX [Redacted]
Webb County

Agency: [Redacted]

Federal Trade Commission
202) 326-2195 work
202)326-3585 (Fax)

Web Mail Message [Redacted]

To begin with there was no topic for my complaint.

I purchased a 2008 Toyota Corolla from Mike Shaw Kia, Corpus Christi on Dec. 22, 2010; paid cash. The car had a Toyota recall for the computer which was not attended to; I had to replace all 4 tires. Pep Boys notified me that a tire sensor/valve was defective. On Jan. 4, 2011 I called Kia and spoke with a gentleman, Tim Starling, who claimed to be the general manager. He authorized me to make the repair and agreed to pay \$200; anything over that amount was my out of pocket expense. On Jan. 5 I made the repair at Powell Watson Toyota in Laredo and faxed the receipt to Mike Shaw Kia as Starling had instructed me to do. As of March 15, 2011 Mike Shaw KIA did not reimburse me the money. I filed a complaint with BBB Austin but without warning they emailed me that the case could not proceed. I filed out the complaint form at the TX Attorney General's Office and they wrote me a lot of jibberish which sounds like they won't handle the problem either.

I am appealing to you as a senior citizen, retired teacher (of not that many years), and a Texas citizen/resident. This is not a fair way for a 'legitimate' business to conduct itself. They NEVER provided me with a copy of the 90 day warranty; maybe it covered things they didn't want to back up. The whole experience was negative.

I can submit or attach documentation if required. Please advise.

At the current time I am traveling abroad but can be contacted by email.

Thank you,
[Redacted]

FEDERAL TRADE COMMISSION

MAIL

DROP H-172

WASHINGTON, D.C. 20580

OFFICIAL BUSINESS



Director, Congressional Affairs
NHTSA
Dept. of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

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