

 U.S. Department of Transportation National Highway Traffic Safety Administration	<b>DOT Auto Safety Hotline</b> <b>Vehicle Owner's Questionnaire</b> To Report Vehicle Safety Defects 1-888-DASH-2-DOT (1-888-327-4236) INTERNET: www.nhtsa.dot.gov/hotline		FOR AGENCY USE ONLY 100148	
	Date Received 11-OCT-2012 NOV 05 2012		Repository <input type="checkbox"/> Reference No. 10479765	

<b>OWNER INFORMATION (Type or Print)</b>				
Name		Daytime Telephone Number		E-mail Address
Address		Evening Telephone Number		
City	State	Zip Code		
MYRTLE BEACH	SC		SAME	

The information you provide will be used to identify potential safety-related defects. We may share your information with the applicable vehicle manufacturer during an investigation or recall in accordance with the routine uses described in the agency's Privacy Act notice. See 49 FR 53971 (Sep. 3, 2004).

<b>VEHICLE INFORMATION</b>				
17 digit Vehicle Identification Number Located at bottom of windshield on driver's side		Make	Model	Model Year
1FMCU0EG3CK		FORD	ESCAPE	2012
Date Purchased	Dealer's Name and Telephone Number		Engine:	Fuel Type:
12-7-11	BEACH FORD 843/626-3666		No: Cylinders 6	GAS
Original Owner <input checked="" type="checkbox"/>	Dealer's City	State	Zip Code	
	MYRTLE BEACH	SC	29578	
Transmission Type	<input checked="" type="checkbox"/> Antilock Brakes	Powertrain	Multiple Failure:	Incident Date(s)
6 SPEED AUTO	<input checked="" type="checkbox"/> Cruise Control			12-DEC-2011

*All attached*

<b>FAILED COMPONENT(S)/PART(S) INFORMATION</b>			
Vehicle Component Code: 180000 VEHICLE SPEED CONTROL		Failure Mileage	Failure Speed
		200	20

<b>ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE</b>			
Tire Make	Tire Model (Name or Number)	Tire Size (Example P215/65R15)	
DOT No. (Example: DOTM19ABC036)	<input type="checkbox"/> Original Equipment <input type="checkbox"/> Prior Repair	Failure Location:	
Tire Component Code	Tire Failure Type:		

<b>ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE</b>		
Make:	Date Manufactured:	Model No./Name:
Seat Type:	Installation System:	
Child Seat Component Code:	Failed Part:	

<b>APPLICABLE INCIDENT INFORMATION</b> (Please describe in detail the incident(s), failure(s), crash(es), and injury(ies).)				
Crash <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Fire <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Number of Persons Injured	Number of Deaths	Reported to Police
		0	0	N

**Narrative Description of Incident(s), Crash(es), and Injury(ies).**  
 Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e. parts repaired or replaced (and if old part is available).

TL\* THE CONTACT OWNS A 2012 FORD ESCAPE. THE CONTACT STATED THAT WHILE TRAVELING 20 MPH SHE ATTEMPTED TO DEPRESS THE ACCELERATOR BUT RECEIVED NO RESPONSE. THE CONTACT MENTIONED THAT THE GEARS THEN ENGAGED WHICH CAUSED THE VEHICLE TO LUNGE FORWARD. AFTER PRESSING THE ACCELERATOR PEDAL SEVERAL TIMES THE VEHICLE BEGAN TO FUNCTION NORMALLY. THE VEHICLE WAS ABLE TO BE DRIVEN TO THE CONTACT'S DESTINATION. THE VEHICLE WAS TAKEN TO THE DEALER WHO WAS UNABLE TO DUPLICATE THE FAILURE. THE MANUFACTURER WAS CONTACTED ABOUT THE ISSUE. THE FAILURE MILEAGE WAS 200 AND THE CURRENT MILEAGE WAS 5,100.

*Depressing + holding the accelerator down who was able to replicate it twice while*

Include, if available: Police/Fire Department Report, Photos, and Repair Invoice. ATTACH ADDITIONAL SHEETS IF NECESSARY.

The Privacy Act of 1974-Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond this questionnaire. Your response may be used to assist the NHTSA in determining whether a Manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.

*they were driving*

Myrtle Beach, SC  
October 29, 2012

NOV 05 2012

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

Gentlemen:

Re: Reference No. 10479765

Attached are the following documents as they relate to the above-mentioned reference number.

- Vehicle Owner's Questionnaire with hand-written edits.
- A three-page Recap document with my experiences, by date. This has been captured from the nine pages of notes that I have outlining my interaction with Ford Dearborn, their dealers in the Myrtle Beach area, the customer service people, etc.
- An email dated August 3, 2012 to William Clopton at the BBB outlining the problems I have been having with the 2012 Ford Escape.
- A two-page document prepared for my arbitration appointment with BBB on September 17, 2012. Note: The service appointments and the number of contacts with the Ford organization.
- My rebuttal for the Ford Service Engineer's report dated July 2, 2012. Also prepared for the September 17<sup>th</sup> BBB meeting.

On October 1, 2012 I brought my Ford Escape to the service department at Conway Ford and specifically advised them I had a throttle problem. This was to be my last attempt at getting this car fixed. I had it into the service departments of Beach Ford, Myrtle Beach, SC and Tideland's Ford, Pawleys Island, SC. Conway Ford Service had a person drive my car. Their diagnosis -- there is nothing wrong with the car.

I have now had my car checked and driven by all three Ford dealers in the Myrtle Beach, SC area. Not one found a problem with the car. I do have the service orders for these visits.

Any further help I can be, please advise me.

Sincerely,

Vehicle Owner

Recap for NHTSA  
Reference No. 10479765

[REDACTED] Vehicle Owner

Tues., Dec. 7, 2011

**Car Purchased:**

Purchased 2012 Ford Escape Limited (6 cylinders) from Beach Ford in Myrtle Beach, SC. Owned 2008 Escape, also purchased from Beach Ford, for 3-1/2.

Tues., Jan. 10, 2012

**Meeting with Mechanic at Beach Ford:**

Went to Beach Ford Service to discuss problems with engine. Car was driven by mechanic, who advised that because the car is new, I just need to break it in and that there was nothing wrong with it.

Mon., May 14, 2012

**Mechanic Meeting at Beach Ford:**

Brought car in to dealer and spoke with Wayne in the service department. Car checked out by service dept. Advised by Wayne Garlic nothing wrong. New type of transmission than my 2008 Escape. Per Wayne car reset to factory settings.

Thurs., May 17, 2012

**Follow Up Call from Dealer/Voicemails with Beach Ford Service Department:**

Call from dealer following up on service call. Told her still having problems. Put me into Wayne's voice mail. He left me voice mail saying the best I could do was to trade it in. There was nothing wrong with the car.

Mon., May 21, 2012

**Phone call with Beach Ford Sales Manager:**

Spoke to Cliff Keener at Beach Ford. Said to come in on Wed., May 23 to drive an Escape exactly like mine to determine if the transmission problem I am having is apparent in the test car. Said I could have the car for the day. Never provided test car.

Thurs., June 7, 2012

**Phone Call with Dearborn, MI-based Ford Representative:**

Karen Jones, Ford, Dearborn [313/337-5892] called at 3:30 pm in response to my phone call yesterday to Mr. Toney [Global Ford Customer Service, based in Dearborn]. She seemed very well versed in what was going on. She did ask me to tell her what I had been experiencing with the vehicle. She said she had not seen the email I sent to Mr. Toney. I offered to send it to her but she did not want it. She asked me if I would be comfortable bringing the car back into Beach Service. I told her no. I told her either Tideland or Conway would be okay. She called Tideland and spoke with Patrick Logan in Parts. Mark Tice, Service Mgr., was out of the dealership on a personal emergency. I have a 10:30 am appt. on Mon., June 11th with the Tideland Service, arranged by Wendy Grooms, Service Advisor -- 843/237-3673. Karen Jones requested Wendy to call her on Monday after my vehicle was seen.

Tues., June 12, 2012

**Phone Call with Dearborn, MI-based Ford Rep:**

Karen Jones called this morning and left voice mail to call her. I called and told her I had been at the dealer and that the car was still not right. I told I also experienced a problem today at a higher rate of speed, about 55

miles/hour, and the acceleration was not good. This is the first time at that speed I experienced a problem. I told her I wanted to reserve judgment on my overall reaction to how the car was doing until I had driven it for a couple of days.

Karen asked me to call her and the Tidelands service after I had driven it for a couple of days.

I am still experiencing a very marked sensation when the gears change.

#### Wed. & Thurs., June 13 & 14

##### **Frightening Driving Experience as a Result of Nonconformity:**

Wed. – Noon – Drove to Garden City, Murrells Inlet. Definite problems continue. Dinner in Garden City. When I pulled out onto Bus. 17 from Texas Roadhouse I had a definite strong hesitation around 20 miles/hour. Also had problem at higher speed. Marked sense of gear shift. Definite hesitation when I waited at center median and then had to cross Hwy 17 into Azalea Lakes. Very scary.

Thurs. – Drove to gym at 8:30 am. Car has very jerky movements – gears not engaging.

Most problems happen on highway. Problems occur at all times, not just first time I'm driving car for the day.

##### **Phone call with Representative of Tidelands Ford:**

Thurs. – Spoke to Wendy at Tidelands. Wendy said they would do a deeper diagnostic procedure. They will be in touch with the tech at the Ford electronic hotline.

##### **Left Voicemail for Dearborn, MI-based Ford Rep:**

Will pick up a loaner [paid for by Ford] on Mon., June 18 at 10:30 am. Could be two day procedure to work on my Escape. Called Karen Jones in Dearborn and left V/M and indicated she should call so I could give her an update.

#### Tues., June 19, 2012

##### **Phone call from Tidelands Ford representative:**

Wendy, Tidelands, called. Everything is passing. Nothing not normal. Did latest calibration. Cooling fan is making the engine noise. Comes on and off. Per Wendy, they did nothing to the vehicle other than the diagnostic testing on the computer. My car was driven by Mark Tice, the Service Mgr., and Keith the mechanic. Still could find nothing wrong – either with the computer testing or road testing.

#### Wed., June 20, 2012

##### **Pick up car at Tidelands Ford. Decline offer to have them drive it further:**

Went back to Tidelands Ford to get my car. They had the car for two days. Talked to Mark and explained my frustration. He did not close the work order and told me to come back if I was still having trouble. Told him I had serious safety concerns. I do a lot of driving on Bypass 17 and the hesitation on that road can be frightening. Mark wanted me to leave it so he could drive it home to Georgetown and see if he can experience what I am describing. I didn't leave it because I felt he could have driven it home one the two days it was there.

The way to describe the hesitation is as though the vehicle goes into neutral and then comes out of it. It is quite frightening when you feel you have no power.

I plan to call Karen Jones in Dearborn and talk with her.

#### Thurs., June 21, 2012

##### **Phone Call with Dearborn, MI-based Ford Rep:**

2:45 pm – called and left voice mail for Karen Jones in Ford Dearborn.

Karen returned my call at 4:00 pm. Brought her up to date. She will have a Field Service Engineer and a Zone Manager drive my car either Tuesday or Wednesday of next week. She will call back and advise the time and place.

Wed. June 27, 2012

**Phone Call with Tidelands Ford:**

Still no word from Karen Jones. Called and spoke with Mark Tice at Tidelands. Smelled burning in engine area when I parked the car in the garage last night. Smelled it once before. Mark said this would occur until about 5,000 miles on the car.

Mon., July 2, 2012

**Meeting with Zone Manager and Field Service Engineer at Tidelands Ford/Nonconformity Experienced:**

Met with Aaron Galloway, Zone Manager, and Steve Vylasek, Field Service Engineer at Tidelands Ford at 3:30 pm. Drove Steve in my car then switched and he drove. The problem I have been experiencing happened twice while Steve was driving. He dropped me off at the dealer and took the car for further testing. Came back and Aaron, Steve and I drove a 2012 Ford Escape from the dealer. I experienced the same problem with this vehicle. While in the car Aaron mentioned he experienced the same thing with his Explorer.

Fri., July 6, 2012

**Another notable frightening incident due to nonconformity:**

Note: Approaching Bypass 17 from Glens Bay Road about 1:00 pm began to slow down to about 20 miles per hour due to red light. Light turned green and I did not have to make a full stop but could proceed directly onto the Bypass. As I attempted to accelerate onto the Bypass the car hesitated strongly – felt I was in neutral – then gears caught [?] and I was able to accelerate. Sensation is quite frightening.

Mon., July 23, 2012

Aaron Galloway and I went over the numbers. Told him I was unhappy. Aaron called Tidelands and then called me back. Nothing else can be done. Aaron told me to contact BBB and put in a claim. Ford/Aaron still saying nothing wrong. Just unfavorable characteristics.

Tuesday, July 31

I contacted the Better Business Bureau Arbitration office and proceeded to go through the entire process which took months. I have a complete file on all the documentation related to this. Too numerous to send.

Ref# 10479765

From: [REDACTED]  
Date: Fri, Aug 3, 2012 at 2:59 PM  
Subject: Re: [REDACTED]  
To: "Clopton, William" <wclopton@council.bbb.org>

I purchased my 2012 Ford Escape on December 7, 2011, and within the first month of ownership, I began experiencing a recurring safety issue with the car that continues to the present time. The problem occurs after I decrease my speed and then re-accelerate. When this happens, the car will hesitate and feel as if it has shifted into neutral. When this occurs, and I seek to get a response from the car by pressing the gas pedal, there will be no immediate reaction. However, the car will then suddenly take off with a jerky motion. During the pause when the car is in this "neutral" mode, there is a strong sense of the gears attempting to engage without success. These incidents occur when reaccelerating either from a full stop or simply slowing down in traffic, and they occur whether I am driving 20 miles per hour or 55 miles per hour, etc. Depending on where you are driving at the time, such as a major highway or in a merge situation, it is a terrifying sensation.

I immediately sought the assistance of Beach Ford in Myrtle Beach, where I purchased the vehicle, on January 10, 2012. I told representatives of Beach Ford I was having engine problems. I was told that the vehicle was new and simply needed to be broken in. Since that initial discussion with Beach Ford, I have participated in many phone calls and meetings, and Ford service has looked at the car five times.

I believe that this issue with the car is a defect that impairs the safety of this vehicle. A representative of Ford characterized it as an "unfavorable characteristic" of the car. From the beginning, I made it clear that I would be satisfied with having the problem fixed. However, since Ford will not concede that it is an issue that can or should be fixed, I have asked for them to put me in another Ford Escape with a different engine. As a result of the most recent engagement with Ford on this issue, and in recognition that the car has a problem, I was told by the company's regional zone representative that I would be able to trade in the vehicle for a new one with no cost to be incurred by me. This offer was later withdrawn and substituted with offers to trade in my vehicle at great expense to me, a senior citizen living on a fixed income who is unable to sustain such a financial loss.

On Tue, Jul 31, 2012 at 9:46 AM, Clopton, William <wclopton@council.bbb.org> wrote:

[REDACTED]

Please email me and explain what has been happening with your vehicle?

William G. Clopton | Dispute Resolution Specialist  
Tel: 800-955-5100 x502  
Fax: 703-247-9700  
Email: wclopton@cbbb.bbb.org  
www.bbb.org  
Council of Better Business Bureaus, Inc.  
3033 Wilson Boulevard, Suite 600  
Arlington, VA 22203

Ref # 10479765

**The existence of the vehicle problems upon which I am basing my case**

- Purchased 2012 Ford Escape on December 7, 2011
- January 10, 2012 had an appointment with the Service Department of Beach Ford. Advised them of acceleration problem, jerking, and very loud engine noise. Car driven by mechanic. Advised car too new, needed to be broken in.
- Same date, January 10, 2012, questioned Marcos, Beach salesman, if he had sold me a 4 cylinder instead of a 6 cylinder the engine was so bad. He said no.
- Returned to Service Depts. of Ford dealers:
  - Tuesday, January 10 – As noted above.
  - Monday, May 14 – Beach Ford [reset to factory standards]
  - Monday, June 11 – Tideland Ford [used a technical service directive]
  - Monday, June 18 – Tideland Ford [got a loaner-3 days]
  - Monday, July 2 – Tideland Ford [car driven by Field Service Engineer]

**Why I believe the problems are the responsibility of the manufacturer**

- Problems have existed from the beginning.
- Problem occurred twice when the Ford Service Engineer drove the car on July 2. I was in the vehicle.
- 2013 Escape recalls due to engine problems. Why is it not possible for the 2012 Escape to have problems? I am aware of prior recalls of this vehicle and I am concerned about the safety of this model.
- Told twice by Dennis, Regional Customer Service, that my vehicle had a manual transmission in an automatic engine. This was said to excuse what I was experiencing.
- Won't acknowledge a problem. Asked repeatedly to just fix the car. Aaron Galloway said it is an 'unfavorable characteristic.'
- Owned a 2008 Ford Escape for 3-1/2 years without an engine/transmission problem. Purchased the 2012 Escape from the same dealer, Beach Ford.

**Why I believe I have not contributed to the cause of the problems**

- Extremely low mileage. Problems existed from the beginning.
- I drive with extreme caution. I cannot afford to abuse a vehicle and then have to replace it.
- No history of accidents or any specific repair.
- No indication by any mechanic or manager from my service calls indicating that I contributed to the problems.

**Why the problems represent a substantial impairment to the use, value or safety of my vehicle**

- Safety of the vehicle cannot be assured.
- Constant fear of stalling out.
- Frightening to go 'into neutral' with no power when on a major highway.
- Bucking and jerking occur when the gears attempt to engage.
- Two very low trade-ins offered: \$13,000 by Beach Ford; \$20,000 by Tideland Ford. Dealers are aware of the problems in this vehicle and know it has limited value. These trade-ins indicate the car has serious issues.
- Checked three internet sites re depreciation – money-zine.com – 1st year - Low \$3,300; Average \$4,500; High \$6,000. General – 20% of purchase price 1st year \$5,944 [MSRP \$30,740].

Automobile Magazine 1st year Ford Escape \$5,267. Purchase price of \$29,720 less the \$21,500 trade in from Tideland's = \$8,220 – way above depreciation sited online.

- Lack of power, bucking experienced by Field Service Engineer.
- Offers made by Aaron Galloway, Zone Manager, on July 2 to put me into a 2013 Ford Escape and keep my payment close to the current one and have no cash outlay on my part. At the time this was offered, and rejected by me, Aaron also offered for me to 'go into' a 2012 Ford Focus or another 2012 Ford Escape. Why should I replace a 2012 Ford Escape Limited with a lesser vehicle?
- An email [shown to me on July 19 by Clay, Tideland's Ford salesman] was sent from Aaron Galloway, Zone Manager to John Paglia, Owner of Tideland's Ford, offering me the XPlan plus \$2,000 cash to assist with a trade in. The amount of these two items was negated by the ridiculously low trade-in offered.
- My ability to go about my daily life has been restricted because of my fear of the malfunction causing an accident.
- Entire process is done to wear down the consumer. They send you this way and that, talk to you and say nothing. Waste your time and gas money going to dealers when they had no intention of doing anything to repair the car.
- Why do they tell me they want me to drive a 2012 Escape for comparison, and then don't have a car available? This happened twice [May 23 and June 6]. Just wanted to get me on the lot to buy a different car.

**Whether the manufacturer and its dealers, agents or representatives have had a reasonable opportunity to repair my vehicle**

- Phone Calls: 29
- Meetings: 4
- Service Calls: 5
- Numerous discussions, meetings, etc. with all levels and different people throughout the Ford organization. Email sent to the head of Global Customer Service, Ford/Dearborn seeking his help.

Ref # 10479765

**This is to rebut, correct inaccurate statements and omissions on FSE Report – July 2, 2012**

Met with Steve Vylasek, Ford Service Engineer, at Tidelands Ford on July 2, 2012. Appointment was set up by Karen Jones, Ford/Dearborn.

I drove Steve V. from the dealership for about 2-3 miles on Highway 17. The problem did not occur. Steve V. asked to drive. We switched places and he drove. I explained what I was experiencing with the car. He pulled off 17 onto a side road and went to a stop sign. From the full stop he attempted to accelerate onto 17 and the problem occurred. He said he would go back to the stop sign and attempt to accelerate again. The problem reoccurred. Steve completely understood what I had been experiencing – lack of power, feeling of being in neutral, jerking of gear connection.

Steve V. drove me back to Tidelands and said he would continue to test drive my car. I went into the dealership and encountered Wendy from the Service Department. She was familiar with the problems I had been having. I told her it occurred twice while Steve was driving and she said it was good that it had happened while the engineer was driving.

Steve V. makes two statements in his FSE report which are inaccurate. I never agreed that the symptom was normal for my vehicle and could not be repaired. I never agreed that the vehicle was performing exactly as designed. How would I know the symptom was normal or the vehicle was performing as designed?

Steve V. and Aaron Galloway met with John Paglio of Tidelands after the test drives. I was not included in this meeting. After the Paglio meeting, both Steve and Aaron came to the table where I was sitting. Steve V. sat through the entire discussion I had with Aaron Galloway.

Aaron made the following offer/promises to me. Aaron came back to me and told me they would trade in my vehicle without a cost to me and my payments would remain the same. He originally offered me a 2012 five door Focus and then a 2012 Escape. Told him no. He asked what I wanted. I told him a 2013 Ford Escape with a totally different engine. He agreed. Aaron needs to work with people in Dearborn – several on vacation.

My issue is completely with the way the 2012 Ford Escape is handling. The situation with Beach Ford and their unprofessionalism is a completely separate issue.



## FSE VEHICLE INSPECTION REPORT

Date of Inspection: July 2, 2012

Inspection by: Stephan Vylasek - FSE

Inspection Prior to BBB Auto Line Application:

Inspection Post BBB Auto Line Application:

Customer Name: [REDACTED]  
CuDL Case #: 1563351302  
Vehicle Year / Model: 2012 Ford Escape  
VIN: 1FMCU0EG3CK [REDACTED]  
Current Mileage: 2700  
Dealership: Tideland Ford - 01231  
City & State: Pawley's Island, SC

### 1. Customer's Concerns:

Transmission does not shift correctly or does not accelerate in an acceptable manner when merging into traffic.

### 2. Inspection/Test Performed/Results: (List all customer concern(s) separately)

I met with the customer and drove with her in her vehicle. She showed me exactly what the complaint was. The vehicle would accelerate fine if you stayed heavy on the accelerator. If (during heavy acceleration) you let off the accelerator for a second and then went heavy again, the transmission would take a couple of seconds to stick into a specific gear. I took [REDACTED] for a ride in another 2012 Escape with the same engine and transmission combination. She agreed that the new like vehicle performed in the exact same manner as her vehicle. She then understood that this symptom was normal for the vehicle and could not be repaired. [REDACTED] then spoke with the Zone Manager (Aaron Galloway) and dealership management to see about getting her traded out of that vehicle.

### 3. Repairs Performed: (Per concern)

None.

### 4. Conclusion:

The vehicle was performing exactly as designed. [REDACTED] and I agreed about this during my visit. After speaking with the customer, her issue is not with the vehicle but with beach Ford of Myrtle Beach, SC and how they treated her during the repair process. She stated that she will push this concern all the way to Allen Mulally regardless of how she is handled from then on.

---

Name: Stphan Vylasek  
Title: Field Service Engineer  
Region: Charlotte

Myrtle Beach

Ref # 10479765

Florence SC P&C

MON 29 OCT 2012

PM

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National Highway Traffic Safety Ad  
Office of Defects Investigation  
1200 New Jersey Ave., SE  
Washington, DC 20590