

CL-10618550-2142

**THOMAS J. MILLER**  
ATTORNEY GENERAL



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**CONSUMER PROTECTION DIVISION**

## Department of Justice

June 30, 2014

[REDACTED]  
Coraville, IA [REDACTED]

JUL 13 2014

RE: CPD SOI vs Nissan Corporation - General  
File # 2014-159555

**(Please refer to the above file number when communicating with our office.)**

Dear [REDACTED]

We have received and reviewed your letter about the above-referenced matter. From the information you provided, it appears your inquiry may more appropriately be reviewed for possible action by the agency listed below. Therefore, by copy of this letter, your information was forwarded to that agency for review. We anticipate the agency will respond to you after reviewing the information.

The agency may or may not take action based on your complaint. If the agency decides not to take action, you may wish to consult with a private attorney of your choice or consider filing a small claims court lawsuit. A lawsuit may be pursued in small claims court without the assistance of a private attorney if your claim is within the monetary limit for small claims court jurisdiction. In Iowa that limit is \$5,000.00. If your small claims lawsuit is to be filed in another state, you may wish to consult the appropriate clerk of court in that state.

If your search for an attorney is difficult, you may wish to ask friends for recommendations. In addition, the Iowa State Bar Association operates a Lawyer Referral Service. You may call that service at 800-532-1108 (Iowa only) or 515-280-7429 for more information. As another option, telephone directories typically have listings for lawyers in the yellow pages section under "Attorneys."

In addition to filing a complaint with our office for possible assistance, you may be able to use a new state law, effective July 1, 2009, that gives consumer fraud victims the right to file lawsuits against the companies or individuals who allegedly defrauded them. This new law is known as the Private Right of Action for Consumer Frauds Act. You may wish to consult a private attorney about whether you have a right to pursue a lawsuit based on the facts in your case. One of the key features of this new law is that the defendant will have to pay your attorney fees if you win. Please understand that you may contact a private attorney at anytime, even while your complaint is pending with our office. If you do not know the names of any attorneys, you might wish to look in your local Yellow Pages telephone directory under ""attorneys"" or contact the Lawyer Referral Service of the Iowa State Bar Association at [www.iowabar.org](http://www.iowabar.org). For more information about the new Iowa law, go to our website: [www.IowaAttorneyGeneral.gov](http://www.IowaAttorneyGeneral.gov).

NAM  
73114  
SMD

Page 2

Thank you for contacting us regarding this matter.

Sincerely,



STEPHEN SWITZER  
Investigator

cc: National Highway Traffic Safety Administration  
Department of Transportation  
400 7th Street, SW, Room 2318  
Washington, DC 20590

Federal Trade Commission  
Consumer Response Center  
600 Pennsylvania Ave., N.W., RM 238  
Washington, DC 20580

## AG CONSUMER [AG]

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**From:** [REDACTED]  
**Sent:** Sunday, June 15, 2014 12:26 PM  
**To:** AG CONSUMER [AG]  
**Subject:** AG Office Consumer Complaint Form

Below is the result of your feedback form. It was submitted by  
[REDACTED] on Sunday, June 15, 2014 at 12:26:27

-----

name: [REDACTED]  
address: [REDACTED]  
city: coraville  
state: IA  
zipcode: [REDACTED]  
homephone: [REDACTED]  
workphone: [REDACTED]  
age: [REDACTED]  
respname: John deery nissan  
respaddr: 2823 university ave  
respcity: cedar falls  
respstate: ia  
respzip: 50613  
respphone: 319/277=6200  
respfax: na  
vin: 3n6cm0kn8dk [REDACTED]  
product: excessive tire ware with no replacment avaliable except from dealer  
newused: New  
datepurch: july 2013  
amtpurch: 22,999.80  
amtpaid: full  
howpay: 2000 down and took a loan for the rest  
contbus: Yes  
contatty: No  
resolvefair: because there is no replacment tires avalible excet from the dealer, I have to change the tire size and that will throw off the spedometer and odometer I feel they should refond me some money.  
comments: I purchased this vehicle new in July of 2013. It has almost 69,000 miles and I

am on my third set of tires due to poor tire wear. There is only one company (American Cargo) that makes tires (185 60 R15C 94T) that meet the size and load bearing capacity requirements for the NV200. These tires are poor quality and they can only be purchased from a Nissan dealership. A set of these tires costs \$171 per tire plus tax which is expensive for tires that only get about 20,000 miles.

This vehicle is built and sold as a service vehicle and I put a lot of miles on it in a year, the expense of new tires three to four times a year is crazy! Although Nissan does not recommend it they told me that I could put tires on that have a lower load bearing capacity if I am not carrying 1500 lbs of cargo. I was able to get a set of Michelin Defenders (185 60 15 88T) put on but the max pressure for those tires is 35 lbs. The tire pressure sensors in the NV200 are set at 44-48 lbs for the American Cargo tires so my tire pressure alert was constantly on which covered up my odometer. When I spoke to the Nissan service department about this they said that the tire pressure sensors can't be reset because of federal regulations. The Michelin tires did wear better but now I have not been able to find someone who can put them on again because of liability issues.

I have contacted the dealership repeatedly about this issue and have received virtually no help. Since you can only buy these tires from a Nissan dealership I think a discount on them would be appropriate because I will have to buy so many sets per year. Although I like everything else about the vehicle if I had known about these tire issues I would have purchased a different vehicle.

submit: Send in the complaint

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HTTP\_USER\_AGENT: Mozilla/5.0 (Windows NT 6.1; WOW64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/33.0.1750.154 Safari/537.36

**AG CONSUMER [AG]**

**From:** [REDACTED]  
**Sent:** Wednesday, June 18, 2014 1:19 AM  
**To:** AG CONSUMER [AG]  
**Subject:** Complaint update Tire information for the NV200

This is [REDACTED] Adding to a previous complaint filed on June 15th 2014 about my 2013 Nissan nv200. this is a e- mail I got from Nissan about the issues with the tires.

----- Forwarded message -----

**From:** Lee Ayers <[leeayers@webcrmmail.adpcrm.net](mailto:leeayers@webcrmmail.adpcrm.net)>  
**Date:** Wednesday, May 21, 2014  
**Subject:** Tire information for the NV200  
**To:** [REDACTED] Furniture Repair [REDACTED]

[REDACTED]

I am truly sorry to hear about the issues you have had with the NV200. After speaking with [REDACTED] on my way to Cedar Rapids today, I called my regional rep from Nissan to see if any more progress has been made on the tire issue. At this time there has not been any additional manufacturers step forward to make a 15" tire in the right size with a weight rating of 94, which is what the NV200 comes with from the factory. That is what allows you to have the payload capacity of around 1,500 pounds.

Now my regional rep did tell me that what he has been told by people in the field is that most people have had a longer life span with the second set of the same tire. What that tells him and me is that the manufacturer is putting soft compound tires on originally and the ones people are buying later are a harder rubber compound, but the same tire/manufacturer. That is not too unusual in the car business. Every manufacturer has most of their passenger cars shipped from the factory with soft compound tires.

Let me know if you cannot open this attachment and I will get it to you a different way. And you may have it in with your owner's manual and other books. It would just be a supplemental page I believe, and not part of the actual manual.

Lee Ayers  
John Deery Motors

In the current owner's manual there is a supplemental page that states you can put tires with lower weight ratings on but you shouldn't fill up the cargo area with as heavy a load if you do. For example, the payload rating for an 84 tire is 750 pounds and for an 88 tire I believe it is 1,200. So Nissan does NOT recommend that but, at the same time, cannot stop an owner from doing so. The supplemental page is an attachment to this email. (NOTE: Since you bought one of the early ones before the tire issue was known about, you may not have this page in your manual so I wanted to send it to you.)

John Deery Motors, Inc.  
6823 University Ave.

6/19/2014

Cedar Falls, IA 50613  
(319) 277-6200  
[www.deery.com](http://www.deery.com)

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[View Privacy Policy](#)

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Department of Justice  
CONSUMER PROTECTION DIVISION  
Second Floor, Hoover Building  
Des Moines, Iowa 50319-0109

Address Service Requested

National Highway Traffic Safety Administration  
Department of Transportation  
400 7th Street, SW, Room 2318  
Washington, DC 20590

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