

PATRICK MORRISEY
ATTORNEY GENERAL

PHYSICAL ADDRESS:
812 Quarrier St.
Charleston, WV 25301

MAILING ADDRESS:
P.O. Box 1789
Charleston, WV 25326-1789

E-Mail: consumer@wvago.gov
<http://www.wvago.gov>



**STATE OF WEST VIRGINIA
OFFICE OF THE ATTORNEY GENERAL**

December 16, 2014

CL-10669023-1665

Consumer Protection
and Antitrust Division
(304) 558-8986
Consumer Hotline
1-800-368-8808
Preneed Funeral Services
(304) 558-8986
Fax: (304) 558-0184

INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

DEC 29 2014

National Highway Traffic Safety Administration
1200 New Jersey Avenue S.E.
West Building
Washington, DC 20590

Re: [REDACTED]
Scott Depot, WV [REDACTED]

Dear Sir or Madam:

Enclosed please find a copy of a consumer complaint sent to our office. We would appreciate you investigating this complaint to determine whether there has been a violation of the laws that you administer or enforce. Please feel free to contact me if you have any questions regarding this matter.

Very truly yours,

A handwritten signature in cursive script that reads "Dennis P. Cunningham".

Dennis P. Cunningham

Mediator

Consumer Protection and
Antitrust Division

kls

Enclosure

NAM
122914
SMP



STATE OF WEST VIRGINIA
 OFFICE OF THE ATTORNEY GENERAL
 PATRICK MORRISEY
 CONSUMER PROTECTION DIVISION
 1-800-368-8808 or 304-558-8986

THIS IS AN
 ELECTRONIC COPY

www.wvago.gov

E-Mail: consumer@wvago.gov

CONSUMER COMPLAINT

1. PARTY COMPLAINING

Mr. Mrs. Ms.

Name: [REDACTED]

Mailing Address: [REDACTED]

City: Scott Depot State: WV

County: Putnam Zip Code: [REDACTED]

Home Telephone: [REDACTED]

Work Telephone: [REDACTED]

Cell Telephone:

Email: [REDACTED]

2. COMPLAINT AGAINST

Business Name: Bert Wolfe Toyota

Address: 1900 Patrick Street Plaza

City: Charleston State: WV

County: Kanawha Zip Code: 25312

Telephone: (304)-344-1601

Name of person you dealt with: James Birthisel

Title: Service manager

Best time to contact me:

3. Date of purchase or transaction: Frame inspection on my Toyota Tacoma

4. Product or service involved: no charge

5. Price and terms of payment: other

6. Type of payment: Cash Loan Credit Card Wire Transfer
Please check all that apply Check Installment Debit Card Western Union
 Other There was no charge for the service PayPal

7. A. If your purchase was **financed**, please provide the name, address, and telephone number of the **finance company**:

B. If your complaint concerns **product defects or repairs**, please provide the name, address, and telephone number of the **manufacturer**:
 Toyota main office number 800-331-4331

C. If your complaint is against a **debt collector**, please provide the name, address, and telephone number of the **original creditor**:

8. First contact between you and individual/business:

- Person came to my home
- Went to place of business
- Received information in the mail
- Responded to a radio – TV – printed advertisement
- Telephoned the business/individual
- Received telephone call from business/individual
- Email
- Internet

Name and address of publication – TV – radio station where offer was advertised:

Have you contacted the publication, TV or radio station? Yes No

9. Where did the purchase/transaction take place?

- At my home
- Over the telephone
- There was no transaction
- Wire Transfer
- At the place of business
- By mail
- Internet
- Other _____

10. Have you contacted the business about your complaint? Yes No

11. Have you filed this complaint with any other agency or organization? ... Yes No

If Yes - Identify organization:

I contacted the Toyota main headquarters and filed a complaint

What action was taken?

They told me that the recall period had ended and there was nothing they could do for me

12. Describe any legal action you have taken:

none

13. Did you sign a contract? Yes No

14. Did you receive a copy of the contract? Yes No

15. Did you receive a 3-Day Right to Cancel? Yes No

16. Is there a warranty involved? Yes No

Attach copies of all documents – front and back – related to the transaction.

If statements or promises were not in writing, describe them in Question 17.

If you need additional space to tell what happened,

please continue on a separate page and attach it to your complaint.

17. Please describe your complaint in detail:

I took my truck to Toyota to have my frame inspected due to rust and they told me I needed a new frame, but however the recall period had ended and therefore there was nothing they could do for me

18. How do you want your complaint resolved?

I want them to fix my truck however necessary

The information you provide will be used in efforts to resolve your problem and may be shared with the party complained against. It may also be used to enforce applicable state laws.

I hereby authorize any party to whom the Attorney General directs this complaint to release any and all information about this matter, including account information, to the Attorney General's Office.

I certify that all information on this form is true and accurate to the best of my knowledge and belief, and that I have the legal authority to submit this claim.

SIGNATURE (Required) /s/

[REDACTED]

DATE 11/24/14

Return this form and copies of your papers to:

Office of the Attorney General
Consumer Protection Division
PO Box 1789
Charleston, WV 25326-1789

PRINT

CUSTOMER #:

INVOICE

**BERT WOLFE
TOYOTA-SCION**

1900 PATRICK ST. PLAZA
CHARLESTON, WV 25312
304-344-1601

SCOTT DEPOT, WV

PAGE 1

HOME

CONT

BUS: CELL:

SERVICE ADVISOR: 9628 JAMES BIRTHISEL

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/ OUT	TAG	
RED	04	TOYOTA TACOMA	5TEHN72N04Z		96935/96935	T8012	
DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
18SEP10 DD		18SEP2010	WAIT 23SEP14			CASH	23SEP14
R.O. OPENED	READY	OPTIONS: ENG:5VZ-FE					

09:06 23SEP14	09:27 23SEP14	LINE OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
---------------	---------------	-------------	------	------	-------	------	-----	-------

A C/S PERFORM FRAME INSP PER CSP. IF RUST PERF IS PRESENT, CUST IS ELIGIBLE FOR A COMPLIMENTARY LOANER. CUST ACCEPTED LOANER DATE IN LOANER CUST DECLINED LOANER AND KEPT OWN VEHICLE

CAUSE: ...

1 FRAMES IS RUSTED THROUGH ABOVE RIGHT REAR,
FRONT SPRING SHACKLE
7708 GREEN, RAY LIC#: 7708

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE A: 0.00 (N/C)

EST: 0.00 23SEP14 09:06 SA: 9628

Robin - 1409230174

1-800-331-4331

Toyota

VED

DEC 2 2014

ATTORNEY GENERAL'S OFFICE

SERVICE HOURS

MONDAY - FRIDAY
7:30 A.M. TO 5:30 P.M.
SATURDAY
9:00 A.M. TO 1:00 P.M.

HEAVY DUTY TRUCK HOURS

MONDAY THRU FRIDAY
7:30 A.M. TO 5:30 P.M.

BODY SHOP HOURS

MONDAY THRU FRIDAY
7:30 A.M. TO 5:00 P.M.

DESCRIPTION	TOTALS
LABOR AMOUNT	0.00
PARTS AMOUNT	0.00
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	0.00
MISC. CHARGES	0.00
TOTAL CHARGES	0.00
LESS INSURANCE	0.00
SALES TAX	0.00
PLEASE PAY THIS AMOUNT	0.00

X CUSTOMER SIGNATURE



Central Atlantic Toyota
6710 Baymeadow Drive
Glen Burnie, MD 21060
410-760-1500

December 10, 2014

DEC 12 2014

Dennis P. Cunningham, Mediator
State of West Virginia
Office of the Attorney General
812 Quarrier Street
Charleston, WV 25301

Re: [REDACTED]

Dear Mr. Cunningham:

Thank you for contacting Toyota Motor Sales on the above-mentioned customer and the concern with his 2004 Tacoma.

In October of 2010, Toyota Motor Sales launched a campaign to assist customers who owned this model year Tacoma with reports of rust on the frame. This campaign extended the standard 3/36 warranty to 15 years from DOFU and this Tacoma does fall in the 15-year period. However, Mr. [REDACTED] did not comply with the campaign's stipulation which is ***"This warranty coverage extension is contingent upon vehicles having a corrosion resistant treatment process completed prior to December 31, 2010."*** The corrosion resistant compound was not applied and that campaign expired in March 2011. The combination of the two makes [REDACTED] vehicle ineligible for frame replacement.

I apologize for any inconvenience this may have caused and appreciate the opportunity to investigate this matter. If you have further questions do not hesitate to contact me directly at 410-787-8263.

Sincerely,

A handwritten signature in cursive script that reads "Shari Buchholz".

Shari Buchholz
Customer Relations
Department Specialist

Bert Wolfe

 **TOYOTA**



DEC 10 2014

December 8, 2014

Dennis Cunningham, Mediator
State of West Virginia
Office of the Attorney General
Consumer Protection and Antitrust Division
PO Box 1789
Charleston WV 25326-1789

RE:

[REDACTED]
Scott Depot WV [REDACTED]

Dear Mr. Cunningham:

This letter is in response to your correspondence dated December 3, 2014, concerning the above-mentioned individual's complaint, [REDACTED]

Enclosed is a sample copy of the second letter sent by Toyota to all customers that owned a 2001-2004 Tacoma truck. This letter from Toyota explained they had extended the deadline for this service and there was no charge for the service.

The customers needed to bring their vehicle to a Toyota dealership prior to the December 31, 2010 deadline to have a Corrosion-Resistant Compound applied to the frame. If rust perforation appeared after this application, Toyota would replace the frame on the customer's truck.

[REDACTED] failed to comply with the deadline to have his truck sprayed with this compound. Therefore, the frame is not covered under warranty.

If you have questions or need additional information, please feel free to contact me at 304.344-1601.

Sincerely,



Phil Parsons
Operations Manager
Bert Wolfe, Inc.



Toyota Motor Sales, U.S.A., Inc.
19001 South Western Avenue
Torrance, CA 90501
(310) 468-4000

IMPORTANT
Corrosion-Resistant Compound
Deadline Extension

Dear Toyota Owner:

Thank you for your patronage to Toyota. We are dedicated to providing vehicles of outstanding quality and value.

Previously, Toyota sent you a "Warranty Enhancement Notification" for a service campaign covering 2001 through 2004 model year Tacoma trucks. As explained in the Notification, this campaign aims to address the potential for excessive rust of the vehicle's frame in cold climate areas with high road salt use by offering – subject to the terms and conditions of the Notification – a warranty enhancement in the form of an extension of warranty coverage to a total of fifteen years for this specific condition on your vehicle's frame. To qualify for this warranty enhancement, vehicle owners in certain states needed to bring their vehicle to any Toyota dealer for inspection and application of a corrosion-resistant treatment before October 31, 2010.

As part of our continuing efforts to provide superior customer satisfaction, Toyota is now extending the October 31, 2010 date for vehicle owners in these certain states to obtain the inspection and application of the corrosion-resistant compound until December 31, 2010. Please be advised that Toyota is pursuing the regulatory approvals necessary for a further extension beyond December 31, 2010. We will notify you in the event we are able to offer any further extension, but unless and until we do so, please be advised that December 31, 2010 is the deadline by which you must bring your vehicle to any Toyota dealer to qualify for the warranty enhancement.

A Warranty Enhancement Notification, updated to reflect the extension until December 31, 2010, is attached to this letter. The terms and conditions of this updated Notification now apply to your vehicle.

What do I do next?

As indicated in the Notification, if your vehicle is registered in one of the following states – CT, DE, IL, IN, KY, MA, MD, ME, MI, MN, NH, NJ, NY, OH, PA, RI, VA, VT, WI, WV – or the District of Columbia, you will receive the warranty enhancement only after bringing your vehicle to any Toyota dealer for inspection and application of the corrosion-resistant treatment prior to December 31, 2010. You may bring your vehicle to a Toyota dealer prepared to apply the compound in the state where it is registered or to a dealer prepared to do so in another state.

Currently, Toyota dealers in all of the above states, except for New York, are prepared to apply the corrosion-resistant treatment. Toyota is working to prepare dealers in New York to offer a form of the corrosion-resistant treatment. We will be providing a separate Notification to owners of vehicles registered in New York once those preparations have been completed, but in the meantime, those owners may take their vehicle for the treatment to dealers located in an adjacent state.

If I wait to apply the Corrosion-Resistant compound, will I void the Warranty Enhancement on the Tacoma Frame?

You now will have until December 31, 2010 to take your vehicle, if it is registered in the foregoing states or the District of Columbia, to a Toyota dealer for inspection and application of the corrosion-resistant treatment without affecting the Tacoma Frame Warranty Enhancement (please see the updated Warranty Enhancement Notification for details). As indicated above, Toyota is pursuing the regulatory approvals necessary for a further extension beyond December 31, 2010. Actual extension decisions and timeframes may vary by state and are contingent upon approval from each state. We will notify you in the event that we are able to offer an extension beyond December 31, 2010. Please be advised that at this time, December 31, 2010 is the deadline by which you must bring your vehicle to any Toyota dealer to qualify for the warranty enhancement.

What if my vehicle is registered in the following states?:

AK, AL, AR, AZ, CA, CO, FL, GA, HI, IA, ID, KS, MT, LA, MO, MS, NC, ND, NE, NM, NV, OK, OR, SC, SD, TN, TX, UT, WA, WY and U.S. Territories

You do not need to do anything at this time. If you move to an area in which your vehicle may experience prolonged exposure to road salts and other environmental factors, please contact any Toyota dealer and make arrangements to have your vehicle inspected and, if appropriate, treated.

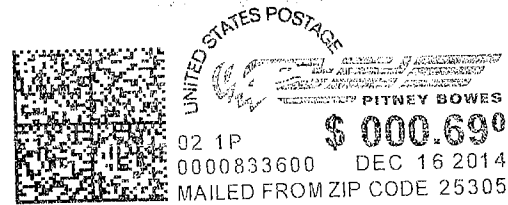
Please place both this insert and included letter into your Toyota Owner's Manual Supplement or Owner's Warranty Information booklet or in the vehicle's glove box for future reference.

Thank you for your understanding.

TOYOTA MOTOR SALES, U.S.A., INC.



State of West Virginia
 Office of the Attorney General
 Patrick Morrisey
 Consumer Protection and Antitrust Division
 P.O. Box 1789
 Charleston, WV 25326-1789



National Highway Traffic Safety Administration
 1200 New Jersey Avenue S.E.
 West Building
 Washington, DC 20590

Defects

AM

