

INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

DOT Auto Safety Hotline FOR AGENCY USE ONLY 100148



U.S. Department of Transportation
National Highway Traffic Safety Administration

Vehicle Owner's Questionnaire
To Report Vehicle Safety Defects
1-888-DASH-2-DOT
(1-888-327-4236)
INTERNET: www.nhtsa.dot.gov/hotline

Date Received	Repository <input type="checkbox"/>
21-APR-2016	Reference No. 10860685

OWNER INFORMATION (Type or Print)

Name: [Redacted]
Address: [Redacted]
City: SAN FRANCISCO State: CA Zip Code: [Redacted]

Daytime Telephone Number: [Redacted] E-mail Address:
Evening Telephone Number:

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).

VEHICLE INFORMATION

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side WMWMF7C52AT [Redacted]	Make MINI	Model COOPER S	Model Year 2011
Date Purchased 2011	Dealer's Name and Telephone Number		Engine: No: Cylinders
Original Owner <input checked="" type="checkbox"/>	Dealer's City New York city	State NY	Fuel Type: gasoline. -Not D
Transmission Type <input type="checkbox"/> Antilock Brakes <input type="checkbox"/> Cruise Control <input type="checkbox"/>	Powertrain	Multiple Failure: ✓ yes!	Incident Date(s) 17-APR-2016

FAILED COMPONENT(S)/PART(S) INFORMATION

Vehicle Component Code: ENGINE (PWS)	Failure Mileage 47000	Failure Speed 70
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ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

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:	

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make:	Date Manufactured:	Model No./Name:
Seat Type:	Installation System:	
Child Seat Component Code:	Failed Part:	

APPLICABLE INCIDENT INFORMATION

(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 N
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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 2011 MINI COOPER S. WHILE DRIVING 70 MPH, THERE WAS AN ABNORMAL NOISE COMING FROM THE FRONT PASSENGER SIDE OF THE VEHICLE. THE VEHICLE WAS TAKEN TO A DEALER WHO DIAGNOSED THAT THE TIMING CHAIN FRACTURED AND NEEDED TO BE REPLACED. THE VEHICLE WAS NOT REPAIRED. THE MANUFACTURER WAS NOT NOTIFIED OF THE FAILURE. THE FAILURE MILEAGE WAS 47,000.

I brought it into mini service, they wanted 7k!! to fix my timing chain because apparently it broke into pieces in my engine. I bargained them down by. yes notified!

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.

Narrative Description of Incident(s), Failure(s), Crash(es), and Injury(ies)

saying the tiny chain is defective on this car because I looked it up online & saw thousands of complaints about the mini's & between 2002-2011 tiny horrible timing chain issues. I then feel on this report of the class action lawsuit where BMW says that the tiny chain on this car on these models are in fact defect. The mini service center still tried to get me to pay for the 7k then 5k chain kit replacement. I said no & begged them down & showed them the enclosed document. My car is a lemon. No recall has been issued and people are being charged to fix defective chains!

ATTACH ADDITIONAL SHEETS IF NECESSARY

U.S. Department of Transportation

National Highway Traffic Safety Administration

1200 New Jersey Avenue SE, Washington, D.C. 20077-9382

Official Business Penalty for Private Use \$300

SAN FRANCISCO CA 940 19 MAY '16 PM 2 L



NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES



BUSINESS REPLY MAIL FIRST CLASS MAIL PERMIT NO. 1888 WASHINGTON, DC

POSTAGE WILL BE PAID BY ADDRESSEE

US Department of Transportation National Highway Traffic Safety Administration Office of Defects Investigation, NEF-100 1200 New Jersey Avenue SE, Washington, D.C. 20077-9382



Think your vehicle has a safety defect?



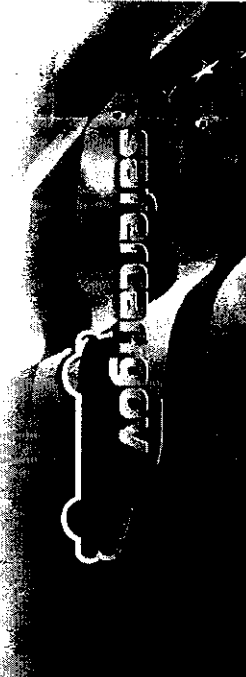
If so: Use the enclosed form to file a report.

or visit: www.safercar.gov

or call: Vehicle Safety Hotline 888-327-4236



Vehicle Owner's Questionnaire (VOQ) U.S. Department of Transportation National Highway Traffic Safety Administration





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Home

Class Action Cases

Mini Cooper Timing Chain Tensioner Defect

Mini Cooper Timing Chain Tensioner Defect

A settlement has been reached with BMW over allegations that the following Mini Cooper models suffer from a defect within their timing chain tensioners that can cause extensive engine damage:

- Hardtop (R56), model years 2007 through 2010
- Clubman (R55), model years 2008 through 2010
- Convertible (R57), model years 2009 through 2010

The plaintiffs alleged that BMW knew about the defective part since 2008, as the company issued a technical service bulletin addressing the problem that year; however, following the notice, BMW failed to issue any recall or provide compensation for those who had already replaced their chains or engines, according to the complaint.

What Problems Can The Mini Cooper Timing Chain Defect Cause?

Unlike most cars, the Mini Cooper uses a metal timing chain rather than a "belt" made of composite materials. When the Prince line of engines was introduced, BMW touted that the chain should last the entire useful life of the vehicle. One of the features of the BMW Prince engine is that the timing chain and tensioner are located inside the engine. Real world use has shown, however, that one of the drawbacks to this design is that if the chain fails, damage to the engine can be catastrophic.

A defective timing chain can cause damage to the engine and present serious safety concerns.

A defective timing chain can cause damage to the engine and present serious safety concerns. When a chain tensioner fails, the vehicle will lose all power – even while it is in motion. Some consumers have reported losing power while in traffic or driving on freeways, while others have filed complaints concerning the vehicle's safety with the National Highway Traffic Safety Administration Office of Defects (<https://www-odi.nhtsa.dot.gov/ivoq/>). Timing chain failure can also result in engine failure, requiring engine replacement. The typical price to replace a defective tensioner is well over \$1,000, and the price to replace an engine can approach \$10,000.

It has been alleged that the chain tensioner can fail at any time, even if the owner follows BMW's maintenance and service schedules. According to the Mini maintenance program, the chain and tensioner do not require service, and the on-board computer does not monitor chain condition. Therefore, problems with the tensioner may go unnoticed and cause serious damage to the vehicle.

However, one early sign that has been reported is known as the "death rattle," a rattling sound that comes from the passenger side of the vehicle. The sound will be most prominent when the vehicle is idling or is being operated in colder weather or at lower speeds. It is believed that the "death rattle" will be heard when the timing chain tensioner is about to break.

Terms of Settlement: Mini Cooper Timing Chain Tensioner Class Action Lawsuit

A settlement was reached in late November 2015 between the attorneys representing Mini Cooper consumers and BMW. The lawsuit alleged that the company installed defective timing chain tensioners [news/consumers-complain-of-mini-cooper-timing-belt-failures-080113.html](#)) in Mini Cooper Hardtop and Clubman models. The defect, according to the plaintiffs, forced them to spend thousands of dollars on replacement costs.

Under the terms of the settlement BMW will be required to reimburse consumers for the timing chain tensioner, the timing chain, engines damaged from the faulty timing chain tensioner, and vehicles sold at a loss due to issues that stemmed from the faulty timing chain tensioner. The warranty for Covered Parts was also extended for the affected models from the standard length of four years or 50,000 miles to seven years or 100,000 miles.

BMW agreed that vehicles repaired at an authorized Mini Cooper dealer will be reimbursed for the full cost of the replacement part. Parts replaced at a third party service center will only be reimbursed up to \$850 for timing chains and \$120 for timing chain tensioners.

BMW also agreed to pay for larger claims involving entire engines that needed to be fixed or replaced as well as vehicles sold at a loss because of the defect. As part of the agreement BMW will pay up to \$4,500 for any engine repairs and up to \$2,500 for Mini Cooper owners who sold their vehicles at a loss. The exact amount for each class member will be determined by the age of the vehicle and the number of miles on it.

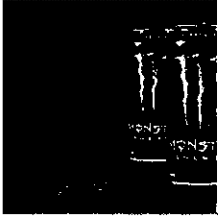
The final terms of the settlement guarantees all members of the class action lawsuit \$4,000 on top of whatever reimbursement they get from individual claims. BMW additionally agreed to pay for plaintiff attorney fees, which could reach \$2.3 million. The total amount that BMW will eventually pay in this case is currently unknown but will be based on the number and nature of the claims made by affected owners.

Announcement

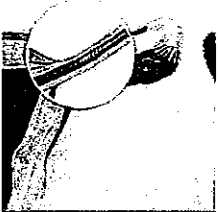
Morgan & Morgan is no longer accepting claims for these cases. The information here is for reference only.

Up-to-date information and resources can be found in our current consumer alerts.

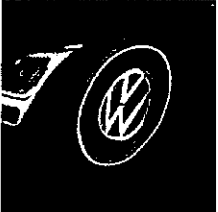
Our Top Investigations:



The Real Energy Crisis: Our Kids Are Hooked on Monster ([/class-action-lawyers/monster-energy-drinks-lawsuit/](#))



Endangerment by Essure: When Birth Control Fails ([/class-action-lawyers/essure-birth-control-lawsuit/](#))



VW's Massive Fraud Affects 11 Million Cars ([/class-action-lawyers/volkswagen-emissions-test-rigging-class-action-lawsuit/](#))



The Dangers of Diabetes Drug Onglyza ([/class-action-lawyers/onglyza-heart-failure-lawsuit/](#))



Invokana Could Make You Ill ([/class-action-lawyers/invokana-ketoacidosis-lawsuit/](#))



Handling Cases Nationwide