

[REDACTED]
Simsbury, CT [REDACTED]
April 17, 2017

Office of Defects Investigation (NVS-210)
1200 New Jersey Avenue SE
Washington, DC 20590

Ref. #: [REDACTED]

Sir,

Last February 7, 2017, my father [REDACTED], on my behalf, called your office for information regarding customers' rights and remedies relating to the use or installation of a defective part that was used or installed in the manufacture of my car, a 2010 Honda Crosstour.

I am enclosing a copy of my letter to Honda America which describes in detail the problem involving my car. I hope you will find such information helpful in the investigation of this issue.

I would appreciate if you could give your most preferential attention to this issue.

Thank you.

Sincerely,

[REDACTED]
Simsbury, CT [REDACTED]
April 17, 2017

American Honda Motor Co., Inc.
Honda Automobile Customer Service
1919 Torrance Boulevard
Mail Stop: 500 - 2N - 7A
Torrance, CA 90501-2746

Reimbursement claim for cost in the repair of oil leak in my 2010 Crosstour.

Attn: 1.) Ms. Kia, Automobile Customer Service Dept.
Mail Stop 100 - 5E - 8A
Case # [REDACTED]
2.) Mr. Joseph, also of Customer Service Dept.
Case # [REDACTED]

Sir,

I am the owner of a Crosstour 2010 with VIN 5J6TF2H57AL [REDACTED] which I bought from Liberty Honda of Hartford CT.

Sometime in January 2017, I noticed a leak coming from the rear of my vehicle. Upon my request, my father brought my car to Tim's Automotive where it was discovered that the leak was from the rear differential right oil seal area. This leak problem was solved by this repair shop on February 18, 2017 for which I paid \$564.71 for parts and labor. I am claiming reimbursement for this amount.

The Honda service bulletin 11-053 dated August 16, 2011 which specifically deals with the problem of LEAK FROM THE REAR OF THE VEHICLE, stated the following:

1. SYMPTOM – the leak is coming from the rear differential right oil seal area.
2. PROBABLE CAUSE – The right rear inner CV joint was IMPROPERLY MACHINED.
3. VEHICLES AFFECTED – 2010 Crosstour ALL 4WD.

With this categorical information provided by service bulletin 11-053 as well as the finding of Tim's Automotive that the problem was not due to wear and tear, Mr. Tim Lyons, owner of Tim's Automotive at the outset strongly advised us that Honda America has the legal obligation to repair this problem. Thus, my father pursued this issue with the service department of Hoffman Honda in Avon CT, first with Ms. Jennifer Beauchemin on or about January 16, 2017, and again with Service Advisor Dan Covalli three days thereafter. It was also

during this meeting with Dan Covalli that my father had discussed the problem by phone with Ms. Kia of Honda America Automobile Customer Service Department who assigned the [REDACTED] case number to my claim. Meanwhile, Mr. Lyons, on my behalf also discussed this problem with a certain Mr. Joseph of Honda America who assigned case number [REDACTED] to my claim. Please note that although I bought my car from Liberty Honda, we referred this problem to Hoffman Honda for repair because they had serviced my car while it was still under warranty.

All the above-named persons of Honda America and Hoffman Honda denied responsibility of Honda America to repair this leak, giving almost identical explanations which I believe were to be mere excuses to attempt evade its legal responsibility.

The following are the claims of the above-named persons of Honda America and Hoffman Honda as well as my counter arguments/refutations:

- 1.) (a) Their claim – that the usual warranty that comes with the purchase of my Crosstour has already expired and that I don't have the extended Honda care warranty.

(b) My arguments/refutations – I am not claiming any right under an expired or non-existing warranty. My claim is due to the use of a defective part in the manufacture of my car which caused the problem and that this defect was in fact already known by Honda America as early as 2011 as evidenced by its service bulletin 11-053 but was deliberately concealed from me as a customer. Such concealment was highly prejudicial to my interest because it violated my right to have the defect repaired while the warranty of my car was still in effect. It assaults my sense of decency and fairness that Honda America will not be held accountable for such concealment. Justice demands that Honda America should not be allowed to profit from the use of a defective part in the manufacture of their cars and in deliberately concealing such defect from their customers. For this reason, Honda America should bear the burden of repairing this problem at their own expense.

- 2.) (a) Their claim – that the VIN of my car is not among those that can be repaired under the Honda service bulletin 11-053.

(b) My arguments/refutations – The Honda service bulletin 11-053 specifically mentioned my car, a 2010 Crosstour ALL 4WD as a vehicle affected by this problem. The enumeration of VIN applies **only to 2011** whereas my car is a 2010 Crosstour ALL 4WD. In any event, I believe that this defect in the manufacture of my automobile cannot be cured simply by an exclusionary VIN.

3.) (a) Their claim – that there is no recall for this Honda axle parts.

(b) My arguments/refutations – the absence of a recall order can under no circumstance correct the installation or use of a DEFECTIVE PART in the automobile's manufacture. No manufacturer notwithstanding its enormous wealth should be allowed to commit a violation of its customers' rights by simply refusing to issue a recall order. In fact, according to Mr. Tim Lyons, the parts personnel of the Honda dealership were so surprised when he inquired about the axle shaft and seal because they thought that this defect was already the subject of a recall.

4.) (a) Their claim – according to Ms. Jennifer Beauchemin, my Crosstour is an AWD vehicle which is not covered by the same service bulletin.

(b) My arguments/refutations – Her claim is clearly irrelevant. A defective part utilized in any Crosstour of whatever designation, be it ALL 4WD or AWD is still a defective part.

Significantly, it is worth noting that it was only after such denial of my claim by the above-named persons of Honda America and Hoffman Honda that Mr. Tim Lyons who is a man of impeccable integrity, competence and solid experience, finally undertook the repair of my automobile. Following the corrective action stated in the Honda service bulletin, Tim's Automotive replaced the defective parts as described by the enclosed copy of the bill:

Replacement of:

1.) Honda axle shaft (N)	\$277.65
2.) Honda axle seal (N)	\$19.80
3.) Honda dual pump fluid	\$12.25
4.) Tax	\$35.51

The total repair cost for parts and labor was \$564.71 for which I am claiming reimbursement.

To emphasize the basis for the compelling conclusion that Honda America should be legally obliged to repair my car's problem, let me reiterate the point that I am not relying on my car's original warranty but rather on the facts articulated in its service bulletin 11-053 which admitted to the improperly machined part as the cause of the leak as well as on the repair shop's finding that the oil leak was not due to wear and tear. The service bulletin states the following undisputed facts:

1. The probable cause of the leak was that the right rear inner CV joint was improperly machined.
2. My 2010 Crosstour was among those vehicles affected.
3. The problem of my Crosstour was solved by following the corrective action described in the service bulletin of 11-053. Replacing the improperly machined part with a new part completely stopped the leak.

Indisputably, as early as August 16, 2011, the date when its service bulletin 11-053 was issued, Honda America already knew the use of improperly machined part on my Crosstour. With this knowledge of the defect, Honda America should have informed me about it so that I COULD HAVE THIS DEFECT REPAIRED UNDER MY CAR'S ORIGINAL WARRANTY WHICH WAS STILL IN EFFECT AT THAT TIME AND AT NO EXPENSE ON MY PART. But Honda America, apparently for economic advantage, chose to remain silent about this defect except for its service bulletin 11-053 which is hardly known to its customers. Effectively, Honda America has succeeded in keeping me and most probably many other owners of Crosstours in the dark until the defect manifested itself sometime in January 2017 when I noticed the oil leak. Indeed, such failure to inform its customers strongly warrants the conclusion that Honda America has deliberately concealed this defect, thus committing an egregious violation of its legal obligation to its customers. Consequently, it deprived me of my right under my original warranty and therefore it is only fair that Honda America should bear the expense of repairing this problem.

I humbly submit that I have made a compelling case for the reimbursement of my repair expenses. I look forward to the prompt resolution of my claim and I would appreciate hearing from you soon.

Sincerely,



- Encl.: 1. Copy of Honda service bulletin 11-053
2. Tim's Automotive repair bill

Copy furnished: Office of Defects Investigation (NVS-210)
1200 New Jersey Avenue SE
Washington, DC 20590

Applies To: **See VEHICLES AFFECTED****August 16, 2011**

Leak From the Rear of the Vehicle

SYMPTOM

Fluid leaks from the rear of the vehicle. The leak is coming from the rear differential right oil seal area.

PROBABLE CAUSE

The right rear inner CV joint was improperly machined.

VEHICLES AFFECTED

2010 Crosstour – ALL 4WD

2011 Crosstour –

From VIN 5J6TF2...BL000001 thru
5J6TF2...BL001809

2010 CR-V – All VINs beginning with 3CZ

2010 CR-V – All VINs beginning with 5J6

2011 CR-V –

From VIN 3CZRE4...BG700001 thru
3CZRE4...BG700316

2011 CR-V –

From VIN 5J6RE4...BL000001 thru
5J6RE4...BL013457

CORRECTIVE ACTION

Replace the right rear driveshaft and the right rear differential oil seal.

REQUIRED MATERIALS

Honda Dual Pump Fluid II (1.3 qt. required per vehicle):
P/N 08200-9007

PARTS INFORMATION

Crosstour:

Bolt, 8 x 21 (four required) –
P/N 90113-S10-000

Bolt, 10 x 31 (four required) –
P/N 90164-S3V-A00

Bolt, 12 x 68 (two required) –
P/N 90181-S84-A00

Bolt, 14 x 59 (two required) –
P/N 90163-STX-A00

Gasket, Muffler –
P/N 18303-SM4-020

Gaskets Pre-Chamber –
P/N 18393-SDB-A00

Nut, Self Locking (six required) –
P/N 90212-SA5-003

Nut, Spindle, 24 mm –
P/N 90305-SD4-003

Oil Seal –
P/N 91202-PWT-003

Right Rear Driveshaft –
P/N 42310-TP7-A01

Washer, 20 mm (two required) –
P/N 94109-20000

CR-V:

Bolt, 8 x 21 (four required) –
P/N 90113-S10-000

Bolt, 10 x 80 –
P/N 90162-S5A-000

Bolt, 12 x 65 (two required) –
P/N 90173-SWA-010

Nut, Spindle, 24 mm –
P/N 90305-SD4-003

Nut, 10 mm –
P/N 90371-S9A-000

Oil Seal –
P/N 91202-PWT-003

Right Rear Driveshaft –
P/N 42310-SXS-A01

Washer, 10 mm –
P/N 94101-10800

Washer, 20 mm (two required) –
P/N 94109-20000



CUSTOMER INFORMATION: The information in this bulletin is intended for use only by skilled technicians who have the proper tools, equipment, and training to correctly and safely maintain your vehicle. These procedures should not be attempted by "do-it-yourselfers," and you should not assume this bulletin applies to your vehicle, or that your vehicle has the condition described. To determine whether this information applies, contact an authorized Honda automobile dealer.

WARRANTY CLAIM INFORMATION

OP#	Description	FRT
2191E7	<i>Cross-tour</i> : Replace the right rear driveshaft. (includes alignment)	1.6
2191E7	<i>CR-V</i> : Replace the right rear driveshaft. (includes alignment)	1.2

Failed Part: P/N 42310-TP7-A01

Defect Code: 07701

Symptom Code: 00101

Skill Level: Repair Technician

REPAIR PROCEDURE

NOTE: This procedure is in an outline form that you can also use as a checklist for the repair. If you need more details on the procedures listed below, bookmark them in the appropriate service manual or view them online.

- Rear Driveshaft Removal
 - Rear Driveshaft Installation
 - Rear Differential Oil Seal Replacement
1. Raise and support the vehicle.
 2. Remove the right rear wheel.
 3. Lift up the locking tab on the spindle nut, then remove the nut.
 4. Drain the differential fluid.
 5. Remove the rear differential.
 6. Remove the right rear driveshaft inboard joint from the rear differential assembly.
 7. Pull the knuckle down and outward, and disconnect the rear driveshaft outboard joint from the rear hub using a soft face hammer.
 8. Remove the rear driveshaft outboard joint from the hub.
 - Be careful not to damage the wheel speed sensor.
 - Pull on the outer joint. Do not pull on the driveshaft, or the joint may come apart.
 9. Remove the right rear differential oil seal.
 10. Install a new right rear differential oil seal.
 11. Install the outboard joint into the rear hub.

NOTE: Be careful not to damage the wheel speed sensor.
 12. Clean the areas where the driveshaft contacts the differential thoroughly with solvent, and dry them with compressed air.

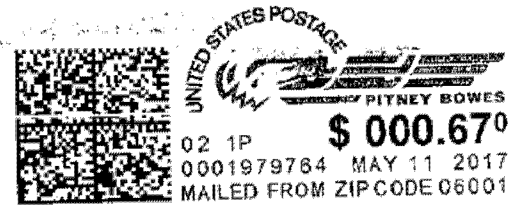
NOTE: Do not wash the rubber parts with solvent.

13. Insert the inboard end of the driveshaft into the differential until the set ring locks in the groove.

NOTE: Insert the driveshaft horizontally to prevent damaging the oil seal.
14. Install the rear differential.
15. Apply a small amount of engine oil to the seating surface of a new spindle nut.
16. Install the spindle nut, then torque it to **245 N·m (181 lb-ft)**. After tightening, use a punch to stake the spindle nut shoulder against the driveshaft.
17. Clean the mating surfaces between the brake disc/drum and the inside of the wheel, then install the rear wheel. Torque the wheel nuts to **108 N·m (80 lb-ft)**.
18. Turn the wheel by hand and make sure there is no interference between the driveshaft and the surrounding parts.
19. Refill the differential with Honda Dual Pump Fluid II.
20. Lower the vehicle.
21. Check the wheel alignment, and adjust it if necessary.
22. Test-drive the vehicle to check for noises or leaks.

Simsbury, CT

HARTFORD
CT 061
12 MAY '17
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1200 New Jersey Avenue SE
Washington, DC 20590

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