

# NHTSA ccmMercury Routing Slip



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Printed: 9/27/2018

CU-11132588-8327

<b>NHTSA #:</b> ES18-003561	<b>Rec'd Date:</b> 9/27/2018	<b>Referred By:</b> NAD-200
<b>XREF #:</b>	<b>Doc Type:</b> GEN	<b>Doc Date:</b> 9/25/2018
<b>Delivery:</b> EXP	<b>Address To:</b>	<b>Due Date:</b>
<b>S10 #:</b>	<b>DOT/I #:</b>	<b>RMP #:</b>
<b>Subject:</b> LETTER FROM [REDACTED] RE: WASHINGTON LEMON LAW IN REGARDS TO THE ISSUES WITH HER LAND ROVER RANGE ROVER EVOQUE AND WANTING JAGUAR LAND ROVER NORTH AMERICA LLC TO REPURCHASE THE VEHICLE		
<b>Ack Date:</b>	<b>Ack By:</b>	<b>Signed For:</b>
<b>Sign Office:</b> AA FOR ENFORCEMENT	<b>Signature:</b> AS APPROPRIATE	
<b>Cleared Date:</b>	<b>Cleared By:</b>	<b>Cleared For:</b>
<b>File Loc:</b>	<b>XREF File:</b>	<b>Closed Date:</b> 9/27/2018
<b>Added By:</b> RBRANSOM x63756	<b>Modified By:</b> Rhonda.Bransom	
<b>Most Recent Comment:</b>		

**Author:**

[REDACTED]

[REDACTED]

AUBURN, WA [REDACTED]

Tel: [REDACTED] Fax: E-mail: [REDACTED]

Assigned To	Task	Asgn Date	Deadline	Returned Date
NEF-010	APPROPRIATE	9/27/2018		9/27/2018

RR  
9-28-18  
W

# COPY

September 25, 2018

Auburn, WA

Customer Support / Lemon Law  
Jaguar Land Rover North America, LLC  
100 Jaguar Land Rover Way  
Mahwah, New Jersey 07495

To Whom it May Concern:

I am shocked that the trust I have placed in Jaguar Land Rover North America, LLC has not been merited with regard to my current Land Rover Range Rover Evoque, VIN SALVP2BG1HH [REDACTED] purchased my vehicle on January 31, 2018 from Jaguar Land Rover Bellevue at 13817 NE 20th ST, Bellevue, Washington 98005.

The following events document the incidents in chronological order:

1. On April 29th, 2018 my vehicle flashed error messages at start for battery, parking, etc faults. The speedometer and RPM swept from left to right, but held to the right and made a loud buzz sound. The vehicle started and no further messages or faults were indicated through the remainder of the day. The following morning 4/30/2018 the vehicle was completely dead, and had to be manually unlocked to retrieve personal items. I had to go to work it was about 4:30am, and luckily I was able to use my other vehicle. I later called to schedule the tow through the Land Rover Roadside Assistance after suggestion from Land Rover Bellevue email communication (see attached). They arrived after I got back home from work. It required them to charge the battery for at least 5-10 minutes with a booster to get the vehicle to start. This was required to allow them to pull it out of the parking spot and load onto the flat bed. It was towed to the nearest dealership: Land Rover Tacoma. The following day they explained it was a faulty battery and replaced the battery via warranty. Service paperwork noted parasitic draw. They washed the car, and drove it back to me the following afternoon. (2 days unable to use my car – in service)
2. On May 12th, 2018 I was driving on a freeway on a windy day and suddenly started to hear a loud flapping noise on the passenger windshield. The passenger looked out and saw the seal for the windshield flapping in the wind. I pulled over and found the windshield pillar cover snaps were broke, so the piece was loose, and the windshield rubber seal was tearing out. The piece was also damaged with horizontal sweeping scratches. I had an immediate business trip and contacted the dealership to have replaced when I returned. I contacted Land Rover Tacoma and asked about their car wash, they said it was not a touch-less and that this has occurred before when the brushes in the car wash snag on parts of the car. They ordered the part while I was on business travel. When I returned on travel, I took the car in on 5/25/2018 to have the part replaced and waited for the job to be completed at the dealership. I no longer allow them to wash the car. (~4hrs out of my day, 1hr each way to get to dealership, and 2 hrs waiting for service)
3. I went back on business travel from May 30th 2018 till June 11th 2018. The car started to show problems with multiple systems, multiplying in frequency as time went on. This included the sweep motion of the gauges at start and loud sound, infotainment screen freeze, phone call drops, music failure, 2 minute boot up after start, auto start stop never worked after the battery replacement, rough idle, rough transmission shifting (slamming into next gear, or delayed gear change), Climate not functioning to inputted temperature and air control (not set to auto). I attempted to call and get serviced and was unable to reach someone for assistance at the Land Rover Tacoma Dealership (closest to my home) in July. I then went on vacation and once I returned and problems persisted with higher frequency,

ES18-00356a1

continued to call to make an appointment. 8/24/2018 I dropped off the car to address these issues and have the 20K oil change completed. End result: Transmission Module required software update, Climate Module required software update, complete reboot and software change of the infotainment system, and auto stop/start module software update. Parts also had to be replaced included the auxiliary battery and the climate control module unit. I received the vehicle back on 9/6/2018. (8/24-9/6 13 days in service)

4. 9/6/2018 after receiving vehicle back, ran some errands, got into vehicle and received error "key not recognized". Vehicle would not start, and after several attempts to move key near steering column vehicle finally started. Replaced battery in key, and fault still occurred on separate occasion (does not occur on every start), also requires key to be held to rear lift gate to open and close. 9/8/2018, on vehicle start the gauges swept over and made the same sound. This has been seen since the initial battery failure on the vehicle. 9/11/2018 noticed climate was not registering to temperature input as it was a colder morning, cold air with 80 degree setting and minimal flow with it set to higher fan speed. 70 degree is ice cold air, and the fan speed will change with vehicle power, not working to knob setting, climate is not set to auto. Sync feature for driver and passenger climate is no longer found, or available on the vehicle since it was updated on last visit.
5. 9/12/2018 Called and dropped off vehicle to Land Rover Tacoma for further investigation to the climate, starting sound, and now key faults. 9/21/18 received a phone call from Tacoma service with update on vehicle. Tech confirmed the issue. Described software malfunction linked to new infotainment software downloaded at prior service visit. This software is missing key components or has glitches in the software which is creating issues with climate. Unknown if it is a vehicle issue accepting software fully, or if it's a software issue with the new infotainment update. He explained the issue has been elevated to Land Rover Engineering. As of this letter the vehicle is unrepaired nonconformity and in service at Land Rover Tacoma. (9/11- 9/25 15 days in service & counting)

I procured the following names of dealer personnel with whom I spoke regarding the incident:

Kyle Awes

Matt Larsen

These individuals have been very professional and supportive to work as efficiently and quickly as possible to return my vehicle to me each warranty service request. Despite this, the vehicle continues to have problems, and is now unreliable.

This problem has caused me a great deal of hardship and frankly I am appalled at what has transpired with the quality of this vehicle. The vehicle has now gone **30+ cumulative days in service** from these electrical nonconformities. The vehicle continues to malfunction and not operate as advertised. It is unreliable due to the multiple system/software malfunctions. Also the fact that owners are not notified of available module updates, is concerning to reliability and safe operation in the future. If a critical module required an update and an owner was unaware until vehicle failure it could quickly become a safety concern. (ex. Software update to Transmission module, I had to wait until the system began to malfunction to learn it required a software update).

This vehicle is within the eligibility period according to Washington Lemon Law, and has met the criteria by being out of service for cumulative of thirty calendar days due to the unrepaired nonconformities. I ask what I am duly and fairly owed, which is for Land Rover to **repurchase** my Range Rover Evoque under the conditions of the Lemon Law RCW19.118. Please review below for repurchase price offer request.

*(6) "Eligibility period" means the period ending two years after the date of the original delivery to the consumer of a new motor vehicle, or the first twenty-four thousand miles of operation, whichever occurs first.*

*(c) the vehicle is out of service by reason of diagnosis or repair of one or more nonconformities for a cumulative total of thirty calendar days, at least fifteen of them during the period of the applicable manufacturer's written warranty*

*(b) When repurchasing the new motor vehicle, the manufacturer shall refund to the consumer the purchase price, all collateral charges, and incidental costs, less a reasonable offset for use*

*(c)The reasonable offset for use shall be computed by multiplying the number of miles that the vehicle traveled directly attributable to use by the consumer during the time between the original purchase, lease, or in-service date and the date beginning the first attempt to diagnose or repair a nonconformity which ultimately results in the repurchase or replacement of the vehicle multiplied times the purchase price, and dividing the product by one hundred twenty thousand*

Cash Purchase Price: \$52940.45  
Mileage at Purchase: 9674  
Mileage at initial nonconformity service: 13898

**Reasonable Use Offset**

Mileage x Purchase Price/ 120,000:  $4224 \times 52940.45 / 120000 = \$1,863$   
 $\$52940.45 - \$1863 = \$51,077.45$

**Repurchase Price Requested: \$51,077.45**

Title Holder: Alaska USA Federal Credit Union

I am sure you will wish to investigate this matter promptly and thoroughly, and I look forward to hearing from you within 40days (11/5/2018).

Sincerely,



Auburn, WA

cc:

Consumer Federation of America  
1620 I Street NW  
Suite 200  
Washington, DC 20006

Federal Trade Commission  
Bureau of Consumer Protection  
Consumer Response Center  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

U.S. Department of Transportation  
National Highway Traffic Safety Administration  
Office of Communications and Outreach  
Room 5119, NTS-22  
400 7th Street SW  
Washington, DC 20590

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20590

FROM

Auburn, WA

W44-226

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National Highway Traffic  
Safety Admin  
Office of Communications +  
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Washington, DC 20590

EXPECTED DELIVERY DAY: 09/27/2018

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