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11/ 6/ 20 10:45AM

GEORGIA DEPARTMENT OF LAW

Consumer Protection Division

CHRISTOPHER M. CARR
ATTORNEY GENERAL

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Writer's Direct Dial: 404-651-8600
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November 6, 2020

[redacted]

Butler, Georgia [redacted]

Re: Reference File Number [redacted]
Business Name: Five Star Nissan

Dear [redacted]

The Georgia Department of Law, Consumer Protection Division received your complaint regarding Five Star Nissan. Upon review of this matter, it appears to be the type of allegation handled by the National Highway Traffic Safety Administration (NHTSA).

We have forwarded a copy of your complaint to the NHTSA for review. Please direct all future correspondence to that agency at the following address:

National Highway Traffic Safety Administration
1200 New Jersey Avenue SE, West Bldg.
Washington, DC 20590
Phone: 888-327-4236
TTY: 800-424-9153
Website: http://www.nhtsa.gov

Thank you for bringing this situation to our attention.

Sincerely,

G Widdowson

G. Widdowson
Data Analyst

cc: National Highway Traffic Safety Administration (w/attachments) ✓

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SUMMARY OF COMPLAINT

AGCPD reference file number: [redacted]
Date complaint received: 10/7/2020

Consumer name: [redacted]
Address: [redacted] Butler, Georgia [redacted]
Phone(s): [redacted]
E-mail: [redacted]

Name of business: Five Star Nissan of Warner Robins
Address: 839 Warren Dr, Warner Robins, GA 31088
Phone: 478-273-8416

Month / Year of transaction: 2020

Complaint details as submitted:

I have a factory recall on my automobile which is noted could cause injury or death. I have visited the dealership twice to repair two of the three recalls but the third recall won't be completed by the dealership unless I pay $900 for parts that have to be replaced in order to address the recall issue. I cannot afford $900 and as such the recall cannot be addressed which leaves me with a car I cannot safely drive. If I attempt to use it as trade in obviously the trade value will be low with the recall not addressed, and my honor and common respect wont allow me to sell it on the street to unknowing buyer. I have documented two visits to the dealership, dealership inspection and evaluation which confirm details, as well as emails I have sent to Nissan of North America, Today I was informed by Nissan of America that they will not pay for the parts that must be cut and removed in order to replace the defective recall parts. I am attaching the initial email as well as my follow up email I have sent to Nissan of North America as a word document.

I am in need of additional communication involving a previous recall issue I contacted your department earlier and I am in need of additional assistance.

My original complaint is at the bottom of this email.

Case #[redacted]

VIN #3N1BC1APXA[redacted]

I was contacted by both 5 star nissan in Warner Robins Georgia and Tara Consumer affairs Representative Nissan North America, Inc on Friday October 7 2020 explaining that my recall issue had been investigated and addressed and that I should return to 5 star where they will make the needed recall repairs which would cover all parts and unlike I was told by the dealership previously, Tara informed me that the repairs would be at no cost to me.

Satisfied that I would get these required recalls taken care of, I sacrificed another day's pay and took the vehicle to 5 star this morning October 7 2020 and handed my car over to the service department to have the repairs done.

Some time later Reed came out to the customer area and explained to me that the passenger side air bag was replaced however the dash finisher (part of the dashboard) had broken into three pieces but the repair was made. The clips were not broken as previously warned but the dash panel had been broken in three pieces. I can send photos if needed.

He then explained that once again the coil spring recall issue could only be addressed if I paid the cost of replacing the old worn out spring struts which would cost me about $900 dollars.

Reed continued telling me that if the recall work was done without the struts being replaced, the car would be inoperable.

Just three months ago when this process began, I was told and the documentation shows the " Surrounding parts of the recall will break if recall was performed / no work performed". There was no mention of worn out struts. My car drives perfectly with no vibration or wheel hop , does not pull to one side, and does not make multiple bounces when the front end of the car is pushed down. I know the cause and results of bad shocks or struts. The struts operate

as they should and it's odd that they were fine when inspected by the 5 star mechanic just three months ago.

This free recall repair of an issue involving defective springs installed when the car was assembled that could potentially kill me or others will now cost me 900 dollars plus which I cannot afford.

My plan was to get these " free " recall repairs made so that I might have a better trade in value in purchasing another nissan product.

I cannot afford 900 dollars to get this " FREE " recall repair made.

The result is I am driving a dangerous vehicle which could kill me or others because of recalled defective factory installed parts.

I cannot think about trading this car in to purchase another because of a dash that looks horrible along with a deadly spring issue. My trade in value will be understandably low which would surely keep me from purchasing another car.

Ethics and honor would also not allow me to sell my car to anyone without exposing the potentially deadly factory defect.

Bottom line is I have a car with a deadly recall that I cant drive, sell, or afford to trade in.

Like before, I dont understand why , in the process of replacing factory installed defective parts, I have to pay for parts that will be required to make my car safe to drive.

Why did the mechanic or shop manager not explain to me the condition of the struts on my first visit back on June 20, 2020 on my first visit and why did this not be included in the documented evaluation inspection ?

I have lost two days income trying to get my unsafe vehicle repaired and the repairs still have not been done.

Can you please investigate this and contact me with your thoughts?

I have owned several nissan products over the years but to be honest this is not looking good for future purchases of nissan products. The outcome of this issue, good or bad, will reflect on me or my family buying more nissan products in the future.

Butler Georgia

[redacted]

I am in need of some assistance in what is said to be a potentially deadly manufacture recall on my 2010 Nissan Versa. I have been getting recall notices for quite some time and finally got my versa to the Five Star Nissan at 839 Warren Drive in Warner Robins Georgia on June 24 2020.

I was at the facility for a couple hours while my car was in their service bay and when I was given my paperwork I was told " Here you go [redacted] ". I was not given any other explanation or details on my vehicle so I assumed potentially deadly defective parts were replaced. When I got home I read the paperwork which said there were three recalls on my vehicle.

Drivers airbag
Passengers side airbag
Front spring NTB15-078

On page 2 of my paperwork it states " " REPLACED DRIVER AIRBAG PER CAMPAIGN ". When I saw these words I assumed since I was not informed anything else when I was given my car back that the repairs were completed.

Several months passed and I began receiving recall notices again for my airbag. I called the recall service on September 10 2020 . I asked why I was receiving these notices again when the repairs were complete and I was connected to a service person at Five Star. I was informed that none of my factory recall issues were address and completed and the reason was in order to do the repair, there were parts (clips) which were so worn as they would be broken during the process of making the replacement of the potentially deadly airbag impossible without breaking these parts.

It was then explained to me that the repair cost of these clips would be my responsibility and in order to do the recall repairs the cost of this free repair was on me. I replied asking if I understood the situation correctly and that this free and cost free potentially deadly manufacture recall repair was going to cost me a bunch of money and his reply was " Well Yes".

The following day I drove to Five Star so I might speak to the service manager and get a clearer explanation to why this factory recall replacement was going to cost me out of pocket and to find out what my cost was going to be.

I spoke to service manager John Bips and explained this story and he pulled up the file and was obviously puzzled to why I was going to be charged if I had the repairs done. He explained to me that the mechanic who did the inspection was away from the dealership taking his son to an allergy appointment and he would call me back in an hour. This was about 10 am on September 11 2020.

I waited until September 17 2020 and called the service department once again to try to speak to Mr. Bips. I didn't catch a name but someone I spoke to took my number down and said he would put it in Mr. Bips desk with a message to call me.
On September 18 2020 at 10 am I was able to get in contact with service manager Mr. John Bips. He informed me that the drivers airbag issue was addressed but the passenger airbag issue was not and the suspension spring issue has not. He also informed me that I would have to bring the car back to the dealership to have an assessment of a complete parts list of what may be needed to resolve this potentially deadly factory recall. This would also result in me losing yet another days salary, which would still not result in the repairs needed to make my vehicle safe to drive. He told me that from what he was seeing my cost, of making the repairs of a Nissan Factory defect recall might be upwards of $2500 dollars.

Please, please help me understand why I am going to have to pay such a large cost in making my car safe to operate because of a factory recall involving replacing a component installed by Nissan which could be deadly for me or others.

It seams to me that when an automotive manufacturer has a dangerous recall on any component , they should be responsible for all cost in removing and replacing this recalled component .

Thank you in advance for a reply in helping me in this situation.

Recall notice 48ZK-PWM
2010 Nissan Versa
Vin

VIN: 3N1BC1APXAL[redacted]

[redacted]

Butler Georgia [redacted]

[redacted]

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