

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

From: [DataQuality, DataQuality \(NHTSA\)](#)
To: [EVOQ \(NHTSA\)](#)
Subject: FW: Response to: Follow up to ODI Complaint ----- 11478431----- [REDACTED]
Date: Monday, January 9, 2023 3:24:29 PM
Attachments: [REDACTED]
Importance: High

From: [REDACTED]
Sent: Monday, January 9, 2023 3:15 PM
To: DataQuality, DataQuality (NHTSA) <DataQuality@dot.gov>
Subject: Response to: Follow up to ODI Complaint ----- 11478431----- [REDACTED]
Importance: High

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

To Randy Reid,

This e-mail includes an updated copy of the Vehicle Owner's Questionnaire, and e-mail communication with VW Dirito Brothers of Walnut Creek Service Department regarding the diagnosis of the 2019 VW Tiguan. All along I thought my 2019 VW Tiguan is a very reliable car since I religiously bring the car to Dirito Service whenever the Service notification or any messages pop up on the Instrument Cluster Display. It was alarming to me when the car stalled and stop operating. Upon learning the vehicle diagnosis with Dirito, I searched the internet to check if other Tiguan owners have issues with timing chain and tensioner. I came across the VW Warranty Information Policies and Procedure Bulletin Number: VWP-18-07 dated Jan 30, 2019 on the Revised Timing Chain/Timing Chain Tensioner Limited Warranty Extension. I immediately contacted Sean from Dirito and asked him about the warranty extension. When I received a negative response from Sean, I contacted VW of America for consideration. On my first contact the representative from VW of America took the vehicle information and my information but when she passed on the information to her lead, the representative told me the settlement expired on my vehicle and can't process my claim so I decided to file an ODI Complaint.

Once again I contacted VW of America for reconsideration. This time they took my complaint and said they will have Dirito Brothers review my complaint. Jackie from Volkswagen customer care left a message on September 13, 2022 to inform me that my complaint was filed and the resolution will come from the dealership. The Assistance Manager of Dirito Brothers contacted me upon receipt of my complaint filed by customer care on my behalf. During the conversation, the Assistant Manager offered to submit a goodwill assistance claim to VW of America which I later I was told by Sean was denied (see e-mail conversation below). Below were my e-mail conversations with Dirito Brothers.

Why I filed a complaint with VW of America and ODI? It appears the repairs on the vehicle Dirito did on December 20, 2019, when I brought the car for scheduled maintenance for 80,000 miles, were made in the location where the timing chain is. During the maintenance service they noted drive belt worn down center of belt, engine oil leaking down front of engine block from camshaft carrier lock cage (copied from the invoice of 12/20/19). I questioned why they didn't check the health of the timing chain in December 2019 knowing the vehicle is on the list of eligible vehicles listed on the settlement agreement.

I didn't have Dirito repair the vehicle because they cannot assure me if the engine is healthy and in my opinion fixing the timing chain could possibly be a temporary fix or the vehicle would not even run and may need engine replacement.

I have some copies of previous invoices from repairs on the vehicle done by Dirito to date. I have missing invoices which I requested from Dirito last week but I haven't received a response.

I decided to have a **second opinion**, I had the car towed from VW Dirito Brothers Walnut Creek to Vacaville VW on October 17, 2022. I will send the e-mail conversations and diagnosis of VW Vacaville on a separate e-mail.

Thank you so much for reviewing my ODI complaint.

Sincerely,

[REDACTED]
[REDACTED]

Updated copy of the Vehicle Owner's Questionnaire - ODI Complaint

E-mail Threads with Dirito Brothers Walnut Creek VW

Begin forwarded message:

From: [REDACTED]
Subject: Re: Follow Up on Carpio's 2009 Tiguan
Date: October 6, 2022 at 3:00:39 PM PDT
To: seanthomas@dirito.com

Wow, what an offer. I'm a loyal customer there. I bought two VW there & another VW GTI at Fairfield VW bec you didn't have the color available at the time. Brought the Tiguan there for service since purchase. But no one have informed me of the settlement on the chain. You told me about the tire last June when I had an oil change & I changed the 4 tires 2 days after. I read on car gurus some dealerships had been very understanding & worked with VW to get the chain repairs covered since they are loyal customer. I didn't get that kind of treatment with Dirito. I'm very disappointed.

I'll have the car towed back to my house next week, either Tuesday or Wednesday. I'll give you a call first so you'll know I'm coming.



Sent from my iPhone

On Oct 6, 2022, at 11:09 AM, seanthomas@dirito.com wrote:

Yes, I checked in with the sales department and was told they would offer \$500.00 for the vehicle.

-----Original Message-----

From: [REDACTED]
Sent: Thursday, October 6, 2022 9:15am
To: seanthomas@dirito.com
Subject: Re: Follow Up on Carpio's 2009Tiguan

Hi Sean,
I haven't heard from your sales department. Have you passed on the information on the 2009 Tiguan?

Thanks,



Sent from my iPhone

On Sep 29, 2022, at 9:56 AM, [REDACTED]
[REDACTED] > wrote:

I'll wait to hear from your sales department.
Thank you,



Sent from my iPhone

On Sep 29, 2022, at 9:21
AM, seanthomas@dirito.com wrote:

I will pass on your information to my sales department and they can discuss any options we can offer towards purchase/trade.

-----Original Message-----

From: [REDACTED] >
Sent: Wednesday, September 28, 2022 8:35pm
To: seanthomas@dirito.com
Subject: Re: Follow Up on Carpio's 2009Tiguan

Hi Sean,
How much would Dirito offer if I decide to just sell
the car as is? Can you please let me know?
Thanks,
[REDACTED]

Sent from my iPhone

On Sep 28, 2022, at 1:08
PM, seanthomas@dirito.com wrote:

[REDACTED]
We received word back from VW.

The goodwill assistance claim was
denied. They are unable to offer
additional assistance beyond the
warranty extension that has
expired.

Please let me know how you'd like
to proceed. Feel free to contact me
with any questions.

Thank You,
Sean

-----Original Message-----

From: [REDACTED] >
Sent: Monday, September 26, 2022
8:48pm
To: seanthomas@dirito.com
Subject: Re: Follow Up on [REDACTED]
2009Tiguan

Thank you for your quick response.

Sent from my iPhone

On Sep 26, 2022, at
1:28
PM, seanthomas@dirito.com wrote:

Hello [REDACTED]

I just checked and
status is "Pending
further review".

Not unusual
for something with the
repair cost/miles on
vehicle.

I will check again tomorrow.

Thank You,

Sean Thomas
Service Consultant
Dirito Brothers VW
925-934-8224

-----Original Message-----

From: "[REDACTED]"
[REDACTED]
Sent: Monday, September 26, 2022 12:44pm
To: seanthomas@dirito.com
Subject: Follow Up on [REDACTED] 2009Tiguan

Hi Sean,

I'm following up on the 2009 Tiguan since I haven't received an update on the claim submitted to VW of America.

Thanks,

[REDACTED]

Sent from my iPhone

Begin forwarded message:

From: "seanthomas@dirito.com" <seanthomas@dirito.com>
Subject: RE: Fwd: Estimate Requested
Date: August 23, 2022 at 9:19:44 AM PDT
To: [REDACTED]

[REDACTED]

Below are the technician notes:

CAR BARELY RUNS, SCANNED FOR FAULTS AND FOUND MISSFIRE FAULTS ON ALL CYLINDERS ALONG WITH P0016 CAMSHAFT TIMING CORRELATION FAULTS. TIMING IS ADVANCED OVER 10 DEGREES AT IDLE, REMOVED COVER AND INSPECTED CHAIN AND CONFIRMED STRECHED AND JUMPED. RECOMMEND

TIMING CHAIN/ADJUSTER/ETC

Please let me know if you need anything else.

Thank You,
Sean

-----Original Message-----

From: [REDACTED] >
Sent: Sunday, August 21, 2022 12:08pm
To: seanthomas@dirito.com
Subject: Fwd: Estimate Requested

Hi Sean,

This is a follow up email from my request dated August 16, 2022 (see below).

Can you please email me a copy of the diagnosis & the detailed list of repairs to be done?

Thank you,
[REDACTED]

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: August 16, 2022 at 11:55:52 AM PDT
To: seanthomas@dirito.com
Subject: Re: Estimate Requested

Hi Sean,

Thank you for the parts & labor quote for the 2009 Tiguan repair. However, I actually want a copy of the diagnosis & the detailed list of repairs to be done. If you could send me copies of those two items I'll appreciate it.

Thank you,
[REDACTED]

Sent from my iPhone

From: seanthomas@dirito.com
Date: August 15, 2022 at 10:54:25 AM PDT
To: [REDACTED]
Subject: Estimate Requested

Hello [REDACTED]

Below is the estimate for repair requested on your Tiguan.

Parts \$1,895.13 (see attached image for parts list)

Labor \$2,530.00

Tax \$165.82

Total \$4,590.95



Please contact me with any questions.

Thank You,

Sean Thomas
Service Consultant
Dirito Brother VW
925-934-8224

On Dec 29, 2022, at 12:51 PM, EVOQ (NHTSA) <EVOQ@dot.gov> wrote:

Please see the attached copy of your recent complaint and instructions. Please make any necessary edits and return via email to dataquality@dot.gov or fax to (202) 366-1767. Due to the volume of complaints we receive and our limited resources, we cannot respond to every complaint.

NHTSA/Office of Defects Investigation

U.S. Department
of TransportationNational Highway
Traffic Safety
Administration

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

FOR AGENCY USE ONLY 100148

Date Received 09-AUG-2022	Repository <input type="checkbox"/>
Reference No. 11478431	
Daytime Telephone Number [REDACTED]	E-mail Address [REDACTED]
Evening Telephone Number	

OWNER INFORMATION (Type or Print)

Name [REDACTED] correct name : [REDACTED]		
Address [REDACTED]		
City Vallejo	State CA	ZIP Code [REDACTED]

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 WVGAV75N09W [REDACTED]	MAKE VOLKSWAGEN	Model TIGUAN	Model Year 2009
Date Purchased August 22, 2009	Dealer's Name and Telephone Number Dirito Brothers Walnut Creek Volkswagen (925) 934-8224		Engine: 2 No: Cylinders 4
Original Owner <input checked="" type="checkbox"/>	Dealer's City Walnut Creek	STATE CA	ZIP Code 94596
Transmission Type automatic	<input checked="" type="checkbox"/> Antilock Brakes <input checked="" type="checkbox"/> Cruise Control	Powertrain FRONT WHEEL DRIVE	Multiple Failure: Incident Date(s) 10-JUL-2022

FAILED COMPONENT(S)/PART(S) INFORMATION

Vehicle Components Codes: 060000 ENGINE (PWS), 061560 ENGINE AND ENGINE COOLING:ENGINE:OIL/LUBRICATION:PRESSURE/TEMPERATURE SENSOR Timing chain and timing sensor failure. Low oil pressure and engine warning light. Engine suffered terminal failure	Failure Mileage 84092.0	Failure Speed 60-65
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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: DOTM1 9ABC036)	<input type="checkbox"/> Original Requirement <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), 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 n/a	Number of Deaths n/a	Reported to Police N
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Narrative Description of Incident(s), Crash(es), 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).

The contact owns a 2009 Volkswagen Tiguan. The contact stated that while her son was driving at an undisclosed speed, the oil pressure warning light illuminated and a message to stop the vehicle immediately was displayed. AAA arrived on the scene and diagnosed the vehicle with oil sensor failure. The vehicle was driven to an independent mechanic and the vehicle was repaired; however, the failure reoccurred. The vehicle was vibrating while driving back to the residence. The vehicle stalled upon arrival at the residence in the driveway. The vehicle was towed to the local dealer and diagnosed with timing chain and timing sensor failure. The vehicle was not repaired. The manufacturer was not notified of the failure. The approximate failure mileage was 84,092.

My son was driving at Hwy 80 east freeway on speed limit and about to exit Dixon when the oil pressure light illuminated and a message to stop the vehicle immediately was displayed. My son stopped the car immediately and called American Automobile Association (AAA), which is our car insurance company, to tow the vehicle to the house. AAA ran diagnostic and told my son the vehicle is safe to drive home at low speed with hazard light turned on. AAA said it could be just the oil sensor light was busted and offered to replace it. AAA replaced the oil sensor light. The vehicle ran fine until my son was about 2 miles to the house that the vehicle started chugging and stalled on the driveway. The vehicle has been serviced solely by Dirito Brothers Service since purchased and last vehicle service they did before the July 10, 2022 incident was June 7, 2022. The vehicle was towed to Dirito Service on August 2, 2022 after my son's wedding and diagnosis was timing chain & sensor failure.

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 to 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.

U.S. Department
of TransportationNational Highway
Traffic Safety
Administration

**DOT Auto Safety Hotline
Vehicle Owner's Questionnaire
To Report Vehicle Safety Defects**
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INTERNET:www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 100148

Date Received

09-AUG-2022

Repository Reference No.
11478431**OWNER INFORMATION (Type or Print)**

Name		
Address		
City	State	ZIP Code
Vallejo	CA	

Daytime Telephone Number	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 WVGAV75N09W		MAKE VOLKSWAGEN	Model TIGUAN	Model Year 2009
Date Purchased	Dealer's Name and Telephone Number		Engine: 2 No: Cylinders 4	Fuel Type: GAS
Original Owner <input type="checkbox"/>	Dealer's City Walnut Creek	STATE CA	ZIP Code: 94596	
Transmission Type	<input type="checkbox"/> Antilock Brakes <input type="checkbox"/> Cruise Control	Powertrain FRONT WHEEL DRIVE	Multiple Failure:	Incident Date(s) 10-JUL-2022

FAILED COMPONENT(S)/PART(S) INFORMATION

Vehicle Components Codes: 060000 ENGINE (PWS), 061560 ENGINE AND ENGINE COOLING:ENGINE:OIL/LUBRICATION:PRESSURE/TEMPERATURE SENSOR	Failure Mileage 84092.0	Failure Speed
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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: DOTM4L 9ABC036)	<input type="checkbox"/> Original Requirement <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), 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), 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).

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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 to 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.



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

1200 New Jersey Avenue SE
Washington, DC 20590

Dear Consumer:

NEF-160

As a follow-up to your report to the Vehicle Safety Hotline (VSH), we have recorded your information on the enclosed Vehicle Owner's Questionnaire (VOQ) form. Please review the form and make changes, additions and corrections as necessary. Additionally, please provide a more detailed description of the failures(s) you reported that you believe relevant to safety. Also, if available, include copies of repair invoices, letters to the manufacturer, or any other document related to the problem(s) you reported. If a crash or fire occurred, include a copy of the police or fire department report.

It is helpful to be as thorough as possible in your report so that our ability to use your report will be maximized. If you do not have the information, it is not necessary to complete all the boxes. However, it is very difficult to identify the scope of a vehicle problem unless the vehicle identification number (VIN) is known. The VIN is located inside the vehicle on the dashboard adjacent to the left (driver's side) of the windshield pillar and on the drivers' door or the driver's door jam. It may also be listed on a dealer repair invoice or your insurance or registration cards. When reporting a tire problem, the brand name, tire line and complete tire size should be included. Be certain to provide the DOT tire identification number. It is usually located near the rim flange of the tire on either side of the tire.

We do not make your personal information (name, address, phone numbers, etc.) available to the general public. However, if we open an investigation that involves your vehicle, we will provide the manufacturer of your vehicle with a complete copy of your report. The information you provide may assist the manufacturer and NHTSA in determining if a safety-related defect exists.

Any information provided is entirely voluntary. There is no consequence or penalty of any kind if you do not wish to provide it. We seek this information to develop both statistical and investigative evidence that will help identify potential safety related problems in vehicles or vehicle equipment, e.g., tires, child safety seats, jacks, etc.

When completed, please fold and staple or tape the form so that the pre-addressed portion of the form is on the outside. If a larger envelope is used, tape the VOQ form to the larger envelope so that the pre-addressed portion of the form is showing.

If further assistance is needed, please contact the VSH at their toll-free number, 1-888-327-4236.

Thank you for your cooperation.

Sincerely,

Randy Reid Chief
Correspondence Research Division
Office of Defects Investigation
Enforcement

Enclosure: VOQ

