

**From:** [REDACTED]  
**To:** [EVOO \(NHTSA\)](#)  
**Subject:** Fwd: Response to: Follow up to ODI Complaint ----- 11478431----- [REDACTED]  
**Date:** Thursday, July 27, 2023 4:34:57 PM  
**Attachments:** [REDACTED]

**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 whom it may concern,

I'm sending this email to follow up my ODI Complaint- 11478431 filed August 16, 2022 with NHTSA.

Can you please let me know the status of this complaint?

Thank you,

[REDACTED]  
Begin forwarded message:

**From:** [REDACTED]  
**Date:** January 9, 2023 at 12:15:03 PM PST  
**To:** [dataquality@dot.gov](mailto:dataquality@dot.gov)  
**Subject:** Response to: Follow up to ODI Complaint ----- 11478431----- [REDACTED]  
[REDACTED]

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]

#### **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](mailto: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 Diritto. 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

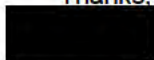
On Oct 6, 2022, at 11:09 AM, [seanthomas@diritto.com](mailto:seanthomas@diritto.com) wrote:

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@diritto.com](mailto:seanthomas@diritto.com)  
Subject: Re: Follow Up on [REDACTED] 2009Tiguan

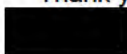
Hi Sean,  
I haven't heard from your sales department. Have you passed on the information on the 2009 Tiguan?  
Thanks,



Sent from my iPhone

On Sep 29, 2022, at 9:56 AM, [REDACTED] 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@diritto.com](mailto:seanthomas@diritto.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](mailto:seanthomas@dirito.com)

Subject: Re: Follow Up on [REDACTED] 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](mailto: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-----

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From: "[REDACTED]"

██████████  
Sent: Monday,  
September 26, 2022  
8:48pm  
To: [seanthomas@dirito.com](mailto:seanthomas@dirito.com)  
Subject: Re: Follow  
Up on ██████████  
2009Tiguan

Thank you for your  
quick response.

Sent from my iPhone

On Sep  
26,  
2022, at  
1:28  
PM, [seanthomas@dirito.com](mailto:seanthomas@dirito.com) wr  
ote:

Hello  
██████████

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

Not  
unusual  
for some  
thing  
with the  
repair  
cost/mil  
es on  
vehicle.

I will  
check  
again  
tomorrow.

Thank  
You,

Sean  
Thomas

Service  
Consult  
ant  
Dirito  
Brother  
s VW  
925-  
934-  
8224

-----  
Original  
Messag  
e-----

From:

[REDACTED]

Sent:  
Monday

,  
Septem  
ber 26,  
2022  
12:44p  
m

To: [seanthomas@diritos.com](mailto:seanthomas@diritos.com)

Subject:  
Follow  
Up on

[REDACTED]  
2009 Tiguan

Hi  
Sean,

I'm  
followin  
g up on  
the  
2009  
Tiguan  
since I  
haven't  
receive

d an  
update  
on the  
claim  
submit  
ed to  
VW of  
America  
.

Thanks,

[REDACTED]  
Sent  
from my  
iPhone

Begin forwarded message:

**From:** "[seanthomas@dirito.com](mailto:seanthomas@dirito.com)" <[seanthomas@dirito.com](mailto: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 STRETCHED 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](mailto: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](mailto: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](mailto: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](mailto: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](mailto:dataquality@dot.gov) or fax to [\(202\) 366-1767](tel: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: 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 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.