

July 2024

To Whom It May Concern:

I am attaching a similar version of what I sent to the Toyota customer service engagement center on their online site complaint form after speaking to a representative in January 2024 (this may be slightly different as I did have to consolidate due to word restriction in the online complaint) along with documentation supporting my claim. I never heard back from Toyota regarding this matter even though I provided both a contact phone number and email in my online submission to Toyota.

Toyota's defect on my 2020 Toyota Highlander Hybrid VIN 5TDHBRCH1LS [REDACTED] caused what was considered by my insurance company a single-car accident involving my vehicle in September 2022. Once I was notified by Toyota of the defect - NHTSA Recall No. 23V-720 and Toyota Recall No. 23TA12 (Interim 23TB12), I asked for compensation in January 2024, but I never heard back from Toyota.

Recently, we received the official recall notice to remedy this issue - NHTSA Recall No. 23V-720 and Toyota Recall No. 23TA12 (Remedy Notice). I intend to schedule an appointment for the offered remedy, but I still have not heard from Toyota regarding compensation for the single-car accident that their defect caused involving my 2020 Highlander. Because I never heard from Toyota after submitting this information online, I am mailing it to both the Toyota Brand Engagement Center as well as the National Highway Traffic Safety Administration.

I can be contacted at [REDACTED]. The email I provided previously was my work email, I believe - [REDACTED]. That should work for me, but sometimes the school district filters emails. Just in case, my personal email is [REDACTED]

Thank you in advance for your time on this matter.

[REDACTED]

January 2024

On September 9, 2022 I was driving my 2020 Toyota Highlander Hybrid VIN 5TDHBRCH1LS [REDACTED] or [REDACTED] near Folsom, California when part of my front bumper came off. I had not seen anything in the road, but it felt like I had hit or run something over causing my vehicle to pull drastically to one side almost causing an accident with other cars. I was able to barely maintain control of the car and pull over to the side of the road. I did not see any other objects other than parts of my bumper - some of which was still dragging under my car, and some of which I and other drivers had run over before it settled on the side of the highway.

I was scared and very anxious not knowing what had almost caused a major accident. I pulled another piece off of the underside of the car and drove very slowly to an exit. Once I stopped in a safe location, I contacted my insurance company USAA, and then using a utility knife, I cut off some of the plastic pieces of the undercarriage that were still dragging under the car. Upon the advice of USAA insurance, I took the Highlander to Caliber Collision in Orangevale, California. The repair bill ended up being \$1503.59 of which I was responsible for \$200 of the deductible. In addition to this, I did not have my car from 9-6-22 to 9-22-22, and USAA Insurance paid for a rental car during this entire time. I have not been able to find out what the bill was for the rental car.

The biggest issue is that USAA insurance determined that I was liable for the damage and considered it an at-fault incident (the same as an at-fault accident) and have increased my premiums accordingly. As you can see from my insurance bill, I was given a \$785.10 increase on my 6-month insurance premium on 9-7-22, the day after I reported the bumper coming off the vehicle. The insurance agent explained that this was deemed an at-fault accident, and this would affect my insurance rate for 36 months (six 6-month cycles). An increase of \$785.10 per 6-month cycle for six cycles is a total of \$4,710.60.

Had I known that this would have been considered an at-fault accident by insurance and would increase my rates so drastically, I would have paid for the repairs out of pocket. However, I did not realize that I would be given an at-fault accident by my insurance, and I had no idea what had happened and how much damage was done to the car. I only knew that parts of my car had fallen off, I had driven over them, and this had nearly caused a major accident at highway speeds. Getting the help of my insurance company seemed like the safest thing to do at the time.

Within this past week (today being January 19, 2024), we received an Important Safety Recall notice from Toyota - NHTSA Recall No. 23V-720 and Toyota Recall No. 23TA12 (Interim 23TB12). The notice reads:

The subject vehicles are equipped with a resin front lower bumper cover assembly, connected with mounting tabs. If there is minor impact to the lower front bumper cover assembly that causes the mounting tabs to detach from the vehicle during normal operation, one or more parts

of this assembly could detach, which could become a road hazard, increasing the risk of a crash or injury for other road users. (Red font and underlining added by Toyota, not by me.)

After reading this Safety Recall notice, I immediately realized that this is what happened to my vehicle on 9-6-22 as I had not seen anything in the road either before or after part of the bumper came off. This caused a lot of stress on part in many ways: 1) Almost getting in an accident was a terrifying experience. 2) I spent many hours dealing with my insurance company and a body shop to get the Highlander repaired. 3) There has been financial stress because of the drastic increase in my insurance premium due to this incident which I know now was not my fault 4) Since receiving the Safety Recall notice, I have spent several hours talking to the Toyota Brand Engagement Center, my insurance company and the body shop to gather all of the necessary evidence as well as the time in writing this report and submitting the paperwork evidence online. 5) Now that I understand that there is a design flaw in the Highlander, I am worried that a similar incident may reoccur.

I am asking for compensation for:

- 1) \$4,710.60 in increased insurance premiums over a 36-month for an incident we know now should not have been considered an at-fault accident by me but was caused by a design flaw by Toyota on the Highlander.
- 2) \$1,503.59 for the repair cost (I only paid the \$200 deductible, so I would work with USAA insurance to return the remaining \$1,303.59 to them).
- 3) \$1,000 estimate for the car rental. I do not know the exact cost of car rental while my Highlander was in the shop, but \$1,000 seems reasonable for a 15-day car rental (Again, this was covered by USAA insurance, so I will work with them to reimburse them for this expense).
- 4) \$2,000 for the time I have spent dealing with this situation. I estimate about 30 man hours were spent with the initial situation in September 2022, and I am estimating 10 man hours with what I have spent this past week and I anticipate before this is resolved. This equates to about a full work week, and \$2,000 for a week's worth of work is a bargain and less than I get paid as a school teacher.
- 5) \$1,000 for the stress that was caused first by a near accident due to Toyota's design flaw and then the stress dealing with this entire situation that has stretched out to over a year.

Total: \$10,2014.19 of which I intend to return \$2,303.59 to USAA Insurance.

If you agree to this, I would be happy to put the matter behind me although I will still take the Highlander in once a remedy is available (the notice indicated that Toyota is still working on a remedy with improved retention hardware). If you cannot agree to these terms, my next course of action would be to seek legal advice on how to pursue a fair settlement in the situation.



CLAIM LIABILITY DECISION

FAIR OAKS CA

Review Our Liability Decision

September 7, 2022

Dear [REDACTED]

Thank you for trusting us with your insurance needs. State law requires that we inform you if the driver of your vehicle was principally at fault. Our decision is that the driver of your vehicle was 100% at fault for the following claim:

| | |
|-----------------------|--------------------|
| Policyholder: | [REDACTED] |
| Claim number: | [REDACTED] |
| Date of loss: | September 6, 2022 |
| Loss location: | Folsom, California |

Details Regarding Our Decision




We consider these at-fault decisions when determining future premiums.

- This accident occurred when the driver of your vehicle struck an unknown object.
- We determined that the driver of your vehicle was principally at fault because under California law, a driver is responsible for steering clear of any obstacles.

If you do not agree with our decision, please call me. You may also request reconsideration of our decision in writing within 30 days from receipt of this correspondence.

How to Contact Us

Please send any correspondence or questions to us using one of the following options and include the claim number on each page mailed or faxed:

-  **usaa.com or our mobile app:** Upload documents or post a secure message to your claim file through the Claim Communication Center.
-  **Email:** Send an email or attachments to your claim file at 58v8mwwjpg8b@claims.usaa.com. Don't send private information via this channel.
-  **Address:** USAA Claims Department
P.O. Box 33490
San Antonio, TX 78265



Fax:

1-800-531-8669



Phone:

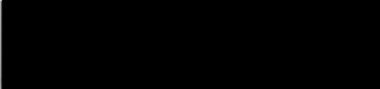
1-800-531-8722

Thank you for allowing us to help protect you with insurance coverage.

Sincerely,



Jeanette H Williamson
Central Region
USAA Casualty Insurance Company



USAA Confidential

FAIR OAKS CA

Automatic Payment Summary

Due Nov. 1st

\$753.79

| Policy Being Billed | Balance (in USD) | Due Now (in USD) |
|---|-------------------|------------------|
| CA Auto 7102 09/08/22 to 03/08/23 | 3,641.45 | 728.29 |
| CA Homeowners 92A 09/01/22 to 09/01/23 | 255.00 | 25.50 |
| Total | \$3,896.45 | \$753.79 |

For all your policy details, payment history and more, visit usaa.com. You are currently set up to pay your premium automatically. No additional action is required.

Billing Details

| Date | Details | Amount (in USD) |
|----------|---------------------------|-------------------|
| 09/04/22 | Balance on Last Statement | 3,708.12 |
| 09/07/22 | Adjustment CA Auto 7102 | 785.10 |
| 10/01/22 | Automatic Payment | -596.77 |
| 10/05/22 | Balance | \$3,896.45 |

Notes

- USAA is a servicing carrier of the California Earthquake Authority, which provides your earthquake insurance. The premiums for each California Earthquake Authority policy is included in the total premium for its Homeowner/Rental Property Insurance companion policy. Please refer to your California Earthquake Authority declarations page for more detailed premium information.
- Your bank account ending in 0492 will be debited for \$753.79 on November 1, 2022. Any changes made to this debited amount must be made at least one day prior to the withdrawal date. The Payment amount is subject to change based on policy adjustments and can be reviewed at usaa.com for any updates. You will not receive a monthly notification in the mail if the premium amount remains the same from preceding months. Courtesy copies of your statements will continue to be available on usaa.com.
- Your company of placement is:
USAA Casualty Insurance Company
Garrison Property and Casualty Insurance Company

CALIBER COLLISION

CALIBER - ORANGEVALE
 RESTORING THE RHYTHM OF YOUR LIFE
 9439 Greenback Lane, Orangevale, CA 95662
 Phone: (916) 987-3295
 FAX: (916) 987-3297

Workfile ID: 09a3bdb1
 Federal ID: 33-0730794
 State EPA: CAL000389100
 BAR: ARD299835

Final Bill

RO Number: [REDACTED]

Customer: [REDACTED] Insurance: USAA CASUALTY INSURANCE Adjuster: Jeanette Estimator: Melissa Lee
 [REDACTED] Phone: (800) 531-8722 Create Date: 9/13/2022
 [REDACTED] Business
 [REDACTED] Visit us at USAA.com or Call Claim: [REDACTED]
 FAIR OAKS, CA [REDACTED] San Antonio, TX 78265 Loss Date: 9/6/2022
 [REDACTED] Deductible: 200.00

2020 TOYO Highlander Hybrid XLE AWD 4D UTV 4-2.5L Hybrid Port/Direct Injection Blue

VIN: STDHBRCH1 [REDACTED] Interior Color: Mileage In: 42,361 Vehicle Out: 9/22/2022
 License: [REDACTED] Exterior Color: Blue Mileage Out: 42,365
 State: CA Production Date: 3/2020 Condition: Job #:

| Line | Ver | Operation | Description | Qty | Extended Price \$ | Part Type | Labor \$ | Type | Paint |
|------|-----|----------------|--|-----|-------------------|-----------|----------|------|-------|
| 1 | E01 | | FRONT BUMPER & GRILLE | | | | | | |
| 2 | E01 | Remove/Install | R&I bumper cover | | | | 186.90 | Body | |
| 3 | E01 | Remove/Replace | Lower cover w/o valance panel | 1 | 143.60T | OEM | 35.60 | Body | |
| 4 | E01 | Remove/Replace | Under cover NOTE: not cost effective for used | 1 | 83.70T | OEM | 17.80 | Body | |
| 5 | E01 | Remove/Replace | Under cover bolt NOTE: 3 of these are required. | 3 | 2.58T | OEM | | | |
| 6 | E01 | Remove/Replace | Under cover screw NOTE: 8 of these are required. | 8 | 6.64T | OEM | | | |
| 7 | E01 | Remove/Replace | Under cover clip NOTE: 2 of these are required. | 2 | 3.28T | OEM | | | |
| 8 | E01 | | FENDER | | | | | | |
| 9 | E01 | Remove/Replace | RT Fender liner | 1 | 216.53T | OEM | 35.60 | Body | |
| 10 | E01 | Remove/Replace | LT Fender liner | 1 | 214.72T | OEM | 35.60 | Body | |
| 11 | E01 | Remove/Replace | RT Fender liner screw #1 NOTE: 2 of these are required. | 2 | 1.60T | OEM | | | |
| 12 | E01 | Remove/Replace | LT Fender liner screw #1 NOTE: 2 of these are required. | 2 | 1.60T | OEM | | | |
| 13 | E01 | Remove/Replace | RT Fender liner screw #3 NOTE: 3 of these are required. | 3 | 2.49T | OEM | | | |
| 14 | E01 | Remove/Replace | RT Fender liner clip #1 NOTE: 6 of these are required. | 6 | 9.84T | OEM | | | |
| 15 | E01 | Remove/Replace | LT Fender liner screw #3 NOTE: 3 of these are required. | 3 | 2.49T | OEM | | | |
| 16 | E01 | Remove/Replace | RT Fender liner clip #2 | 1 | 6.26T | OEM | | | |

T = Taxable Item, RPD = Related Prior Damage, AA = Appearance Allowance, UPD = Unrelated Prior Damage, PDR = Paintless Dent Repair, A/M = Aftermarket, Rechr = Rechromed, Reman = Remanufactured, OEM = New Original Equipment Manufacturer, Recor = Re-coated, RECOND = Reconditioned, LKQ = Like Kind Quality or Used, Diag = Diagnostic, Elec = Electrical, Mech = Mechanical, Ref = Refinish, Struc = Structural

Final Bill

RO Number: [REDACTED]

2020 TOYO Highlander Hybrid XLE AWD 4D UTV 4-2.5L Hybrid Port/Direct Injection Blue

| | | | | | | | |
|----|-----|----------------|---|---|--------|-------|------------|
| 17 | E01 | Remove/Replace | LT Fender liner clip #1 NOTE: 6 of these are required. | 6 | 9.84T | OEM | |
| 18 | E01 | Remove/Replace | LT Fender liner clip #2 | 1 | 6.26T | OEM | |
| 19 | E01 | Remove/Replace | RT Fender liner grommet | 5 | 7.20T | OEM | |
| 20 | E01 | Remove/Replace | RT Pad | 1 | 37.98T | OEM | |
| 21 | E01 | Remove/Replace | LT Fender liner grommet | 5 | 7.20T | OEM | |
| 22 | E01 | Remove/Replace | LT Pad | 1 | 37.98T | OEM | |
| 23 | E01 | Remove/Install | RT Wheel opng mldg | | | | 0.00 Body |
| 24 | E01 | Remove/Install | LT Wheel opng mldg | | | | 0.00 Body |
| 25 | E01 | Remove/Install | RT Mud guard | | | | 17.80 Body |
| 26 | E01 | Remove/Install | LT Mud guard | | | | 17.80 Body |
| 27 | E01 | Repair | Post-Repair diagnostic scan | | | | 44.50 Body |
| 28 | E01 | Sublet | Post-Repair diagnostic scan | 1 | 70.00 | Other | |
| 29 | E01 | Sublet | Pre-Repair diagnostic scan | 1 | 50.00 | Other | |
| 30 | E01 | Repair | Pre-Repair diagnostic scan | | | | 44.50 Body |
| 31 | S01 | Sublet | Alignment Check - Sublet | 1 | 100.00 | Other | |
| 32 | S01 | | Fuel Freight Surcharge Inv# [REDACTED] | 1 | 3.00T | Other | |
| 33 | S01 | | Fuel Freight Surcharge Inv# [REDACTED] | 1 | 3.00T | Other | |

| Estimate Totals | Discount \$ | Markup \$ | Rate \$ | Total \$ |
|------------------------|--------------------|------------------|----------------|-----------------|
| Parts | | | | 807.79 |
| Sublet/Miscellaneous | | | | 220.00 |
| Labor, Body | | | 89.00 | 436.10 |
| Subtotal | | | | 1,463.89 |
| Bottomline Discount | | | | (21.96) |
| Sales Tax | | | | 61.66 |
| Grand Total | | | | 1,503.59 |
| Deductible | | | | (200.00) |
| Net Total | | | | 1,303.59 |

| Estimate Version | Total \$ |
|-------------------------|-----------------|
| Original | 1,457.83 |
| Supplement S01 | 45.76 |

| | | |
|---------------------------------|------------|----------|
| Insurance Total \$: | 1,303.59 | |
| Received from Insurance \$: | 1,303.59 | |
| USAA CASUALTY INSURANCE COMPANY | 9/26/2022 | 1,257.83 |
| USAA CASUALTY INSURANCE COMPANY | 10/05/2022 | 45.76 |
| Balance due from Insurance \$: | 0.00 | |
| Customer Total \$: | 200.00 | |
| Received from Customer \$: | 200.00 | |

T = Taxable Item, RPD = Related Prior Damage, AA = Appearance Allowance, UPD = Unrelated Prior Damage, PDR = Paintless Dent Repair, A/M = Aftermarket, Rechr = Rechromed, Reman = Remanufactured, OEM = New Original Equipment Manufacturer, Recor = Re-cored, RECOND = Reconditioned, LKQ = Like Kind Quality or Used, Diag = Diagnostic, Elec = Electrical, Mech = Mechanical, Ref = Refinish, Struc = Structural

Fair Oaks, CA

NET
7119124

Administrator,
National Highway Traffic Safety Administration
1200 New Jersey Ave, S.E.
Washington DC 20590



usps .gov

