

03/10/2024

Sophie Shulman
Deputy Administrator
National Highway Traffic Safety Administration (NHTSA)
1200 New Jersey Avenue SE
Washington, DC 20590

Dear Deputy Administrator Shulman,

I hope this letter finds you well. I am writing to bring a matter of significant concern to your attention, one that pertains to the safety of my family and me as consumers. I am compelled to seek assistance from the National Highway Traffic Safety Administration (NHTSA) regarding a persistent and dangerous issue with our Hyundai vehicle.

In January 2023, our vehicle was involved in a severe collision, and despite the damages, the insurance company did not declare it as totaled. Hyundai, both in Canada and the United States, subsequently conducted repairs on the vehicle twice, deeming it safe for driving. However, even after these repairs, the vehicle continued to exhibit a critical safety flaw – it intermittently stops in the middle of the road while in operation.

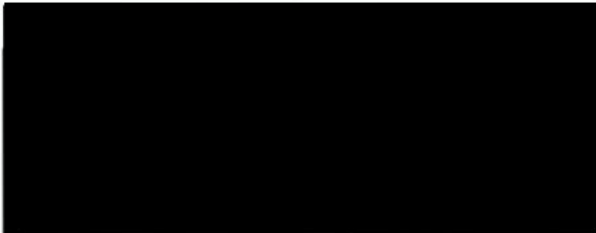
This recurrent issue poses an imminent risk to the safety of my family and other road users. Despite the assurances from Hyundai and the insurance company, the vehicle's unreliability has become a source of distress and a genuine threat to our well-being. The unpredictable nature of these malfunctions has led us to a difficult decision – the voluntary surrender of the vehicle due to safety concerns.

Understanding the pivotal role that NHTSA plays in ensuring the safety of vehicles on the road, I am reaching out in the hope that your office can provide assistance or guidance in addressing this matter. I am particularly interested in any resources or support that NHTSA may offer to consumers facing similar challenges or in any steps that can be taken to prevent similar incidents in the future.

The safety of consumers should always be a top priority, and I trust that NHTSA shares this commitment. I appreciate your attention to this matter and look forward to any assistance or guidance that you can provide to ensure the safety and well-being of all consumers.

Thank you for your time and consideration.

Sincerely,



A handwritten signature in red ink, appearing to be the initials 'RS'.

AFFIDAVIT OF VOLUNTARY SURRENDER OF MOTOR VEHICLE

I, [REDACTED], residing at [REDACTED], East Amherst, New York [REDACTED] declare under penalty of perjury the following facts regarding the return of the **Hyundai 2022 Palisade** with **Vehicle Identification Number KM8R7DHE3NU[REDACTED]**, which was purchased from **Hanlees Hilltop Hyundai, 3285 Auto Plaza, Richmond, California 94806** on **July 08, 2022**.

- 1. Vehicle Safety Concerns:** While my family and I were out of the country from January 2023 to June 2023, the vehicle remained in the care of my wife's uncle during the winter. In January 2023, an undisclosed accident involving my wife's uncle occurred in Ontario, Canada. Subsequently, the vehicle underwent repairs at Nav Bhatia's Streetsville, a Hyundai dealership located at 6225 Mississauga Road, Mississauga, Ontario, as evidenced by the attached receipt.

Regardless of the accident, it's crucial to note that the vehicle was not declared totaled and was deemed safe to drive after repairs from Hyundai dealerships in both Canada and the United States. Despite the assurances regarding the necessary repairs, the vehicle continues to exhibit unsafe behavior. Specifically, the central processing unit is malfunctioning, causing sensors to consistently detect nonexistent objects. This malfunction results in the vehicle abruptly stopping in the middle of the road, posing a significant hazard to myself, my family, and other vehicles that could have potentially collided with us during numerous occurrences of this issue.

Upon our return to the United States of America, unaware of the accident, my family and I continued to encounter sensor issues while driving. To address these concerns, we sought assistance from a local Hyundai dealership for repairs at West Herr Hyundai, situated at 5485 Transit Road, Williamsville, New York 14221.

During the initial visit to West Herr Hyundai, they had the vehicle for a day and assured me that nothing was wrong. However, upon our return and attempting to leave the garage, all the lights came on again. Recognizing the persistence of these issues, they apologized and expressed their intention to involve a collision center to thoroughly investigate the matter.

This revelation came to light when we were informed that the vehicle had been part of a front-end collision. It's worth noting that the initial repair was undertaken to rectify the consequences of the same accident, but evidently failed to resolve the underlying issue. This marks the second endeavor to address the persisting problem stemming from the accident. The pressing question arises: can we genuinely trust that the vehicle will be safe this time? Are we expected to act as unwitting crash test dummies, enduring potential hazards despite repeated attempts to rectify the situation?

- 2. Prolonged Struggle for Resolution:** Despite the initial attempt to rectify the issues through repair, the persistent problems have led to an ongoing compromise in the safety of the vehicle. Numerous efforts were made to address these concerns with both Hyundai Motors America and Hyundai Motor Finance. Unfortunately, the issues remain unaddressed, revealing a disconcerting lack of accountability.

AFFIDAVIT OF VOLUNTARY SURRENDER OF MOTOR VEHICLE

In my pursuit of resolution, Hyundai Motors America clarified that Hyundai Motor Finance operates as a distinct entity, solely focused on receiving monthly payments. This revelation is deeply troubling, especially given the circumstances surrounding the stop payment. Our predicament arises from being provided with a vehicle deemed safe by a Hyundai dealership after repairs (and not deemed totaled), only to encounter recurring incidents of abrupt halts on highways, placing the safety of our three-year-old and one-year-old at imminent risk.

This situation not only jeopardizes our safety but also raises concerns about the violation of our consumer rights. The disconnect between the assurances of safety and the alarming reality of our experiences underscores a fundamental failure in the duty of care, leaving us in a precarious position that demands immediate attention and resolution.

- 3. Voluntary Return:** Given the ongoing safety concerns and the apparent ineffectiveness of traditional channels to resolve the situation, we have opted to proactively return the vehicle to West Herr dealership. This decision is motivated by a desire to prevent potential repossession, particularly considering the perceived delay on the part of Hyundai Motors America and Hyundai Motor Finance in addressing the pressing issues at hand.
- 4. Notification of Relevant Parties:**
 - a. Better Business Bureau (BBB):** A comprehensive copy of this affidavit is being transmitted to the BBB to meticulously document and underscore consumer-related concerns. This includes detailed descriptions of safety issues and the decision to return the vehicle due to unresolved problems.
 - b. Hyundai Motor America:** An official communication will be dispatched to Hyundai Motor America, bringing attention to the prevalent safety issues. This detailed notification emphasizes Hyundai Motor America's responsibility for ensuring vehicle safety and adhering to quality standards. A comprehensive description of the safety concerns is included in this communication.
 - c. Hyundai Motor Finance:** Equally significant, a formal notification will be submitted to Hyundai Motor Finance, apprising them of the safety concerns and the proactive decision to return the vehicle due to unresolved issues. A detailed account of the safety issues and the decision-making process will be provided for their awareness.
 - d. Indenture Trustee:** A duplicate of this comprehensive documentation will be furnished to the Indenture Trustee, entrusted with overseeing financial arrangements. This is intended to ensure a thorough understanding of potential financial implications and obligations. A detailed description of the safety issues and their impact on the decision to return the vehicle will be included.
 - e. National Highway Traffic Safety Administration (NHTSA):** A formal notification will be submitted to the NHTSA, underlining the necessity of their oversight to safeguard public interests and enforce stringent automotive safety standards. This notification includes a comprehensive description of safety concerns and actions taken.

AFFIDAVIT OF VOLUNTARY SURRENDER OF MOTOR VEHICLE

- f. **Consumer Financial Protection Bureau (CFPB):** An official complaint will be lodged with the CFPB, detailing consumer-related concerns, safety issues, and the decision to return the vehicle due to unresolved problems.
- g. **Federal Trade Commission (FTC):** A complaint will be filed with the FTC, outlining concerns related to business practices, safety issues, and the decision to return the vehicle.

5. Lack of Legal Process for Repossession

I want to underscore that as of now, I have not received proper documentation indicating that Hyundai Motor Finance intends to repossess the vehicle. In the event of such a situation, we expect Hyundai Motor Finance to adhere to the legal process for repossession, which includes providing us with any required notices, an opportunity to cure the default, and conducting a repossession in a peaceful and lawful manner. This procedural adherence is essential to ensure our rights are respected and due process is followed.

I believe that the information provided in this affidavit is true and correct to the best of my



Sworn to and subscribed before me this 11th day of MARCH, 2024.

KABALAN RICHARD K
Notary Public, State of New York
Reg. #01KA6432262
Qualified in Erie County
Commission Expires: 04/25/20 26



INVOICE

Invoice #: [REDACTED]



8129 Main St. · Williamsville, NY 14221
Phone: (716) 407-2639 · Fax: (716) 932-4490

www.westherr.com/Service
REPAIR SHOP REG. 7121886

[REDACTED]
[REDACTED]
BUFFALO, NY [REDACTED]

Tag #: **T9234**

Home: [REDACTED] Bus: [REDACTED] Customer #: [REDACTED]

Service Advisor: **9830 CHRISTINA KOLZ**

Cell: [REDACTED] Email: email|noemail@noemail.com|home

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN	MILEAGE OUT			
OTHER	22	HYUNDAI PALISADE	KM8R7DHE3 NU469234		19310/	19317			
DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE	R.O. OPENED	READY
11JAN24			20:00 12JAN24			CASH	09FEB24	14:09 12JAN24	16:21 09FEB24

OPTIONS:

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
A REPAIR FRONT END DAMAGE PER PROGRESSIVE ESTIMATE							
BT REPAIR FRONT END PER PROGRESSIVE ESTIMATE							
				12072	CPB		
				7182	CPB		
				6117	CPB		
8	14160-03103	RIVET			0.63	0.63	5.04
1	865B0-S8BA0	COVER			186.02	186.02	186.02
1	865A0-S8BA0	COVER			186.02	186.02	186.02
1	86542-S8000	AIR DUCT			26.81	26.81	26.81
1	64900-S8010	BEAM			606.30	606.30	606.30
1	86521-S8BA0	ABSORBER			95.74	84.00	84.00
1	86517-S8BA0	CAP			8.00	8.00	8.00
1	86350-S8BA1	GRILLE			1334.60	1334.60	1334.60
1	86577-S8BA1	SKID PLATE			353.11	353.11	353.11
1	86579-S8BA1	PIECE-BUMPER			457.91	457.91	457.91
1	64101-S8010	CARRIER			849.35	725.00	725.00
1	92101-S8210	LAMP			1492.69	1492.69	1492.69
BT DIAGNOSTIC SCANS							
				12896	CPB		189.95
BT CALIBRATE FRONT RADAR AND CAMERA							
				12896	CPB		325.00
MISC MATERIALS							
						331.82	331.82
PARTS: 5465.50 LABOR: 1873.35 OTHER: 331.82 TOTAL LINE A: 7670.67							

REPAIR FRONT END DAMAGE PER PROGRESSIVE ESTIMATE. CLAIM#

\$1000 DEDUCTIBLE DUE AT PICK UP.

\$7341.85 TO BE ISSUED TO SHOP DIRECTLY. [REDACTED]

Invoice # 490941

Thank you!
We appreciate
your business.

If for any reason
you are not

Completely Satisfied

please stop and see our

Service Manager
before you leave.

Service Department Hours

Mon., Tues., Wed, Fri.

7:30am - 6:00pm

Thursday:

7:30 - 7:30

Saturday

8:00am - 4:30pm

STATEMENT OF DISCLAIMER

The factory warranty constitutes all of the warranties with respect to the sale of this item/items. The Seller hereby expressly disclaims all warranties either express or implied, including any implied warranty or merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item/items.

Signature _____

Make your next appointment @ westherr.com/service

DESCRIPTION	LABOR AMOUNT	1873.35
	PARTS AMOUNT	5465.50
	GAS, OIL, LUBE	0.00
	SUBLET AMOUNT	0.00
	MISC. CHARGES	331.82
	TOTAL CHARGES	7670.67
	DISCOUNT	0.00
SALES TAX	671.18	
PLEASE PAY THIS AMOUNT	8341.85	

THANK YOU!



SO# [REDACTED]

**SERVICE ORDER
CUSTOMER COPY**

Printed 01/26/2024 11:54:35 AM

User SHINDSILVA Page

Customer No	Advisor STEVE	Promised 06/27/2023 8:00 PM
[REDACTED]	Shop 51	Opened 06/27/2023 10:56 AM Location
[REDACTED]	Priority	Cashiered 07/06/2023 1:23 PM PO #

MISSISSAUGA, ON	License	Odom In 16534	Odom Out 16534	In Service Date	Stock No
Home [REDACTED]	Year 2022	Make HYUNDAI	Model PALISADE	Plate Number [REDACTED]	Colour
Cell [REDACTED]	Vehicle ID No	KMBRTDHE3N [REDACTED]	Selling Dealer	Extended Warranty	Delivery Date
Email [REDACTED]	Engine	3.8L GDI D-CV T V6-inc engine			

Request	Description	Job	CSR	Status		
MISC	C/S FRONT CAMERA NOT WORKING AFTER THE CAR ACCIDENT - \$150+TAX	1	STEVE	Original		
Labour	Description		Type	Amount		
MISC	C/S FRONT CAMERA NOT WORKING AFTER THE CAR ACCIDENT - \$150+TAX		OPC	750.00		
Part	Description	Shp	Bin	Type	Price	Amount
99250 S8200	UNT ASSY		SPORD	CR2	724.36	724.36
Fill Rate	150.00					724.36
Technician	MANPREET -					750.00
Cause	replaced camera found it not functioning checked harness found it repaired which will not work for camera signal needs to be replaced					Request Sub-total 1,474.36
Correction	FRONT CAMERA TO BE REPLACED AS PER CUSTOMER REQUEST CUSTOMER PREPARED FOR FRONT CAMERA INSTALL					

Request	Description	Job	CSR	Status
COVER	Free licence plate cover front and rear including installation	2	STEVE	Original
Labour	Description		Type	Amount
COVER	Free licence plate cover front and rear including installation			
Technician	9999 -			
Correction	COM			

Request	Description	Job	CSR	Status
VIR	COMPLIMENTARY HYUNDAI VEHICLE INSPECTION	3	STEVE	Original
Labour	Description		Type	Amount
VIR	COMPLIMENTARY HYUNDAI VEHICLE INSPECTION			
Technician	9999 -			
Correction	COM			

Request	Description	Job	CSR	Status		
MISC	FRONT BUMPER HARNESS	4	STEVE	Approved		
Labour	Description		Type	Amount		
MISC	FRONT BUMPER HARNESS		OPC	245.53		
Part	Description	Shp	Bin	Type	Price	Amount
91890 S8050	WIRING HAR	1	SPORD	CR2	214.47	214.47
Fill Rate	150.00					214.47
Technician	MANPREET -					245.53
Cause	replaced front bumper harness good now					Request Sub-total 460.00
Correction	COMPLETED					

<input type="checkbox"/> CASH <input type="checkbox"/> CREDIT CARD <input type="checkbox"/> CHEQUE <input type="checkbox"/> DEDUCTIBLE	TERMS - PLEASE PAY ON INVOICE. NO STATEMENT WILL BE ISSUED. - NO REFUNDS OR EXCHANGE ON PARTS AFTER 30 DAYS. - NO REFUNDS OR EXCHANGE ON ELECTRICAL ITEMS, GLASS OR SPECIAL ORDERS. - PARTS RETURNED FOR CREDIT THAT HAVE BEEN SUPPLIED AS ORDERED ARE SUBJECT TO A 15% HANDLING CHARGE. - NO REFUNDS WITHOUT THIS INVOICE.	INDEBTEDNESS IS HEREBY ACKNOWLEDGED IN THE SUM OF \$ _____ BEING ALL OR THE BALANCE OWING FOR REPAIRS, PARTS & ACCESSORIES DESCRIBED IN THIS INVOICE. TERMS: NET 30 DAYS, INTEREST OF 2% PER MONTH (24% PER ANNUM) CHARGED ON ALL OVERDUE ACCOUNTS.
	X _____ CUSTOMER SIGNATURE DATE	



NAV BHATIA'S STREETSVILLE
HYUNDAI

6225 Mississauga Road • Mississauga, Ontario L5N 1A4
Phone: 888-854-8918 • Fax: 905-817-5407
Toll Free: 877-867-9364 • www.streetssvillehyundai.com

SO# [REDACTED]

**SERVICE ORDER
CUSTOMER COPY**



Printed 01/26/2024 11:54:35 AM

User SHYDSIL [REDACTED]

Customer No [REDACTED]	Advisor STEVE	Promise Date	06/27/2023 6:00 PM
[REDACTED]	Shop S1	Open Date	06/27/2023 10:56 AM Location
[REDACTED]	Priority	Cashiered	07/06/2023 1:23 PM PO #
MISSISSAUGA, ON [REDACTED]	License	Odom In	Odom Out
[REDACTED]		16534	16534
Home [REDACTED]	Year	Make	Model
Cell [REDACTED]	2022	HYUNDAI	PALISADE
Email [REDACTED]	Vehicle ID No	Selling Dealer	Extended warranty
	KM8R7DHE3NU [REDACTED]		
Term Cash	Engine	3.8L GDI D-CVVT V6-inc. engine	
		In Service Date	Stock No
		Model Number	Colour
		Delivery Date	

COMPLETED AND READY TO CLOSE

Labour	995.53
Parts	938.83
Supplies	0.00
Sub-Total	1,934.36
HST	251.47
Total Invoice	2,185.83
Cash	2,185.83

Additional Work Authorization	Contact	Phone Number	Comments	Amount
Date/Time 06/30/2023 12:32:36 PM	[REDACTED]	[REDACTED]		\$214.47
Declined Services				Amount
Code	Description			\$0.00
MISC	oil change			

** Declined Services prices are subject to change

<input type="checkbox"/> CASH <input type="checkbox"/> CREDIT CARD <input type="checkbox"/> CHEQUE <input type="checkbox"/> DEDUCTIBLE	TERMS - PLEASE PAY ON INVOICE. NO STATEMENT WILL BE ISSUED. - NO REFUNDS OR EXCHANGE ON PARTS AFTER 30 DAYS. - NO REFUNDS OR EXCHANGE ON ELECTRICAL ITEMS, GLASS OR SPECIAL ORDERS. - PARTS RETURNED FOR CREDIT THAT HAVE BEEN SUPPLIED AS ORDERED ARE SUBJECT TO A 15% HANDLING CHARGE. - NO REFUNDS WITHOUT THIS INVOICE.	INDEBTEDNESS IS HEREBY ACKNOWLEDGED IN THE SUM OF \$ _____ BEING ALL OR THE BALANCE OWING FOR REPAIRS, PARTS & ACCESSORIES DESCRIBED IN THIS INVOICE. TERMS: NET 30 DAYS, INTEREST OF 2% PER MONTH (24% PER ANNUM) CHARGED ON ALL OVERDUE ACCOUNTS.
	X _____ CUSTOMER SIGNATURE DATE	

INVOICE

Invoice #:

Tag #: T9234



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Phone: (716) 407-2639 · Fax: (716) 932-4490

www.westherr.com/Service
REPAIR SHOP REG. 7121886

BUFFALO, NY

Home: Bus: Customer #

Cel: mail: email|noemail@noemail.com|home Service Advisor: 9830 CHRISTINA KOLZ

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN	MILEAGE OUT			
OTHER	22	HYUNDAI PALISADE	KM8R7DHE3 NU		19310/	19317			
DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE	R.O. OPENED	READY
11JAN24			20:00 12JAN24			CASH	09FEB24	14:09 12JAN24	16:21 09FEB24

OPTIONS:

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
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				12072	CPB		
				7182	CPB		
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8	14160-03103	RIVET			0.63	1358.40	1358.40
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1	92101-S8210	LAMP			1492.69	725.00	725.00
BT DIAGNOSTIC SCANS							
				12896	CPB	189.95	189.95
BT CALIBRATE FRONT RADAR AND CAMERA							
				12896	CPB	325.00	325.00
MISC MATERIALS							
						331.82	331.82
PARTS: 5465.50 LABOR: 1873.35 OTHER: 331.82 TOTAL LINE A: 7670.67							

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\$7341.85 TO BE ISSUED TO SHOP DIRECTLY.

Invoice # 490941

Thank you!
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If for any reason
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Completely Satisfied

please stop and see our

Service Manager

before you leave.

Service Department Hours

Mon., Tues., Wed, Fri.
7:30am - 6:00pm

Thursday:
7:30 - 7:30

Saturday
8:00am - 4:30pm

STATEMENT OF DISCLAIMER

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Signature _____

Make your next appointment @ westherr.com/service

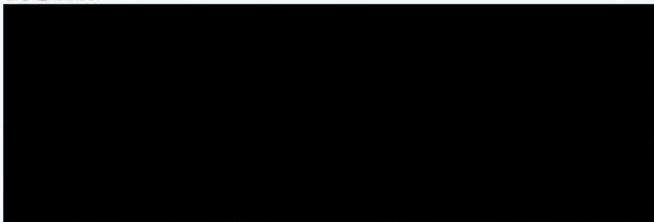
DESCRIPTION	TOTALS
LABOR AMOUNT	1873.35
PARTS AMOUNT	5465.50
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	0.00
MISC. CHARGES	331.82
TOTAL CHARGES	7670.67
DISCOUNT	0.00
SALES TAX	671.18
PLEASE PAY THIS AMOUNT	8341.85

THANK YOU!

**UNITED STATES
POSTAL SERVICE®**

MAIL

FROM:



East Amherst, NY



TO:

**NHTSA Headquarters
c/o SOPHIE SHULMAN
deputy administrator
1200 New Jersey Ave SE
West Bldg.
Washington, D.C.
20590**

delivery date specified for domestic use.
shipments include \$100 of insurance (restrictions apply).
tracking® service included for domestic and many international destinations.

Department of Transportation

To: W41-306
Building: DOT
Mailstop: 4 West
Rtg Symbol: NEC, NOA, NIA
External Carrier: Registered
Sender:

DOT

3/15/2024 11:53:51 AM

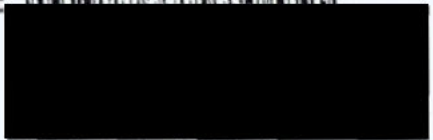
average.
Package Pickup,
QR code.



USPS.COM/PICKUP



RATE
■ ANY WE



**REGISTERED MAIL™
INSURED**



0001000014

EP14F October 2023
OD: 12 1/2 x 9 1/2

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