



## **2012 CONSUMER SATISFACTION SURVEY RESULTS**

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## INTRODUCTION

Pursuant to Business and Professions Code §472.4 and Section Title 16, California Code of Regulations §3399.5(a)(5), the Arbitration Certification Program (ACP) is required to conduct an annual survey. The purpose of the survey is to measure the satisfaction of consumers who utilized state-certified arbitration programs to resolve their vehicle warranty disputes. The survey is not intended, nor does it include, the satisfaction of the many consumers who have had problems resolved through early contact with dealers, manufacturers' customer service representatives, or other mediation efforts.

### Methodology

The ACP utilized two methods for polling consumers: postal service and on-line. The polling was conducted in English and Spanish. The names and contact information, of those who filed and had their case file closed within the 2012 calendar year, were provided by each of the manufacturer's state-certified arbitration program administrators: Better Business Bureau (BBB) AUTO LINE, California Dispute Settlement Program (CDSP), Consumer Arbitration Program for Motor Vehicles (CAP-Motors), and Consumer Arbitration Program for Recreation Vehicles (CAP-RV).

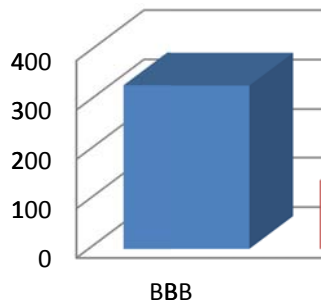
Consumers were polled via a mailed questionnaire, which also included a website for on-line submission. This gave consumers multiple avenues for completing the questionnaire.

The ACP also conducted a survey which was provided by the program in the hearing packet or disbursed by the hearing coordinator at the end of the hearing. If an ACP representative was in attendance at the hearing, the representative would then present the survey. The survey, consisting of four questions, was to capture the consumer's insight on their recent experience with the process prior to a decision being rendered. This pre-decision survey consisted of questions on how they would rate the program staff, the vehicle manufacturer's representative, the arbitrator and the entire arbitration process.

### Cumulative 2012 Survey Overview

The ACP contacted 477 consumers who participated in the arbitration process between January and December of 2012. Of the 477 consumers contacted, 332 utilized the BBB AUTO LINE, 138 participated in arbitration through the CDSP, and seven (7) consumers used CAP-Motors. No consumers participated in arbitration through CAP-RV.

## **Contacted Consumers by Arbitration Programs**



The ACP received responses from 124 of the 477 consumers contacted for a response rate of 26%. This is an increase from 2011's response rate of 23%. The 2012 total responses included: 82 or 66% from consumers who utilized BBB AUTO LINE, 41 or 33% from consumers who utilized CDSP and one or 1% from consumer who utilized CAP-Motors.

The ACP also received 102 pre-decision responses from consumers who utilized BBB AUTO LINE, 32 pre-decision responses from consumers who utilized CDSP, two pre-decision responses from consumers who utilized CAP-Motors.

## **Respondents by Arbitration Program**

### **Pre-Decision**



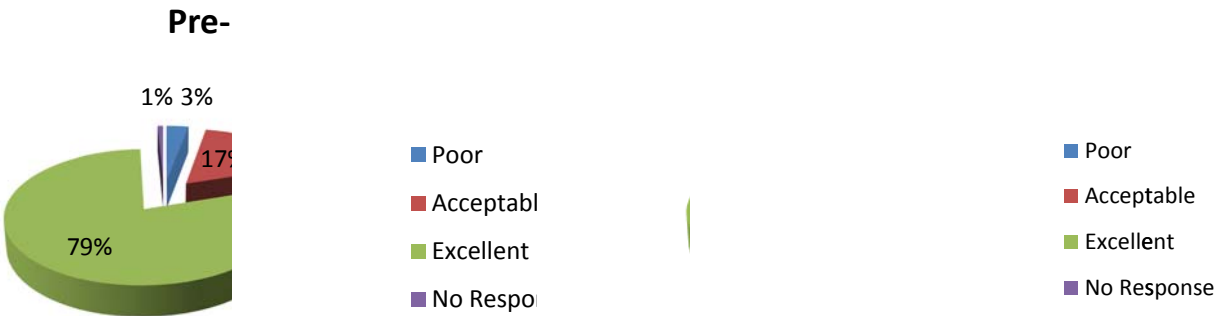
For all certified arbitration programs in California, consumers were asked to rate their experience with the arbitration program staff as excellent, acceptable or poor in the post-decision survey. Sixty (60) or 48% of the respondents rated their experience as excellent (an increase from 35% in 2011) and 25 (20%) participants indicated the process was acceptable, while 38 (31%) respondents rated it as poor. One (1) or 1% of the consumers did not respond to this question.

The same question was asked prior to a decision being rendered. One hundred eight (108) or 79% of the respondents rated their experience as excellent (an increase from 68% in 2011) and 23 (17%) participants indicated the process was acceptable, while 4 (3%) respondents rated it as poor (a decrease from 11% from 2011). One (1) or 1% of the consumers did not respond to this question.

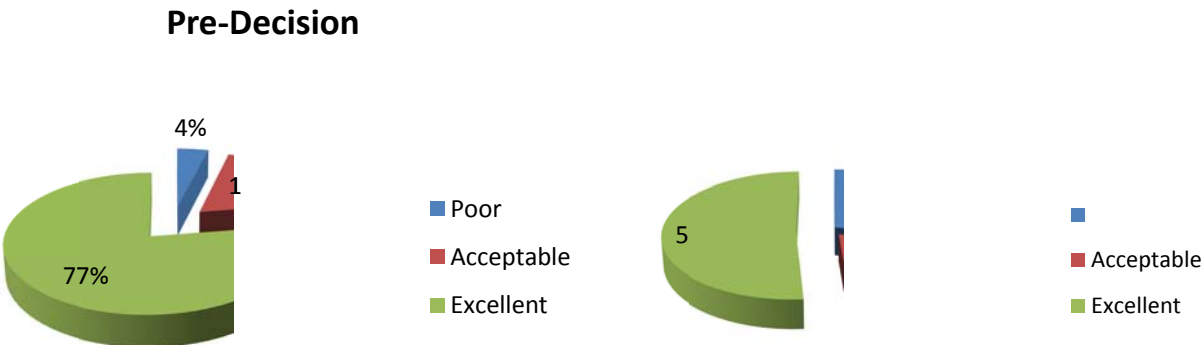
Two consumers utilizing the CAP-Motors program completed a pre-decision survey while one completed a post-decision survey. Both pre-decision surveys were answered with an excellent response in regards to the CAP-Motors staff while the consumer of the post decision survey answered poor.

The following charts illustrate the percentage of respondents by all certified arbitration programs collectively and individually (with the exception of Cap-Motors).

**Experience with Arbitration Program Staff, All Programs**

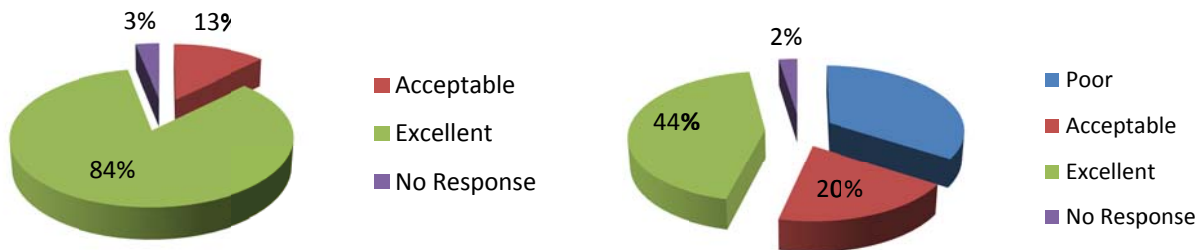


**Experience with Arbitration Program Staff, BBB AUTO LINE**



## Experience with Arbitration Program Staff, CDSP

### Pre-Decision



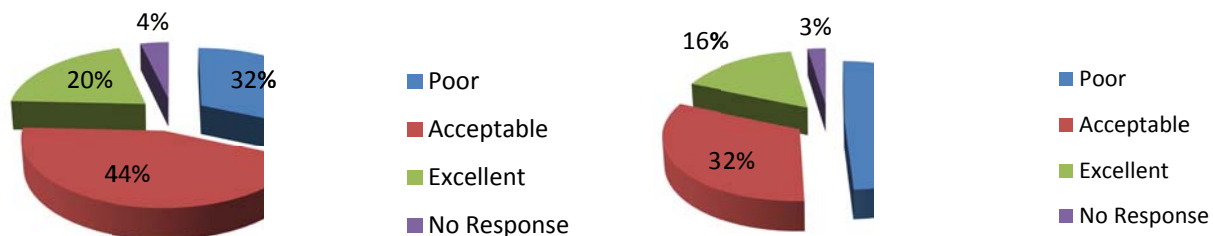
Consumers were also asked to rate their experience with the vehicle manufacturer's representative. Twenty (20) or 16% of the respondents indicated that the experience was excellent (an increase from 9% in 2011) and 40 (32%) of the consumers indicated that the experience was acceptable, while 61 (49%) participants indicated it was poor (a decrease from 49% in 2011). Three (3) or 3% of the consumers did not respond to this question.

The same question was asked prior to a decision being rendered. Twenty-eight (28) or 20% of the respondents rated their experience as excellent (an increase from 17% in 2011) and 60 (44%) participants indicated the process was acceptable, while 43 (32%) respondents rated it as poor (a decrease from 37% in 2011). Five (5) or 4% did not respond to this question.

Two consumers utilizing the CAP-Motors program completed a pre-decision survey while one completed a post-decision survey. Both pre-decision surveys were answered with an acceptable response in regards to the manufacturer's representative while the consumer of the post-decision survey answered poor.

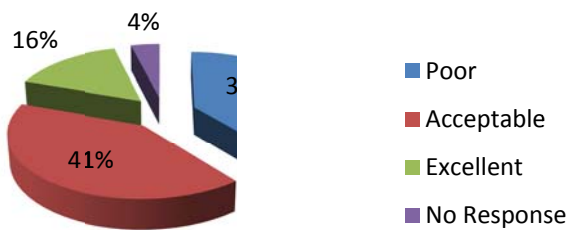
## Experience with Vehicle Manufacturer's Representative, All Programs

### Pre-Decision



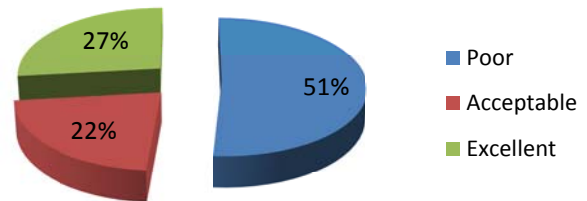
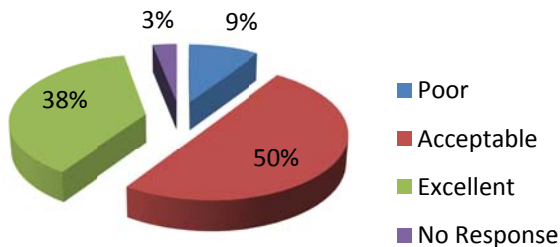
## Experience with Vehicle Manufacturer's Representative, BBB AUTO LINE

### Pre-Decision



## Experience with Vehicle Manufacturer's Representative, CDSP

### Pre-Decision



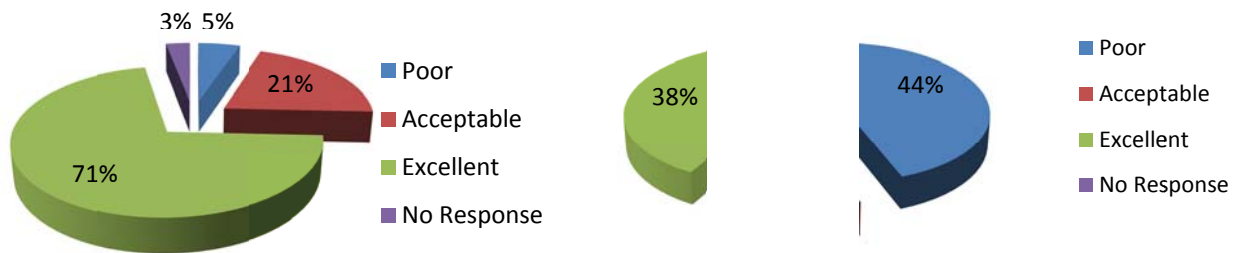
Consumers were then asked to rate their experience with the arbitrator. Forty-seven (47) or 38% of the respondents indicated that the experience was excellent (an increase from 29% in 2011) and 17 (14%) of the consumers indicated that it was acceptable, while 55 (44%) participants indicated it was poor. Five (5) or 4% of the consumers did not respond to this question.

The same question was asked prior to a decision being rendered. Ninety-seven (97) or 71% of the respondents rated their experience as excellent (an increase from 63% in 2011) and 28 (21%) participants indicated the process was acceptable, while 7 (5%) respondents rated it as poor (a decrease from 13% in 2011). Four (4) or 3% did not respond to this question.

Two consumers utilizing the CAP-Motors program completed a pre-decision survey while one completed a post-decision survey. The pre-decision surveys were answered with an acceptable and excellent response in regards to the arbitrator while the consumer of the post-decision survey answered poor.

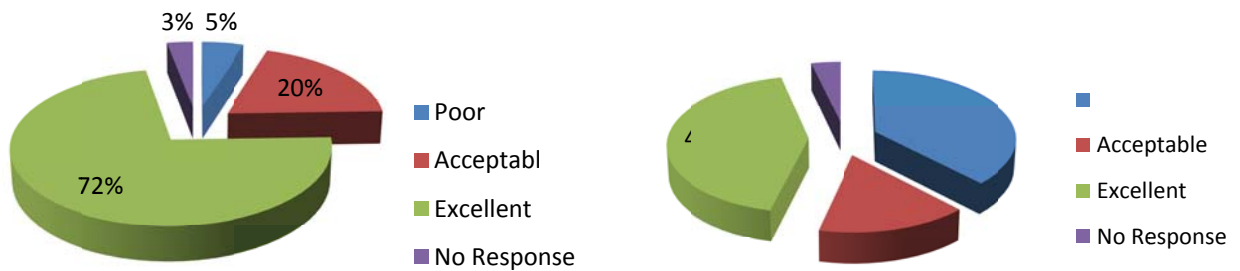
## Experience with Arbitrator, All Programs

### Pre-Decision



## Experience with Arbitrator, BBB AUTO LINE

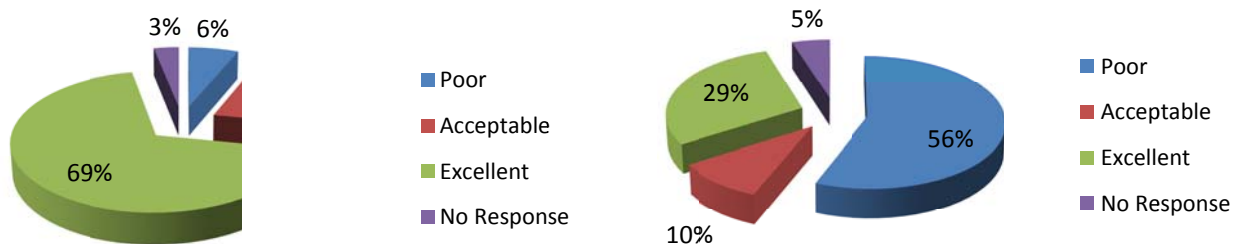
### Pre-Decision





## Experience with Arbitrator, CDSP

### Pre-Decision



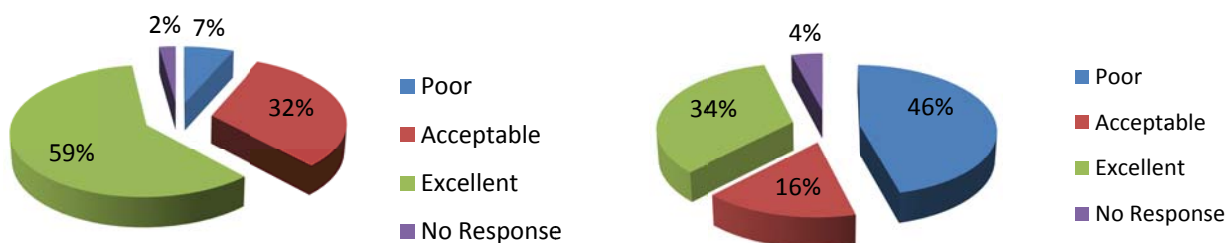
Finally, consumers were asked to rate their experience with the entire arbitration process. Forty-two (42) or 34% of the respondents indicated that the experience was excellent (a significant increase from 24% in 2011) and 20 (16%) of the consumers indicated that it was acceptable, while 57 (46%) participants indicated it was poor (a slight decrease from 48% in 2011). Five (5) or 4% of the consumers did not respond to this question.

The same question was asked prior to a decision being rendered. Eighty-one (81) or 59% of the respondents rated their experience as excellent (an increase from 50% in 2011) and 43 (32%) participants indicated the process was acceptable, while 9 (7%) respondents rated it as poor (a significant decrease from 17% in 2011). Three (3) or 2% did not respond to this question.

Two consumers utilizing the CAP-Motors program completed a pre-decision survey while one completed a post-decision survey. The pre-decision surveys were answered with an acceptable and excellent response in regards to the entire arbitration process while the consumer of the post-decision survey answered poor.

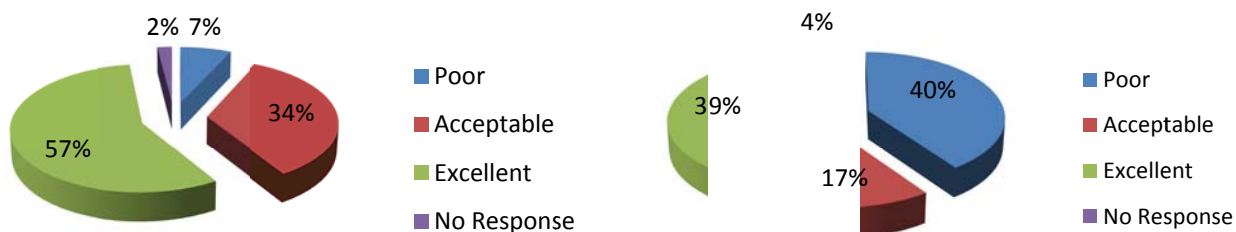
## Experience with Entire Arbitration Process, All Programs

### Pre-Decision



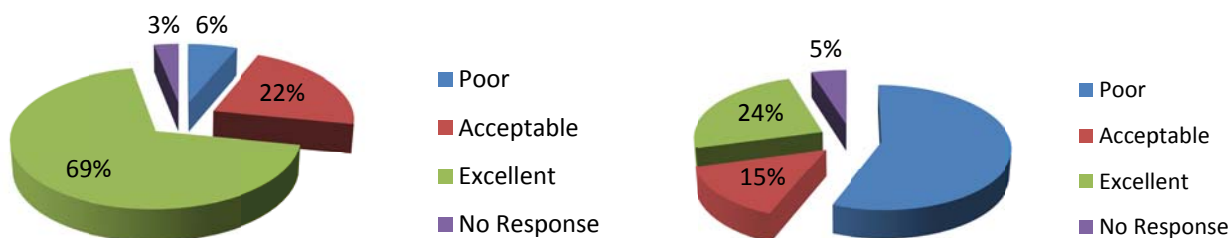
## Experience with Entire Arbitration Process, BBB AUTO LINE

### Pre-Decision



## Experience with Entire Arbitration Process, CDSP

### Pre-Decision



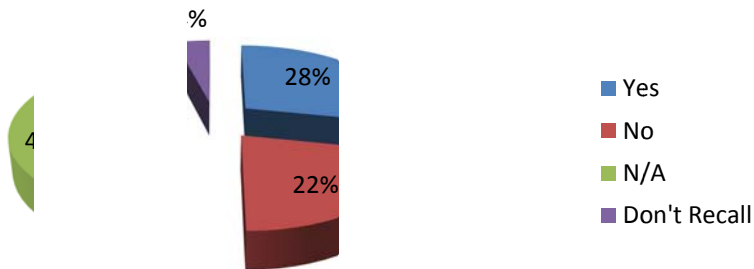
In addition to asking consumers about their experience with various parties of the process, ACP also asked consumers whether they were informed of certain procedures. Consumers were asked that if they participated in a settlement or mediation process after applying for arbitration, were they informed that it was a voluntary process. Of the 124 respondents, 77 (62%) indicated that were informed while 18 (15%) stated they were not informed. The remaining 29 consumers (23%) answered not applicable.

**Were you  
mediated?**



Consumers were asked if the manufacturer performed the award within the 30 days after the award was accepted. Thirty-five (28%) consumers stated the award was performed within 30 days while 27 (22%) answered it was not. The remaining 62 consumers don't recall or answered not applicable.

**Did the Manufacturer  
perform the award  
within the 30 days  
after you accepted  
the award?**



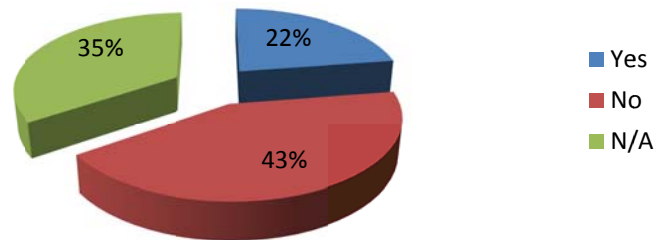
As a follow up to the previous question, ACP asked consumers if they had agreed to the delay if the performance of the award was over 30 days. Only 12 (10%) consumers agreed while 17 (14%) did not agree to the delay. The remaining 95 consumers don't recall or answered not applicable.

**If the performance  
of the award was  
over 30 days,  
did you agree to  
the delay?**



Lastly, consumers were asked if they knew they could reapply for arbitration by obtaining an additional warranty repair. Of the 124 respondents, 43% (53 respondents) indicated that they were not aware of this while 22% (28 respondents) were aware you could reapply with an additional warranty repair. This was not applicable to 35% (43 respondents) who completed the survey.

**Did you know you could reapply for arbitration  
by getting an additional warranty repair?**



## **DATA BY MANUFACTURERS**

The questionnaire data in the 2012 Consumer Satisfaction Survey has been arranged by each manufacturer's state-certified arbitration program. The survey illustrations include those manufacturers with nine or more respondents to the questionnaire.

Additionally, the ACP disseminated a questionnaire to eligible consumers whose case file was closed by the state-certified arbitration program, but the ACP did not receive a reply from the consumer(s). Factors such as no response or reply by consumer, obsolete consumer contact information, or questionnaire returned by the US Postal Service were attributed to the survey response rate. Consequently, there is no questionnaire data for the following manufacturers:

<b>Manufacturer</b>	<b>Program Administrator</b>	<b>No. of Consumers</b>
AM General Sales Corp.	BBB AUTO LINE	0
Aston Martin North America	BBB AUTO LINE	0
Bentley Motors, Inc.	BBB AUTO LINE	0
Ferrari North America, Inc.	BBB AUTO LINE	0
Isuzu Motors America, Inc.	BBB AUTO LINE	0
Lamborghini America, LLC	BBB AUTO LINE	0
Lotus Cars	BBB AUTO LINE	0
Maserati North America, Inc.	BBB AUTO LINE	0
Workhorse Custom Chassis	CAP-Motors	0
Airstream, Inc.	CAP-RV	0
Thor Motor Coach, Inc.	CAP-RV	0
Winnebago Industries, Inc.	CAP-RV	0

Moreover, question number 1 in both surveys pertains to the respondents' case file number and is omitted in this report for confidentiality purposes. The statistics for questions number 9 and 10 pertain to consumers who have received an arbitration award or did not receive an award.

**BBB AUTO LINE**

AMERICAN HONDA  
MOTOR COMPANY, INC.

**(INCLUDES ACURA)**

## American Honda Motor Company, Inc. (Honda and Acura)

In 2012, the ACP administered both a pre-decision survey (conducted directly after the arbitration hearing) and a post-decision survey. The ACP received 15 responses to the pre-decision survey. The pre-decision survey consisted of four questions designed to gauge consumer satisfaction with the arbitration program, vehicle manufacturer, arbitrator, and overall arbitration process, independent of the decision the consumers received. For the post-decision survey, the ACP contacted 33 consumers. Of these 33 consumers, 7 (21%) responded to the survey. This is a decrease from the 29% received from 2011. The post-decision survey consisted of 11 questions designed to ascertain consumers' awareness of the Lemon Law, as well as the same questions asked on the pre-decision survey.

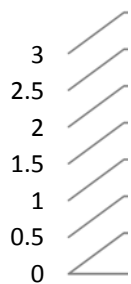
Each illustration represented below is characterized by the survey questions. In addition, four consumers completed both pre and post-decision surveys. A narrative is included to represent the results of these four respondents.

### 2. Before you purchased your vehicle, did you know about the California's Lemon Law?



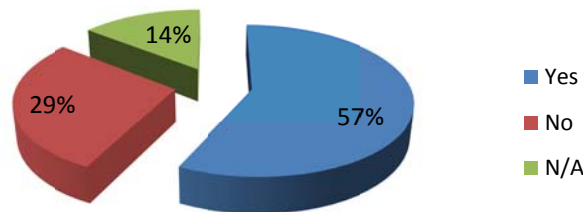
■ Yes  
■ No

### 3. Before your hearing, where did you learn about applying for arbitration under California's Lemon Law?

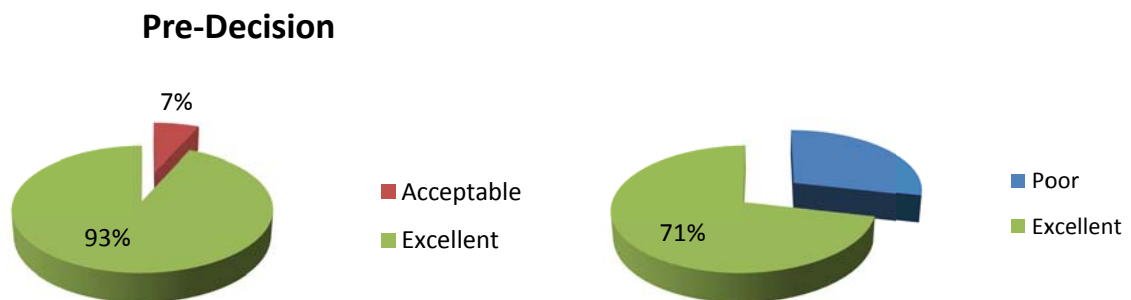


Vehicle

4. If you participated in a settlement or mediation process after applying for arbitration with the BBB AUTO LINE, were you informed that it was a voluntary process?



5. In terms of overall satisfaction, how would you rate your experience with the BBB AUTO LINE staff?



Consumers expressed very high satisfaction with BBB AUTO LINE staff, in both the pre and post-decision surveys. Of the 22 surveys, 19 (86%) indicated “excellent” satisfaction with BBB AUTO LINE staff.

The following comments were provided on the pre-decision survey regarding BBB AUTO LINE staff:

- So glad it is in existence
- Very helpful
- Telephone was excellent, internet was excellent, Fresno staff was excellent
- Responsive and excellent follow through

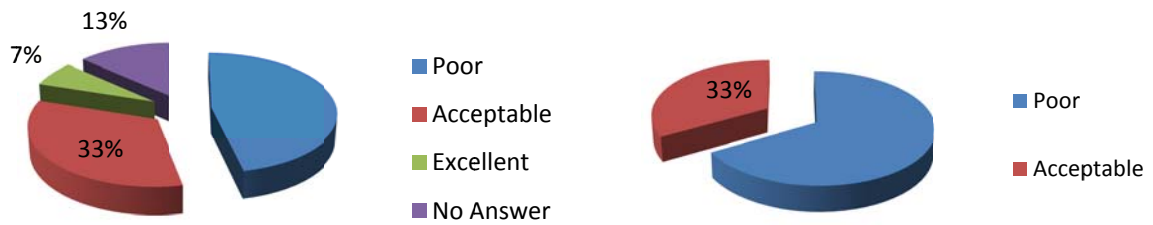
In the post-decision survey, consumers made the following comments:

- Extremely helpful, received all necessary documents in a timely manner, all explanations were clear and concise
- BBB staff were very encouraging and helpful with my questions and concerns
- I think the arbitration staff works for the interest of the manufacturer

6. In terms of overall satisfaction, how would you rate your experience with the vehicle Manufacturer’s Representative?



### Pre-Decision



Consumers show an increased dissatisfaction of the Manufacturer's Representative after a decision is rendered.

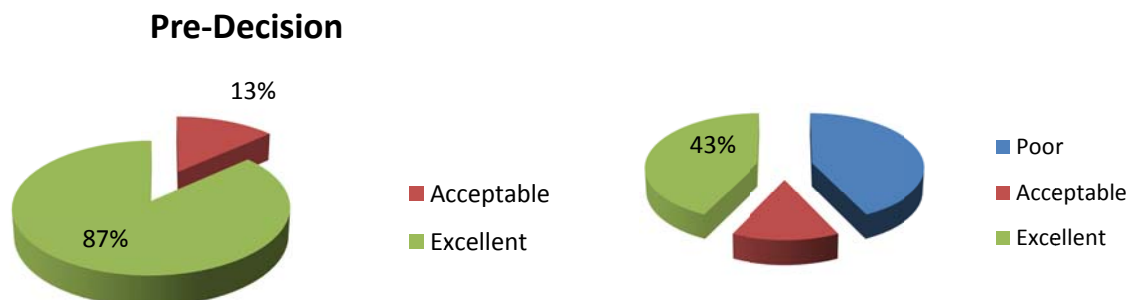
The following comments were provided on the pre-decision survey regarding the Manufacturer's Representative:

- Non-responsive, inaccurate
- Honda is hiding behind the legality of quality and not addressing the issue
- The service has been good but it has not solved the issues

In the post-decision survey, consumers made the following comments:

- Only making excuses for their mistakes
- I was poorly treated by the NorCal Honda executive. On more than 10 occasions during his testimony, he was unable to explain the handling of my case.
- Did not even show up

### 7. In terms of overall satisfaction, how would you rate your experience with the Arbitrator?



Consumers had a significantly more favorable view of the Arbitrator prior to receiving a decision.

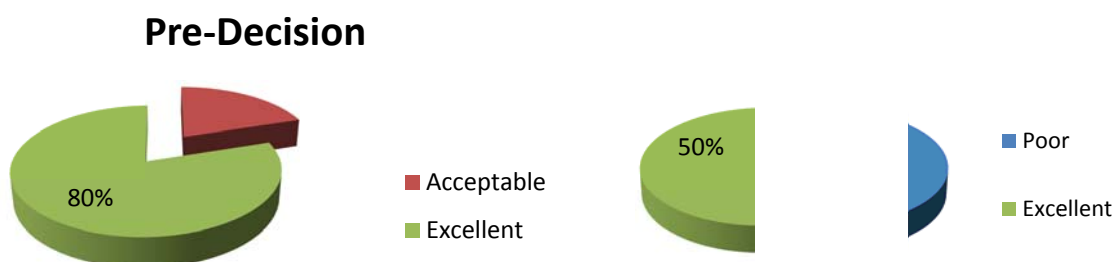
The following comments were provided on the pre-decision survey regarding the Arbitrator:

- Exceptionally professional
- Very precise
- 20 minutes late and undressed. Seemed professional and impartial.

In the post-decision survey, consumers made the following comments:

- Judgments were not acceptable
- She was thorough, extremely knowledgeable, professional attorney who had done her homework
- He is fair with his decision
- Very fair decision on his first and second
- The arbitrator deals with the law as he feels. This was very poor and bias from him to the manufacturer.

**8. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process?**



Consumers had a significantly more favorable view of the entire arbitration process prior to receiving a decision. Consumers view of the process after a decision was rendered were either completely favorable to expressing dissatisfaction.

The following comments were provided on the pre-decision survey regarding the entire arbitration process:

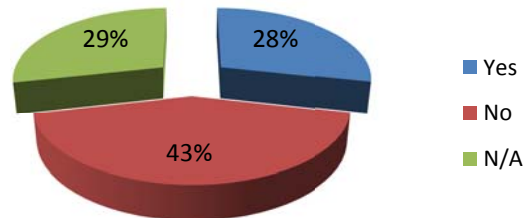
- The process has been done in a very professional way.
- This process was not as we expected

In the post-decision survey, consumers made the following comments:

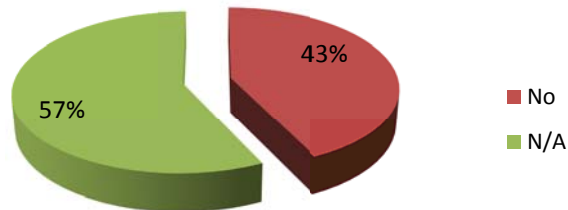
- Took way too long for hearing date and don't matter seriously until someone gets injured or dies

- I hope this process is available in all areas of our country
- All parties were professional
- I would not recommend nor advise to use it, should file the law suit immediately

9. Did the Manufacturer perform the award within the 30 days after you accepted the award?

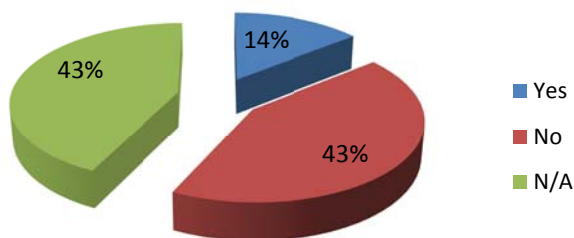


A. If the performance of the award was over 30 days, did you agree to the delay?

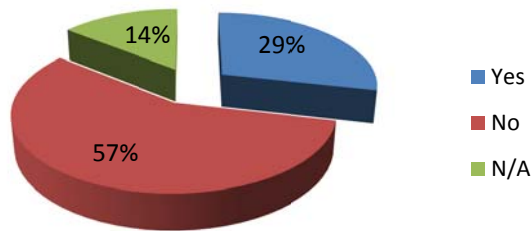


10. If your claim was denied,

A. Did you pursue legal action?



**B. Did you know you could reapply for arbitration by getting an additional warranty repair?**



**11.If you could think of one major change to improve the arbitration process, what would that be? Please specify.**

- Expedite the process and better management of consumer's time
- I can't think of one area that needs improvement
- To have parking spaces to attend the arbitration hearing. Street parking in Culver City has time limit.
- To have both sides present at the table

**Results of Respondents Completing Both Pre & Post Surveys**

Four respondents completed both the pre and post-decision surveys. Consumers A, B, and C did receive awards. Consumer D did not receive awards.

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with BBB AUTO LINE STAFF (Pre-decision listed first):

- Consumer A: excellent ; excellent
- Consumer B: excellent ; excellent
- Consumer C: excellent ; excellent
- Consumer D: excellent ; excellent

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with the Manufacturer Representative (Pre-decision listed first):

- Consumer A: poor ; poor
- Consumer B: acceptable ; poor
- Consumer C: poor ; acceptable
- Consumer D: acceptable ; n/a

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with the Arbitrator (Pre-decision listed first):

- Consumer A: excellent ; excellent
- Consumer B: excellent ; excellent

- Consumer C: excellent ; acceptable
- Consumer D: excellent ; poor

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with the entire arbitration process (Pre-decision listed first):

- Consumer A: excellent ; excellent
- Consumer B: excellent ; excellent
- Consumer C: excellent ; n/a
- Consumer D: excellent ; poor

### **Comparison to 2011 Consumer Satisfaction Survey**

A comparison between the results of the 2012 and 2011 Consumer Satisfaction Surveys reveals some interesting information:

- The ACP saw a decreased response rate in 2012. In 2011 29% of consumers responded to the survey, while only 21% responded in 2012
- The BBB AUTO LINE staff received increasingly high remarks for consumer satisfaction. In 2011 37% of respondents indicated "excellent" satisfaction with BBB AUTO LINE staff, while, in 2012, 71% of respondents reported this level of satisfaction
- The ACP saw an increase in consumers being aware that the settlement or mediation process was a voluntary process. In 2011, 50% were aware while in 2012, 57% were aware of this voluntary process.
- The ACP saw an increase in consumers stating that their award was not performed within 30 days (31% in 2011 and 43% in 2012). In addition, 43% responded that they did not agree to the delay while in 2011, 6% did not agree.
- The ACP saw an increase in consumers stating that they were not aware they could reapply in arbitration with an additional warranty repair. 50% were not aware in 2011 while in 2012, this percentage rose to 57%.

**BBB AUTO LINE**

BMW OF NORTH  
AMERICA, LLC

**(INCLUDES MINI COOPER)**

## **BMW of North America, LLC (BMW and Mini Cooper)**

In 2012, the ACP administered both a pre-decision survey (conducted directly after the arbitration hearing) and a post-decision survey. The ACP received three (3) responses to the pre-decision survey. The pre-decision survey consisted of four questions designed to gauge consumer satisfaction with the arbitration program, vehicle manufacturer, arbitrator, and overall arbitration process, independent of the decision the consumers received. For the post-decision survey, the ACP contacted 27 consumers. Of these 27 consumers, 2 (7%) responded to the survey. The post-decision survey consisted of 11 questions designed to ascertain consumer's awareness of the Lemon Law, as well as the same questions asked on the pre-decision survey.

None of the consumers completed both the pre- and post-decision surveys.

**2. Before you purchased your vehicle, did you know about the California's Lemon Law?**

All (2 or 100%) consumers indicated they knew about the California's Lemon Law, while two had no prior knowledge.

**3. Before your hearing, where did you learn about applying for arbitration under California's Lemon Law?**

One (50%) consumer learned about applying for arbitration from the owner's manual or warranty booklet, and the other from the dealership.

**4. If you participated in a settlement or mediation process after applying for arbitration with the BBB AUTO LINE, were you informed that it was a voluntary process?**

Both (100%) consumers indicated they were not informed by the BBB AUTO LINE that the settlement, mediation process was voluntary.

**5. In terms of overall satisfaction, how would you rate your experience with the BBB AUTO LINE staff?**

In the pre-decision survey, two (67%) consumers rated their experience with the BBB AUTO LINE staff as "excellent," while one (33%) gave an "acceptable" rating.

In the post-decision survey, both (100%) consumers rated their experience as "poor." The following are their comments to this question:

- I felt due to overall process, stress it caused and money I lost. I could have gotten more, but my interests weren't really taken into consideration.
- The BBB is completely biased and selective in their process. Now that I understand, the manufacturer pays for the service I understand why. Both the

BBB and manufacturers dealership perjured themselves and I have no choice but to seek legal representation.

**6. In terms of overall satisfaction, how would you rate your experience with the vehicle Manufacturer's Representative?**

In the pre-decision survey, one (33%) consumer rated their experience with the vehicle Manufacturer Representative as "acceptable," while two (67%) gave a rating of "poor."

In the post-decision survey, one (50%) consumer rated their experience as "acceptable," and another (50%) rated "poor."

In the post-decision survey, the following comment was made by the consumer who rated the manufacturer's representative as "acceptable."

- At the hearing the manufacturer's representative was professional and courteous. The actual representatives have been in contact VIA email with BMW North America is completely unprofessional and lacks any integrity whatsoever.

The following comment was made by the consumer who rated the manufacturer's representative as "poor."

- My intelligence was insulted and wasn't treated fairly.

**7. In terms of overall satisfaction, how would you rate your experience with the Arbitrator?**

In the pre-decision survey, one (33%) consumer rated their experience with the Arbitrator as "excellent," while two (67%) gave a rating of "acceptable."

In the post-decision survey, one (100%) consumer rated their experience as "poor," while the other consumer indicated "not applicable."

The consumer who gave a poor rating in the post-decision survey, made the following comment:

- The arbitrator was completely selective in her observations to favor the manufacturer. Even though she herself used the same techniques to determine and rule the vehicle does have a problem.

**8. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process?**

In the pre-decision survey, one (33%) consumer rated their experience with the entire arbitration process as "excellent," another rated "acceptable," and one other rated "poor."



The following comment was made by the consumer who rated the arbitration process as “poor.”

- I do not think it is fair for the manufacturer not to show up and for me to wait while all my info has to be faxed to the manufacturer who is not even going to respond. I also do not think it is fair for the arbitrator to have a private talk with the manufacturer without my involvement after the hearing. The manufacturer could have at least participated by phone, and if not, should not be given the privilege of the private chat.

In the post-decision survey, both (100%) consumers rated their experience as “poor.”

The following are comments made by both consumers who rated the arbitration process as “poor.”

- Not fair, given the treatment I was given by the dealership.
- If the process was actually fair and non-biased, I think it would work well.

**9. A. Did the Manufacturer perform the award within the 30 days after you accepted the award?**

One consumer affirmed the manufacturer did not perform the award within the 30-day timeframe, while one indicated “don’t recall.”

**B. If the performance of the award was over 30 days, did you agree to the delay?**

The respondent who affirmed the manufacturer exceeded the 30-day performance of award did not agree to the delay.

**10. If your claim was denied,**

**A. Did you pursue legal action?**

One respondent did not pursue legal action, while another respondent indicated this question is “not applicable.”

**B. Did you know you could reapply for arbitration by getting an additional warranty repair?**

The consumer, who indicated legal action was not pursued, was not aware of the eligibility to reapply for arbitration after obtaining an additional warranty repair.

**11. If you could think of one major change to improve the arbitration process, what would that be?**

- Take more into consideration the time and mental stress that the manufacturer caused me, and they could have handled it differently.

- I asked for the BBB to again intervene after BMW did not provide a repair attempt as committed, regardless of the BBB ruling, the vehicle is still under warranty. A BMW field engineer never showed up as committed with an appointment on two occasions. The BBB told me that since BMW did an alignment to try and correct my complaint that falls under maintenance and is not a repair, and I have no recourse. BMW performed the alignment under their cost and instructions it was not a “maintenance” item, it was done to attempt to correct my complaint. The problem still exists.

### **Comparison to 2011 Consumer Satisfaction Survey**

A comparison between the results of the 2011 and 2012 Consumer Satisfaction Surveys revealed:

- There is a significant decrease in the response rate in 2012. In 2011, 15% of consumers responded to the survey, while 7% responded in 2012
- In 2011 and 2012, 50% of the respondents rated their overall satisfaction with the Manufacturer’s Representative as “acceptable.”

**BBB AUTO LINE**

FORD MOTOR COMPANY

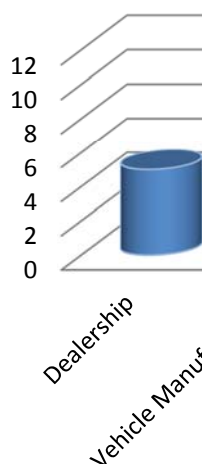
## Ford Motor Company

In 2012, the ACP administered both a pre-decision survey (conducted directly after the arbitration hearing) and a post-decision survey. The ACP received 28 responses to the pre-decision survey. For the post-decision survey the ACP contacted 104 consumers. Of these 104 consumers, 31 (30%) responded to the survey. The pre-decision survey consisted of five questions designed to gauge consumer satisfaction with the arbitration program, vehicle manufacturer, arbitrator, and overall arbitration process, independent of the decision the consumers received. The post-decision survey consisted of 11 questions designed to ascertain consumers' awareness of the Lemon Law, as well as the same questions asked on the pre-decision survey. Each illustration represented below is characterized by the survey questions.

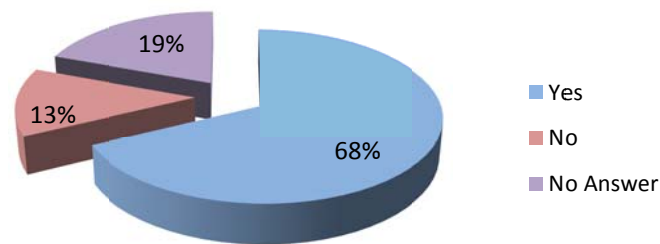
### 2. Before you purchased your vehicle, did you know about the California's Lemon Law?



### 3. Before your hearing, where did you learn about applying for arbitration under California's Lemon Law?

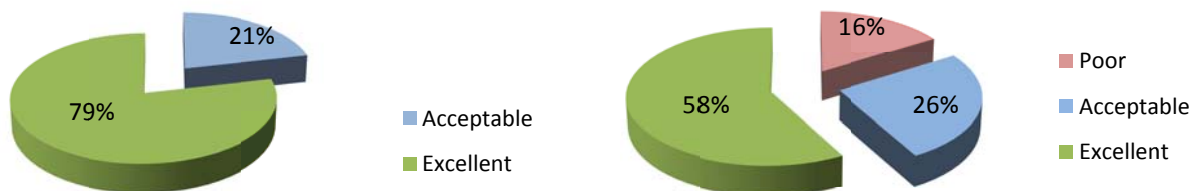


4. If you participated in a settlement or mediation process after applying for arbitration with the BBB AUTO LINE, were you informed that it was a voluntary process?



5. In terms of overall satisfaction, how would you rate your experience with the BBB AUTO LINE staff?

#### Pre-Decision



Consumers expressed very high satisfaction with BBB AUTO LINE staff, in both the pre and post-decision surveys. Of the 59 surveys, 54(92%) indicated “acceptable” or “excellent” satisfaction with BBB AUTO LINE staff.

The following comment was provided on the pre-decision survey regarding BBB AUTO LINE staff:

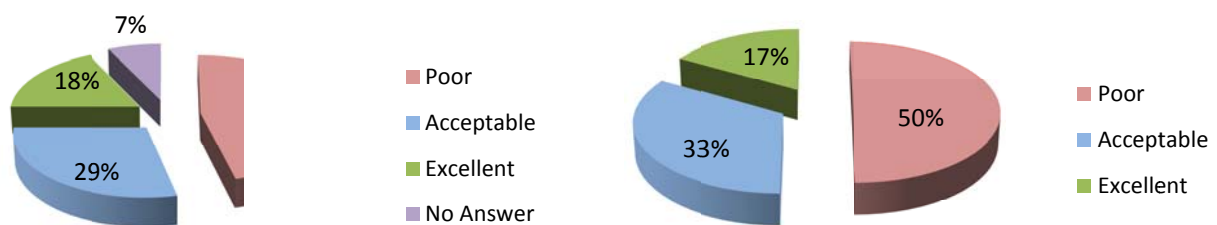
- Excellent for Oakland, California Office. Acceptable for Arlington, CA office. On August 15, I emailed request to schedule arbitration, because no word from Ford after 12 days. BBB Arlington calls 1 hour later and said Ford made mediation offer on Aug 13, but I was never told until then

The following comments were provided on the post-decision survey regarding BBB AUTO LINE staff:

- The BBB staff were all very polite and organized
- Very helpful and supportive
- Unfamiliar with their own arbitration process. Had to cite pages from the BBB's own information booklet to explain that it was within my right to proceed directly to arbitration at any time
- The BBB staff was also very courteous and helpful
- Great resource. Keep up the good work to help poor people
- I appreciated this opportunity very much and did not want to have to resort to such, but ultimately was forced to. As a native Californian, this provided me with the resolution I felt was due. Everyone in the process was very professional and courteous
- I would recommend to friends
- Inflexible, dogmatic
- Arbitrator staff was very professional but should have provided me with more detailed and easy to understand information concerning the arbitration session

**6. In terms of overall satisfaction, how would you rate your experience with the vehicle Manufacturer's Representative?**

**Pre-Decision**



Consumers had approximately the same level of satisfaction with the Manufacturer's Representative in the pre and post-decision surveys.

The following comment was provided on the pre-decision survey regarding the Manufacturer's Representative:

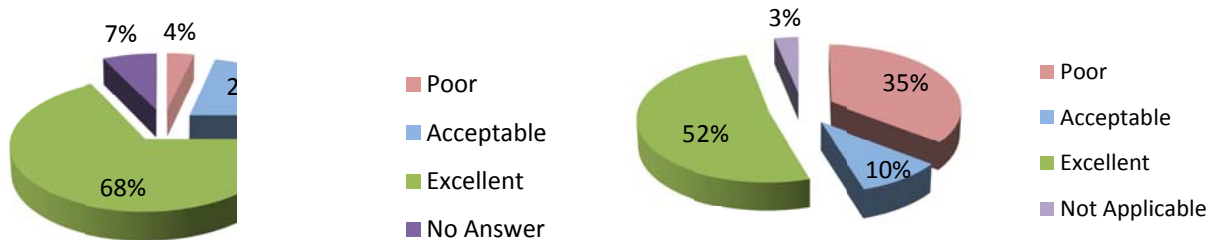
- Car has been in for service 5x, problems not resolved

The following comments were provided on the post-decision survey regarding the Manufacturer's Representative:

- Ford leaves something to be desired. Basically, I was told I don't know how to drive a car and I am incompetent. Not the way to keep a customer
- Extreme lack of follow through and overall communication. (I) had to contact the manufacturer many times even after I won the case
- Also unfamiliar with automotive design and common problems
- The Ford representative on the phone at the hearing was very professional and business like. I give him only an "acceptable" rating because he stated that the vehicle did not qualify for a lemon law claim
- They are looking out for Ford's interests, which is what they are paid to do, but were respectful at all time(s) throughout the arbitration process. No complaints
- I was not able to bring an attorney to the hearing, however Ford's representative was a legal expert. I feel this made the process entirely unbalanced and favored the manufacturer. The Ford rep could not have cared less about my experience as a consumer. This was all about Ford winning this battle. They made me feel unimportant in the process. She never once issued an apology for all the trouble I experienced with their product. Instead, she stated it wasn't a big deal because my life wasn't in danger, and probably I wasn't using the product correctly. Very poor experience with Ford that made me angry for ever buying their product
- No complaints. I got my new car on 2/2/13 and love it
- My husband & I feel that the Manufacturer's Representative was siding with Ford & not being partial. Yes, we didn't want to make our vehicle available to them, because it's unsafe to drive, meaning it loses power which could cause an accident, as well as the RPM needle going between 3,000 & 5,000 RPM's. (The service manager) was siding with Ford Motor
- Should give all the refund for extended warranty not use \$400 on my car with full warranty
- No comment, but very poor
- Totally unwilling to negotiate until I hired a lawyer
- I liked that he agreed with my point, but stated that he had to follow company position
- His voice came from a speaker located on the table. At times it was difficult to clearly hear his voice and his interruptions were annoying

**7. In terms of overall satisfaction, how would you rate your experience with the Arbitrator?**

**Pre-Decision**



Consumers had a substantially more favorable view (89% excellent/acceptable pre versus 62% excellent/acceptable post) of the arbitrator prior to receiving their decision.

The following comments were provided on the pre-decision survey regarding the Arbitrator:

- Proper – seemingly unbiased

The following comments were provided on the post-decision survey regarding the arbitrator:

- The arbitrator was nice enough, but had little education or experience with common automotive problems. The program has no “teeth.” Not educated or experienced enough to make an informed judgment
- I think the arbitrator listened well and understood my perspective
- I felt she did not listen or care. She ordered a follow up with a mechanic and he confirmed my problem and still sided with Ford
- The arbitrator intently listened to my case and facilitated the hearing very well
- Very fair and professional. I greatly appreciated the opportunity to present my case
- Very professional, non-partisan, he conducted the proceeding very well. He seems to enjoy helping people. And took enough interest to take a test drive with me in the vehicle
- This was a 5 month process which ended up being a waste of time since the arbitrator agreed that my car had a safety issue, but since the mechanic couldn’t replicate it during the short 10 mile test drive and without any proper diagnostic equipment to perform an adequate test, he said he had to find in favor of the

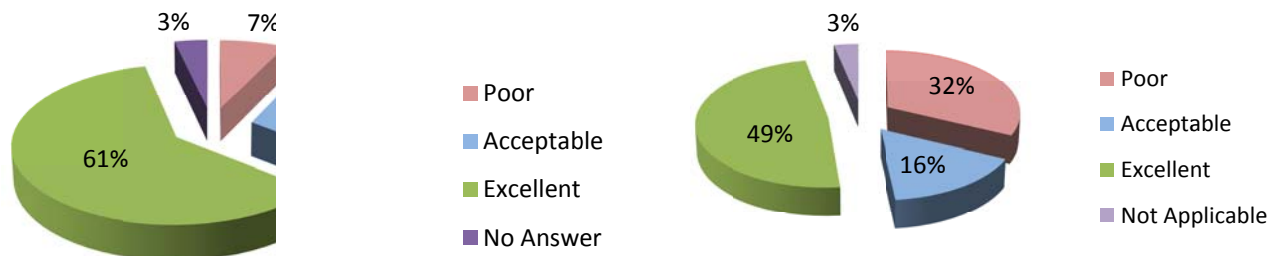


manufacturer. I felt this was ridiculous considering the body of evidence and the lack of a professional inspection of the car. At the very least I should have been allowed to have the car re-inspected by a qualified and reputable mechanic

- The arbitrator was extremely professional and gave me time to speak my point of view. Overall disappointed. I don't feel the Arbitrator was neutral and feel the process was biased towards the manufacturer
- Fair and objective
- Presented OK but when it came time to rendering a decision he was unhelpful to me and simply supported the manufacturer
- After my case presentation was disallowed, I was assured by the Arbitrator that the Ford service department paperwork, that in fact confirmed the problem with my vehicle's a.m. band radio reception, would be part of the case file and that he would read it. Obviously, based on how he decided this case, that important document was ignored

**8. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process?**

**Pre-Decision**



Consumers had a substantially more favorable view (90% excellent/acceptable pre versus 65% excellent/acceptable post) of the entire arbitration process prior to receiving their decision.

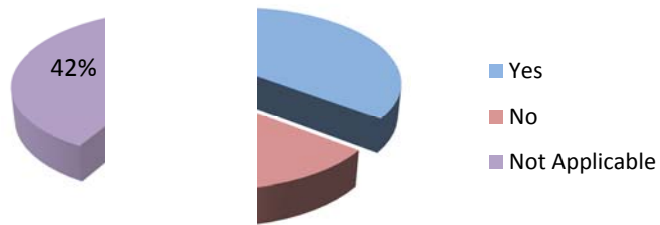
The following comment was provided on the pre-decision survey regarding the entire arbitration process:

- Very professional

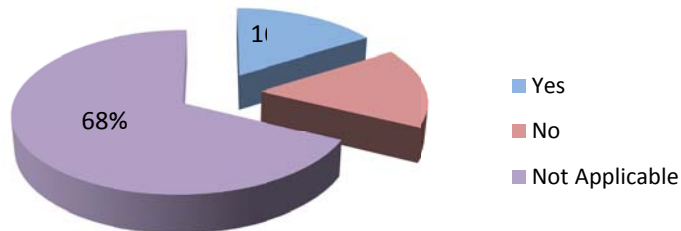
The following comments were provided on the post-decision survey regarding the entire arbitration process:

- Horrible. I paid cash for a car that I expected to have for 10 years. No one was on my side. I sold the car and lost \$10,000 to get rid of that lemon. I feel that big corporate America won again!
- I would never recommend going through this process. I would tell people to avoid it. It was an exceedingly long process (5 months) and it was very disappointing to see that after all that time and with the body of evidence that I was able to present, including other individuals experiencing the same problem, the outcome was skewed in favor of the manufacturer by the employment of an unqualified mechanic performing the inspection and the refusal of my request to have a qualified mechanic with proper equipment and experience perform the inspection. Especially, since the arbitrator agreed this was a serious safety issue, but ruled in favor of Ford based on the inspection
- I feel the overall process was flawed and favored the manufacturer, who didn't care at all for all the trouble I had encountered
- Very impressive, fair and professional
- I proved case beyond doubt – arbitrator agreed, but then failed to uphold Lemon Law remedy. After wasting my time with this, still had to get a lawyer
- A waste of time. The program is simply an attempt to pacify consumers without really helping them
- As far as I am concerned, my case was lost when during my presentation, I began to explain to the Arbitrator the past actions and the 2 ridiculous aftermarket repair offers made by Ford Motor Co. During this part of my presentation the voice on the table interrupted and stated I could not use past offers by Ford Motor Co. as part of my presentation. The Arbitrator did not attempt to stop my presentation until after the Ford Motor Co. voice spoke up at a time he was not supposed to be able to

9. A. Did the Manufacturer perform the award within the 30 days after you accepted the award?

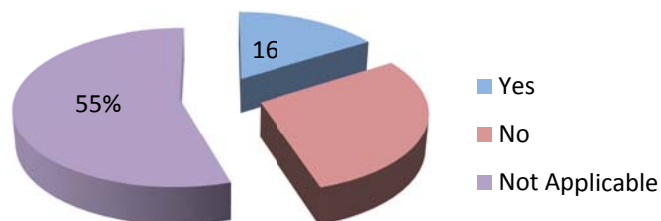


B. If the performance of the award was over 30 days, did you agree to the delay?

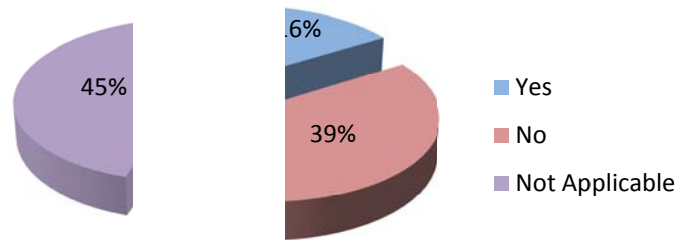


10. If your claim was denied,

A. Did you pursue legal action?



**B. Did you know you could reapply for arbitration by getting an additional warranty repair?**



**12.If you could think of one major change to improve the arbitration process, what would that be?**

- Ford changed the Manufacturer Response Form during the arbitration hearing to say something completely different. We were not notified prior to the hearing
- (BBB staff) was a great help with the arbitration pre-process
- Was hard for me to understand much of what he (the manufacturer representative) was saying due to the phone connection. Would have been better if Ford had been at the arbitration
- Both parties should have a representative present
- I feel that the instructions and objectives were made quite clear. I thought (the arbitrator) was very professional. This process was exactly how I thought it would be
- BBB AUTO LINE has done a great job in this process. The manufacturer's rep is good at fabricating stories. (He) tried making case sound like I caused defect on my own vehicle. Very misleading. Very impressed (with the arbitrator). (Arbitrator was) impartial, very professional, (and) showed legitimate concern for my case
- Had the problem since purchase- 12 attempts to get it repaired- dealer did their best but said it was manufacturer problem. Went to arbitration and brought vehicle, demonstrated the problems with the "sync" electronics system that controls nav-tel-heat-entertainment systems. Arbitrator agreed the problems exist (3/6/12 10AM)- I was told I would get (the arbitrator's) findings in 3 days. It took until 3/26/12-(20 days) it took to show (the arbitrator's) inability to understand a demonstrated consumer problem with a \$50,000 vehicle. Is this the best justice the public can expect from a government agency?

- Fair
- Speed up the process
- Refund extended warranty on new cars. They still have full warranty my extended did not even take effect yet so how could it be used!
- Make sure arbitrators have common sense, not just legal qualifications
- A clearer understanding of the process for returning the vehicle from the manufacturer
- With today's technology, social media, and internet, BBB was not equipped to handle any of the above pieces of evidence that I provided for my case
- Fund the problem with tax dollars so that there is no conflict of interest and use arbitrators educated in automotive engineering, design or mechanical experience
- Your process is in no need of any changes
- I think the process is well optimized with excellent response time
- Require the manufacturer's representative to appear in person for face to face discussion
- Process was excellent
- Make sure everything is done in a timely fashion, don't drag things out, etc.
- The most imperative would be to hire qualified, experienced mechanics with access to the proper diagnostic equipment
- The process (would) not move forward until all the proper notifications have been made. I basically wasted my time because of a technicality, that I had not notified the manufacturer (Ford) in writing. I had phoned and emailed ford and had numerous conversations with the Ford dealership, (but) apparently this wasn't enough. Ford didn't care to resolve the issue for me, so I have since traded the vehicle in. The Dealership was incredibly helpful but the Ford legal rep couldn't have cared less
- I can't. The process was excellent and the caliber of people I met (was) very impressive and professional. Thank you again for all the assistance on my case – I am very pleased with the outcome
- You are Alright
- I felt like I did everything I could do and it meant nothing to the dealership, the manufacturer, or the arbitrator

- The entire process should be eliminated – it amounts to nothing more than a dupe to the public. Since the process is purchased by the manufacturer there is a conflict of interest.

### **Results of Respondents Completing Both Pre & Post Surveys**

11 respondents completed both the pre and post-decision surveys. Consumers A, C, F, and J did not receive an award. Consumer B, D, E, G, H, I, and K did receive awards.

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with BBB AUTO LINE STAFF (Pre-decision listed first):

- Consumer A: excellent ; poor
- Consumer B: excellent ; acceptable
- Consumer C: excellent ; poor
- Consumer D: excellent ; acceptable
- Consumer E: excellent ; excellent
- Consumer F: acceptable ; acceptable
- Consumer G: excellent ; excellent
- Consumer H: excellent ; excellent
- Consumer I: excellent ; excellent
- Consumer J: excellent ; excellent
- Consumer K: excellent ; excellent

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with the Manufacturer Representative (Pre-decision listed first):

- Consumer A: acceptable ; poor
- Consumer B: excellent ; poor
- Consumer C: poor ; poor
- Consumer D: acceptable ; poor
- Consumer E: blank ; poor
- Consumer F: poor ; acceptable
- Consumer G: excellent ; acceptable
- Consumer H: poor ; poor
- Consumer I: poor ; excellent
- Consumer J: poor ; poor
- Consumer K: poor ; excellent

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with the Arbitrator (Pre-decision listed first):

- Consumer A: acceptable ; poor
- Consumer B: excellent ; excellent
- Consumer C: excellent ; poor
- Consumer D: excellent ; poor
- Consumer E: excellent ; excellent
- Consumer F: poor ; poor
- Consumer G: excellent ; excellent

- Consumer H: acceptable ; excellent
- Consumer I: excellent ; excellent
- Consumer J: excellent ; poor
- Consumer K: excellent ; excellent

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with the entire arbitration process (Pre-decision listed first):

- Consumer A: poor ; blank
- Consumer B: excellent ; acceptable
- Consumer C: excellent ; poor
- Consumer D: excellent ; poor
- Consumer E: excellent ; excellent
- Consumer F: poor ; poor
- Consumer G: excellent ; excellent
- Consumer H: acceptable ; excellent
- Consumer I: excellent ; excellent
- Consumer J: acceptable ; poor
- Consumer K: excellent ; excellent

### **Comparison to 2011 Consumer Satisfaction Survey**

A comparison between the results of the 2012 and 2011 Consumer Satisfaction Surveys reveals some interesting information:

- The ACP saw an increased response rate in 2012. In 2011 24% of consumers responded to the survey, while 30% responded in 2012
- The BBB AUTO LINE staff received increasingly high remarks for consumer satisfaction. In 2011 71% of respondents indicated "acceptable" or "excellent" satisfaction with BBB AUTO LINE staff, while, in 2012, 92% of respondents reported this level of satisfaction
- It appears that satisfaction with the arbitrator increased in 2012, specifically for consumers surveyed post-decision. In 2011 50% of post-decision respondents indicated "acceptable" or "excellent" satisfaction with the arbitrator, while, in 2012, 62% of respondents reported this level of satisfaction

It appears that overall satisfaction with the entire arbitration process increased substantially in 2012:

- In 2011 78% of pre-decision respondents indicated "acceptable" or "excellent" satisfaction with the entire arbitration process, while, in 2012, 90% of respondents reported this level of satisfaction
- In 2011 41% of post-decision respondents indicated "acceptable" or "excellent" satisfaction with the entire arbitration process, while, in 2012, 65% of respondents reported this level of satisfaction

BBB AUTO LINE has seen an increase in consumer's awareness of the voluntary nature of the settlement process. In 2012, 68% of respondents indicated on Question 3 that they were informed that the mediation process was voluntary, compared to 64% in 2011.

The following responses reflect consumers' experience after receiving an arbitrator's award:

- In 2011, 23% of consumers indicated that the manufacturer performed the award within 30 days, compared to 35% of respondents in 2012
- In 2011, only 9% of consumers reported that they agreed to extend the timeframe for compliance beyond 30 days, compared to 16% in 2012

In 2012, respondents were less aware of their right to request an additional repair attempt and then reapply for arbitration through BBB AUTO LINE. In 2012, only 16% of respondents indicated that they were aware of this right, compared to 36% in 2011.



**BBB AUTO LINE**

GENERAL MOTORS  
CORPORATION

## General Motors Corporation

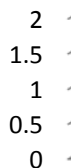
In 2012, the ACP administered both a pre-decision survey (conducted directly after the arbitration hearing) and a post-decision survey. The ACP received seven responses to the pre-decision survey. The pre-decision survey consisted of four questions designed to gauge consumer satisfaction with the arbitration program, vehicle manufacturer, arbitrator, and overall arbitration process, independent of the decision the consumers received. For the post-decision survey, the ACP contacted 30 consumers. Of these 30 consumers, four (13%) responded to the survey. The post-decision survey consisted of 11 questions designed to ascertain consumers' awareness of the Lemon Law, as well as the same questions asked on the pre-decision survey.

Each illustration represented below is characterized by the survey questions. In addition, two consumers completed both pre and post-decision surveys. A narrative is included to represent the results of these two respondents.

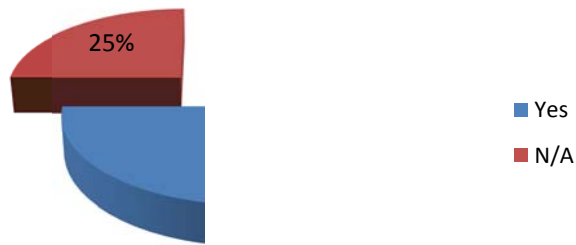
### 2. Before you purchased your vehicle, did you know about the California's Lemon Law?



### 3. Before your hearing, where did you learn about applying for arbitration under California's Lemon Law?



### 4. If you participated in a settlement or mediation process after applying for arbitration with the BBB AUTO LINE, were you informed that it was a voluntary process?



**5. In terms of overall satisfaction, how would you rate your experience with the BBB AUTO LINE staff?**

**Pre-Decision**



Consumers expressed very high satisfaction with BBB AUTO LINE staff, in both the pre and post-decision surveys.

The following comment was provided on the pre-decision survey regarding BBB AUTO LINE staff:

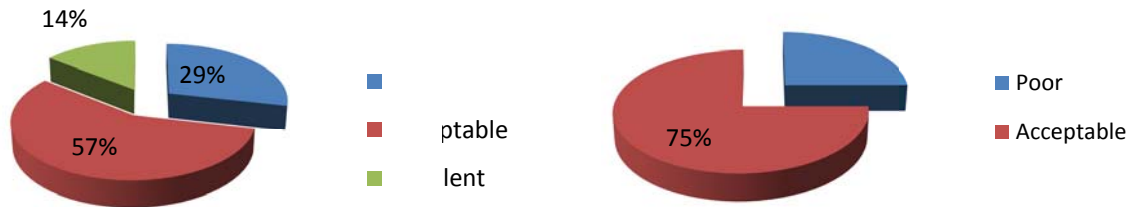
- BBB personnel provided a setting that was not intimidating

In the post-decision survey, consumers made the following comments:

- The BBB staff was very helpful, professional and nice
- Our interface with Rosa Tinoco was outstanding. She as very professional.

**6. In terms of overall satisfaction, how would you rate your experience with the vehicle Manufacturer's Representative?**

### Pre-Decisi



Consumers expressed similar satisfaction with the Manufacturer's Representative in both pre and post surveys.

The following comment was provided on the pre-decision survey regarding the Manufacturer's Representative:

- GM took too long to respond to our complaints

In the post-decision survey, consumers made the following comment:

- They introduced a number of representatives with different approaches

### 7. In terms of overall satisfaction, how would you rate your experience with the Arbitrator?

#### Pre-Decision



Consumers expressed similar satisfaction with the Arbitrator in both pre and post surveys.

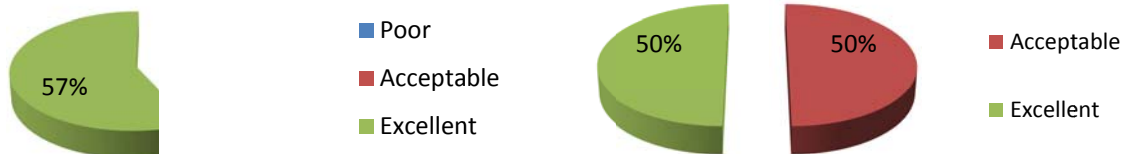
In the post-decision survey, consumers made the following comments:

- Arbitrator acted professionally and heard both sides patiently

- Very professional, conducted the hearing at a high level while retaining the judicial control of the hearing

**8. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process?**

**Pre-Decision**

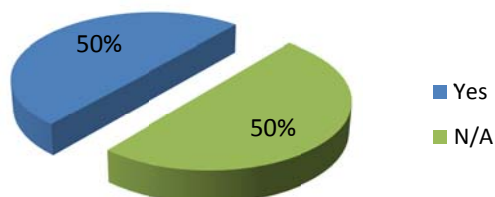


Consumers expressed similar satisfaction with the entire arbitration process in both pre and post surveys.

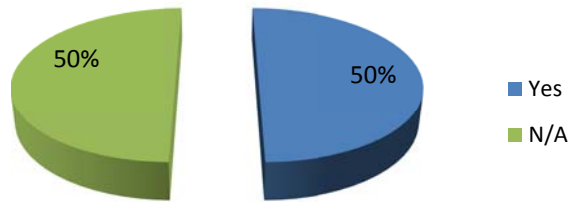
In the post-decision survey, consumers made the following comment:

- I was pleased with the personnel at BBB and the arbitrator conducted a 2 hour and 15 minute hearing

**9. Did the Manufacturer perform the award within the 30 days after you accepted the award?**

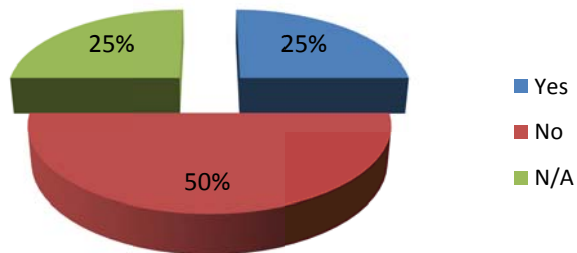


**A. If the performance of the award was over 30 days, did you agree to the delay?**

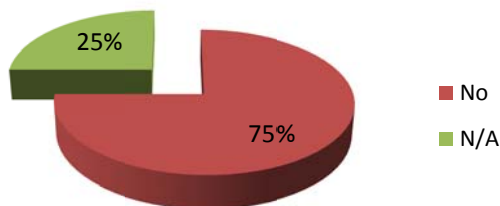


**10. If your claim was denied,**

**A. Did you pursue legal action?**



**B. Did you know you could reapply for arbitration by getting an additional warranty repair?**



**11.If you could think of one major change to improve the arbitration process, what would that be? Please specify.**

- Would have been better if manufacturer representative was present instead of telecom
- Both sides could have been in the room
- Better communication of the process, what it means and why case was denied

## **Results of Respondents Completing Both Pre & Post Surveys**

Two respondents completed both the pre and post-decision surveys. Both consumers did receive awards.

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with BBB AUTO LINE STAFF (Pre-decision listed first):

- Consumer A: excellent ; excellent
- Consumer B: excellent ; excellent

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with the Manufacturer Representative (Pre-decision listed first):

- Consumer A: acceptable ; acceptable
- Consumer B: acceptable ; acceptable

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with the Arbitrator (Pre-decision listed first):

- Consumer A: excellent ; excellent
- Consumer B: excellent ; excellent

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with the entire arbitration process (Pre-decision listed first):

- Consumer A: excellent ; excellent
- Consumer B: excellent ; excellent

## **Comparison to 2011 Consumer Satisfaction Survey**

A comparison between the results of the 2012 and 2011 Consumer Satisfaction Surveys reveals some interesting information:

- The ACP saw a decreased response rate in 2012. In 2011 20% of consumers responded to the survey, while only 13% responded in 2012
- The BBB AUTO LINE staff received increasingly high remarks for consumer satisfaction. In 2011 20% of post-survey respondents indicated "excellent" satisfaction with BBB AUTO LINE staff, while, in 2012, 75% of respondents reported this level of satisfaction
- Overall, compared to 2011's survey, consumer satisfaction indicated higher remarks in 2012 in respect to the Arbitrator and the entire arbitration process.
- The ACP saw an increase in consumers being aware that the settlement or mediation process was a voluntary process. In 2011, 56% were aware while in 2012, 75% were aware of this voluntary process.

- The ACP saw an increase in consumers stating that their award was performed within 30 days (37% in 2011 and 50% in 2012).
- The ACP saw an increase in consumers stating that they were not aware they could reapply in arbitration with an additional warranty repair. 56% were not aware in 2011 while in 2012, this percentage rose to 75%.



**BBB AUTO LINE**  
HYUNDAI MOTOR  
AMERICA

## Hyundai Motor America

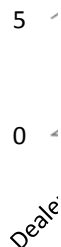
In 2012, the ACP administered both a pre-decision survey (conducted directly after the arbitration hearing) and a post-decision survey. The ACP received eight responses to the pre-decision survey. The pre-decision survey consisted of four questions designed to gauge consumer satisfaction with the arbitration program, vehicle manufacturer, arbitrator, and overall arbitration process, independent of the decision the consumers received. For the post-decision survey, the ACP contacted 25 consumers. Of these 25 consumers, eight (32%) responded to the survey. The post-decision survey consisted of 11 questions designed to ascertain consumers' awareness of the Lemon Law, as well as the same questions asked on the pre-decision survey.

Each illustration represented below is characterized by the survey questions. In addition, three consumers completed both pre-decision and post-decision surveys. A narrative is included to represent the results of these three respondents.

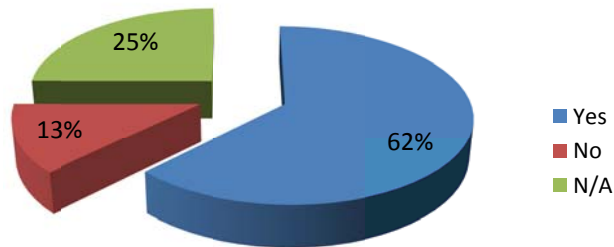
### 2. Before you purchased your vehicle, did you know about the California's Lemon Law?



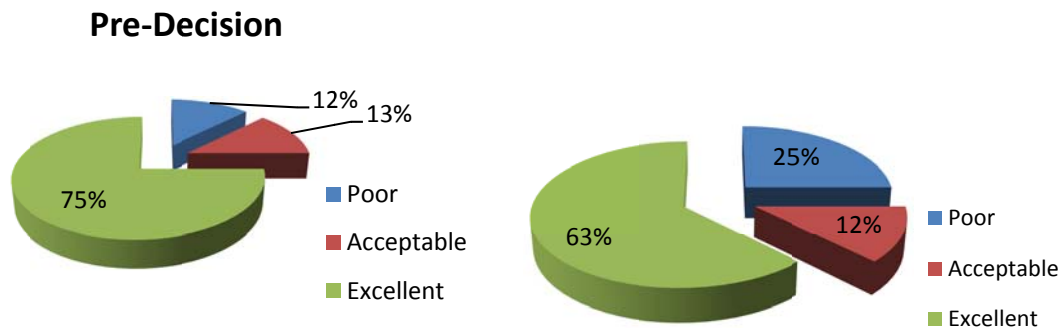
### 3. Before your hearing, where did you learn about applying for arbitration under California's Lemon Law?



4. If you participated in a settlement or mediation process after applying for arbitration with the BBB AUTO LINE, were you informed that it was a voluntary process?



5. In terms of overall satisfaction, how would you rate your experience with the BBB AUTO LINE staff?



Consumers expressed very high satisfaction BBB AUTO LINE staff, in both the pre and post-decision surveys. Of the 16 surveys, 13 (81%) indicated “acceptable” or “excellent” satisfaction with BBB AUTO LINE staff.

The following comments were provided on the pre-decision survey regarding BBB AUTO LINE staff:

- Arbitrator did very good job to “level” the playing field
- Professional, fair

The following comments were provided on the post-decision survey regarding BBB AUTO LINE staff:

- Poor communication, lacking fairness
- Responsive, courteous and helpful
- There was a little breakdown in the settlement, consumers were not provided an itemized detail of how and why of the payment amount

- The judge knew the plaintiff

**6. In terms of overall satisfaction, how would you rate your experience with the vehicle Manufacturer's Representative?**



Consumers had approximately the same level of satisfaction with the Manufacturer's Representative in the pre and post-decision surveys. However, in the post-decision survey the satisfaction decreased slightly with the Manufacturer's Representative.

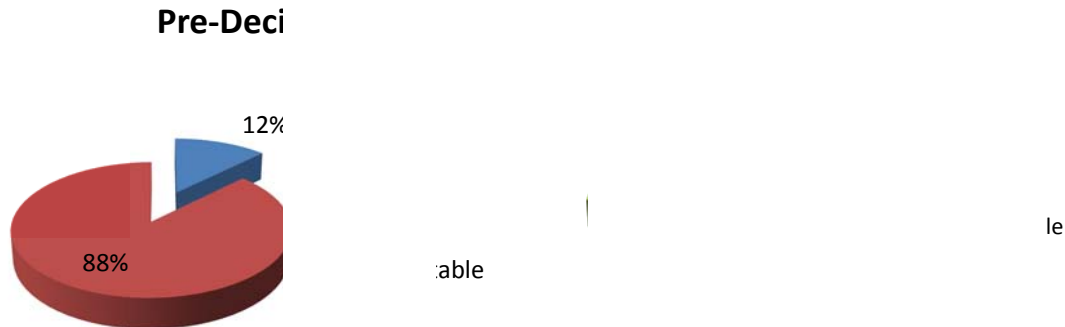
The following comment was provided on the pre-decision survey regarding the Manufacturer's Representative:

- Bad faith

The following comments were provided on the post-decision survey regarding the Manufacturer's Representative:

- Carolyn Harvey made lemonade out of my Lemon
- As far as consumer is concerned consumer was impressed that he was not informed and broke many rules
- Consumers were underpaid because they could not read the copy clearly
- Had no sense; didn't take responsibility nor incentive to solve problem

**7. In terms of overall satisfaction, how would you rate your experience with the Arbitrator?**



Consumers had a substantially more favorable view (88% acceptable pre versus 63% excellent/acceptable post) of the arbitrator prior to receiving their decision.

The following comment was provided on the pre-decision survey regarding the Arbitrator:

- Professional, fair

The following comments were provided on the post-decision survey regarding the Arbitrator:

- In spite of providing live evidence of defect in vehicle consumer was denied in the case
- Arbitrator was lacking in average intelligence and also sided with auto manufacturer. Did not take in the facts
- The car was not safe to drive because of the steering
- Willing to test drive but wasn't honest to the test drive results even though the car was off aligned arbitrator didn't write anything

**8. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process?**

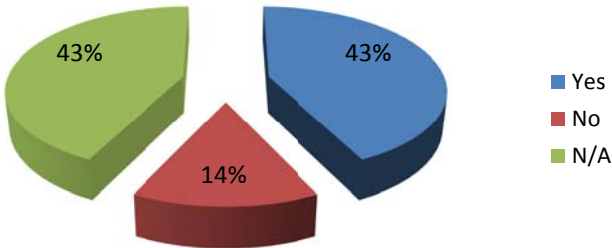


Consumers had a substantially more favorable view (88% excellent/acceptable pre versus 50% excellent/acceptable post) of the entire arbitration process prior to receiving their decision.

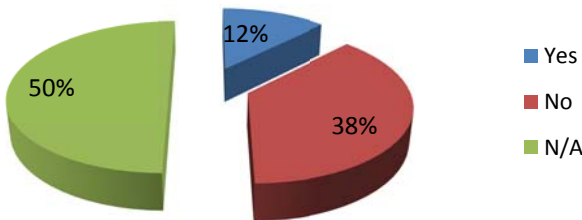
9. Did the Manufacturer perform the award within the 30 days after you accepted the award?



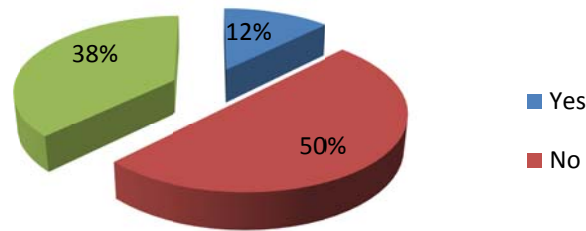
B. If the performance of the award was over 30 days, did you agree to the delay?



10. If your claim was denied,  
A. Did you pursue legal action?



**B. Did you know you could reapply for arbitration by getting an additional warranty repair?**



**11. If you could think of one major change to improve the arbitration process, what would that be?**

- The process did not go as it was explained and outlined. Consumers never received documents that were presented prior to hearing
- That the BBB would be fair and just for all parties
- If they could have fixed the steering I would have kept the car. I should of gotten a lawyer
- The process was scam less. Consumer was extremely impressed with the professionalism
- Consumer should have hired a lawyer
- Consumer would have appreciated an itemized accounting of how and what was refunded. Consumer had to go to the dealer to get final payment for a portion of the settlement
- More information on arbitration
- Way too much time spent

**Results of Respondents Completing Both Pre & Post Surveys**

Three consumers answered both the pre-decision and post-decision surveys. Consumers A and C did not receive an award. Consumer B did receive an award.

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the experience with the BBB AUTO LINE staff (Pre-decision listed first):

- Consumer A: excellent ; excellent
- Consumer B: excellent ; excellent
- Consumer C: poor ; poor

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with the Manufacturer's Representative (Pre-decision listed first):

- Consumer A: excellent ; poor
- Consumer B: acceptable : excellent
- Consumer C: poor : poor

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with the Arbitrator (Pre-decision listed first):

- Consumer A: excellent ; poor
- Consumer B: excellent ; excellent
- Consumer C: acceptable; poor.

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the experience with the entire arbitration process (Pre-decision listed first):

- Consumer A: excellent ; poor
- Consumer B: acceptable ; excellent
- Consumer C: poor ; poor

### **Comparison to 2011 Consumer Satisfaction Survey**

A comparison between the results of the 2012 and 2011 Consumer Satisfaction Surveys reveals some interesting information:

- The ACP saw a decreased response rate in 2012. In 2011 46% of consumers responded to the survey, while 32% responded in 2012
- In 2011 10% of consumers participating in a settlement or mediation process after applying for certification with BBB AUTO LINE, were not informed that it was a voluntary process, compared to 13% in 2012. Although it was an increase of 3% in 2012, the program needs to implement steps and procedures to increase the consumers' knowledge of this voluntary process since 13% of consumers were not informed.
- In 2011 10% of consumers receiving an award stated the Manufacturer did not perform the award within 30 days after the consumer accepted the award, compared to 38% in 2012. Since it was a significant increase of 28% in 2012, the manufacturer needs to strive to increase the performance of the award since 38% of consumers' awards were not performed timely. In 2011 10% of consumers whose performance of the award was over 30 days did not agree to the delay, compared to 14% in 2012. Since it was a slight increase of 4% in 2012, the manufacturer needs to strive to increase the performance of the award since 14% of consumers did not agree to the delay.
- In 2011 60% of consumers whose claim was denied did not know they could reapply for arbitration by getting an additional warranty repair, compared to 50% in 2012. Although it was an improvement of 10% in 2012, the program and manufacturer need



to strive to educate the consumers since 50% of consumers did not know they could reapply for arbitration after getting an additional warranty repair.

- The BBB AUTO LINE staff continued to receive high remarks for consumer satisfaction. In 2011 81% of respondents indicated “acceptable” or “excellent” satisfaction with BBB AUTO LINE staff, as in 2012, with 81% of respondents reported this level of satisfaction
- It appears that satisfaction with the arbitrator decreased in 2012, specifically for consumers surveyed post-decision. In 2011 90% of post-decision respondents indicated “acceptable” or “excellent” satisfaction with the arbitrator, while, in 2012, 81% of respondents reported this level of satisfaction

It appears that overall satisfaction with the entire arbitration process decreased in 2012:

- In 2011 92% of pre-decision respondents indicated “acceptable” or “excellent” satisfaction with the entire arbitration process, while, in 2012, 87% of respondents reported this level of satisfaction
- In 2011 60% of post-decision respondents indicated “acceptable” or “excellent” satisfaction with the entire arbitration process, while, in 2012, 50% of respondents reported this level of satisfaction

**BBB AUTO LINE**

JAGUAR LAND ROVER  
NORTH AMERICA, LLC

## **Jaguar Land Rover North America, LLC**

In 2012, the ACP administered both a pre-decision survey (conducted directly after the arbitration hearing) and a post-decision survey. The ACP received three responses to the pre-decision survey. For the post-decision survey the ACP contacted five consumers. Of these five consumers, one (20%) responded to the survey. The pre-decision survey consisted of five questions designed to gauge consumer satisfaction with the arbitration program, vehicle manufacturer, arbitrator, and overall arbitration process, independent of the decision the consumers received. The post-decision survey consisted of 11 questions designed to ascertain consumers' awareness of the Lemon Law, as well as to answer the same questions asked on the pre-decision survey.

**2. Before you purchased your vehicle, did you know about the California's Lemon Law?**

The respondent indicated that they knew of California's Lemon Law prior to their purchase.

**3. Before your hearing, where did you learn about applying for arbitration under California's Lemon Law?**

The respondent learned about arbitration through the internet

**4. If you participated in a settlement or mediation process after applying for arbitration with the BBB AUTO LINE, were you informed that it was a voluntary process?**

The responded indicated that they were informed.

**5. In terms of overall satisfaction, how would you rate your experience with the BBB AUTO LINE Staff?**

Two of the respondents to the pre-decision survey indicated that the BBB AUTO LINE staff was excellent; one rated the staff as poor.

The respondent to the post-decision survey indicated that the BBB AUTO LINE staff was poor.

**6. In terms of overall satisfaction, how would you rate your experience with the vehicle Manufacturer's Representative?**

Two of the respondents to the pre-decision survey rated the Manufacturer's Representative as poor; one indicated that the representative was acceptable.

The respondent to the post-decision survey indicated that the Manufacturer's Representative was poor.

**7. In terms of overall satisfaction, how would you rate your experience with the Arbitrator?**

Two of the respondents to the pre-decision survey rated the Arbitrator as acceptable; one indicated that the Arbitrator was poor.

The respondent to the post-decision survey indicated that the Arbitrator was poor.

**8. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process?**

Two of the respondents to the pre-decision survey rated the entire arbitration process as acceptable; one indicated that the entire arbitration process was poor.

The respondent to the post-decision survey indicated that the entire arbitration process was poor.

The following comments were provided on the pre-decision survey:

- Does someone have to be injured before you wake up and realize my car is unsafe? 9 problems/20 days, 16 months!

**9A. Did the Manufacturer perform the award within the 30 days after you accepted the award?**

The respondent did not answer this question.

**9B. If the performance of the award was over 30 days, did you agree to the delay?**

The respondent did not answer this question.

**10. If your claim was denied,**

**A. Did you pursue legal action?**

The respondent indicated that they did.

**B. Did you know you could reapply for arbitration by getting an additional warranty repair?**

The respondent indicated that they did not.

**BBB AUTO LINE**  
**KIA MOTORS AMERICA**

## Kia Motors America

In 2012, the ACP administered both a pre-decision survey (conducted directly after the arbitration hearing) and a post-decision survey. The ACP received four responses to the pre-decision survey. The pre-decision survey consisted of four questions designed to gauge consumer satisfaction with the arbitration program, vehicle manufacturer, arbitrator, and overall arbitration process, independent of the decision the consumers received. For the post-decision survey, the ACP contacted 11 consumers. Of these 11 consumers, 4 (36%) responded to the survey. The post-decision survey consisted of 11 questions designed to ascertain consumers' awareness of the Lemon Law, as well as the same questions asked on the pre-decision survey. In addition, two consumers completed both pre and post-decision surveys. A narrative is included to represent the results of these two respondents.

**2. Before you purchased your vehicle, did you know about the California's Lemon Law?**

Two respondents responded yes, while two responded no.

**3. Before your hearing, where did you learn about applying for arbitration under California's Lemon Law?**

Each respondent stated learning about applying for arbitration from the dealership, a friend, the internet and other source.

**4. If you participated in a settlement or mediation process after applying for arbitration with the BBB AUTO LINE, were you informed that it was a voluntary process?**

Three respondents responded yes, while one responded no.

**5. In terms of overall satisfaction, how would you rate your experience with the BBB AUTO LINE Staff?**

Two respondents to the pre-decision survey indicated that the BBB AUTO LINE staff was excellent, while the other two respondents indicated acceptable.

Three respondents to the post-decision survey indicated the BBB AUTO LINE staff was poor, while the other responded indicated acceptable.

The following comments were provided on the post-decision survey:

- Failed to confirm arbitration date. No follow-up by staff. Had to follow-up with supervisor
- Consumer was surprised that the outcome was so dependent on how well consumer prepared and arguments made
- Consumer had a lot of information that backed claim and explain position. Kia's person made one statement and won. It was very one sided.

**6. In terms of overall satisfaction, how would you rate your experience with the Manufacturer Representative?**

Two respondents to the pre-decision survey rated the Manufacturer Representative as poor; one respondent indicated acceptable and the other respondent as excellent.

Three respondents to the post-decision survey indicated the Manufacturer Representative was poor, while the other responded indicated excellent.

**7. In terms of overall satisfaction, how would you rate your experience with the Arbitrator?**

Three respondents to the pre-decision survey rated the Arbitrator as excellent, while one respondent indicated acceptable.

Two respondents to the post-decision survey indicated the Arbitrator was poor, while the other two respondents indicated acceptable.

The following comments were provided in the post-decision survey:

- Arbitrator ignored all the certified letters to the dealer stating the brake and light problems were not written down on the repair slips
- Very one sided, a waste of time. Arbitrator's mind was already made up

**8. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process?**

Three respondents to the pre-decision survey rated the entire arbitration process as acceptable, while one respondent indicated excellent.

Three respondents to the post-decision survey indicated the entire arbitration process was poor, while the other respondent indicated acceptable.

In the post-decision survey, two consumers made the following comment:

- Consumer would not recommend it to others even though the dealer representative was nice
- As stated before, not worth the time and money. Should not have this department, save tax payer some money

**9. Did the Manufacturer perform the award within the 30 days after you accepted the award?**

One consumer reported the award being performed within 30 days after accepting the decision, while the other three consumers responded N/A.

**a. If the performance of the award was over 30 days, did you agree to the delay?**

All consumers who responded "N/A".

**10. If your claim was denied,**

**a. Did you pursue legal action?**

All four respondents stated they did not pursue legal action.

**b. Did you know you could reapply for arbitration by getting an additional warranty repair?**

Three respondents responded stated they did not know they could reapply for arbitration by getting an additional warranty repair, while the other respondent answered N/A.

**11. If you could think of one major change to improve the arbitration process, what would that be?**

The following comments on improving the arbitration process were offered by two consumers:

- Hire competent arbitrators who know about cars
- Use Skype as everyone's time is valuable. Consumer had to take 20 hours off from work to fix my car plus a whole day to attend arbitration
- Overall things went very well
- Don't waste the consumer's time with this process. In consumer's case the arbitrator had his mind made up before the hearing. Kia did not defend themselves at all and still won. Kia admitted wrong doing on one part of the complaint and when consumer told the dealership what Kia said they said Kia does not decide. Another waste of time

**Results of Respondents Completing Both Pre & Post Surveys**

Two consumers answered both the pre-decision and post-decision surveys. Both consumers did not receive an award.

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the experience with the BBB AUTO LINE staff (Pre-decision listed first):

- Consumer A: excellent ; poor
- Consumer B: acceptable ; poor

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with the Manufacturer's Representative (Pre-decision listed first):

- Consumer A: excellent ; excellent
- Consumer B: poor : poor



The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with the Arbitrator (Pre-decision listed first):

- Consumer A: excellent ; poor
- Consumer B: acceptable ; acceptable

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the experience with the entire arbitration process (Pre-decision listed first):

- Consumer A: excellent ; poor
- Consumer B: acceptable ; poor

**BBB AUTO LINE**

MAZDA NORTH  
AMERICAN OPERATIONS

## **Mazda North American Operations**

In 2012, the ACP administered both a pre-decision survey (conducted directly after the arbitration hearing) and a post-decision survey. The ACP received one response to the pre-decision survey. The pre-decision survey consisted of four questions designed to gauge consumer satisfaction with the arbitration program, vehicle manufacturer, arbitrator, and overall arbitration process, independent of the decision the consumers received. For the post-decision survey, the ACP contacted six consumers. Of these six consumers, three (50%) responded to the survey. The post-decision survey consisted of 11 questions designed to ascertain consumers' awareness of the Lemon Law, as well as the same questions asked on the pre-decision survey. In addition, one consumer completed both pre and post-decision respondents.

**2. Before you purchased your vehicle, did you know about the California's Lemon Law?**

Two consumers responded yes, while one consumer indicated no.

**3. Before your hearing, where did you learn about applying for arbitration under California's Lemon Law?**

Two consumers responded learned about applying through the internet, while one consumer learned through an attorney.

**4. If you participated in a settlement or mediation process after applying for arbitration with the BBB AUTO LINE, were you informed that it was a voluntary process?**

All three consumers stated they were informed that it was a voluntary process.

**5. In terms of overall satisfaction, how would you rate your experience with the BBB AUTO LINE staff?**

Two consumers rated their experience as poor, while one consumer indicated excellent.

For the consumer that completed a pre-decision survey, poor was indicated.

**6. In terms of overall satisfaction, how would you rate your experience with the vehicle Manufacturer's Representative?**

Two consumers rated their experience as poor, while one consumer indicated acceptable.

For the consumer that completed a pre-decision survey, poor was indicated.

**7. In terms of overall satisfaction, how would you rate your experience with the Arbitrator?**

One consumer rated their experience as poor, one consumer indicated excellent while the last provided no answer.

For the consumer that completed a pre-decision survey, poor was indicated.

**8. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process?**

One consumer rated their experience as poor, one consumer indicated excellent while the last provided no answer.

For the consumer that completed a pre-decision survey, poor was indicated.

**9. Did the Manufacturer perform the award within the 30 days after you accepted the award?**

Two consumers answered not applicable, while one consumer provided a no response.

**A. If the performance of the award was over 30 days, did you agree to the delay?**

Two consumers answered not applicable, while one consumer provided a no response.

**10.If your claim was denied,**

**A. Did you pursue legal action?**

Two consumers answered not applicable, while one consumer provided a yes response.

**B. Did you know you could reapply for arbitration by getting an additional warranty repair?**

Two consumers answered not applicable, while one consumer provided a yes response.

**11.If you could think of one major change to improve the arbitration process, what would that be?**

- The arbitrator showed a bias to the car manufacturer
- Have the truth on the website
- The manufacturer to speed up their process once a decision is made

**BBB AUTO LINE**

NISSAN NORTH  
AMERICA, INC.

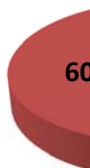
**(INCLUDES INFINITI)**

## **Nissan North America, Inc. (Nissan and Infiniti)**

In 2012, the ACP administered both a pre-decision survey (conducted directly after the arbitration hearing) and a post-decision survey. The ACP received 11 responses to the pre-decision survey. The pre-decision survey consisted of four questions designed to gauge consumer satisfaction with the arbitration program, vehicle manufacturer, arbitrator, and overall arbitration process, independent of the decision the consumers received. For the post-decision survey, the ACP contacted 42 consumers. Of these 42 consumers, 5 (12%) responded to the survey. The post-decision survey consisted of 11 questions designed to ascertain consumers' awareness of the Lemon Law, as well as the same questions asked on the pre-decision survey.

Each illustration represented below is characterized by the survey questions. In addition, one consumer completed both the pre- and post-decision surveys. A narrative is included to represent the result of this respondent.

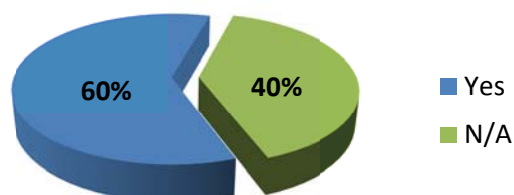
### **2. Before you purchased your vehicle, did you know about the California's Lemon Law?**



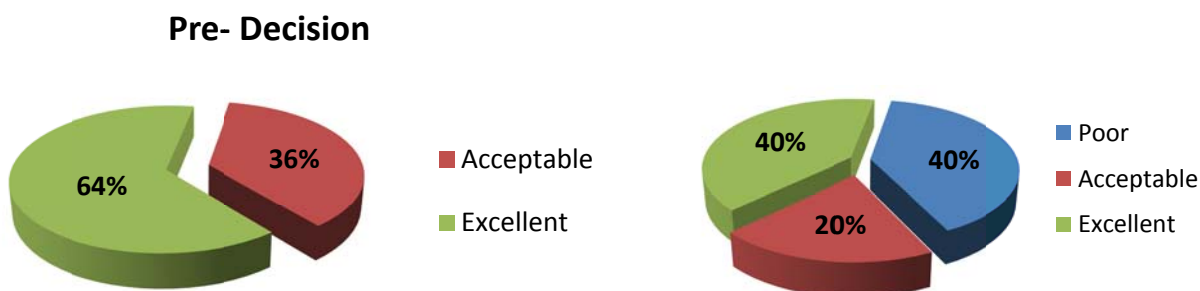
### **3. Before your hearing, where did you learn about applying for arbitration under California's Lemon Law?**



4. If you participated in a settlement or mediation process after applying for arbitration with the BBB AUTO LINE, were you informed that it was a voluntary process?



5. In terms of overall satisfaction, how would you rate your experience with the BBB AUTO LINE staff?

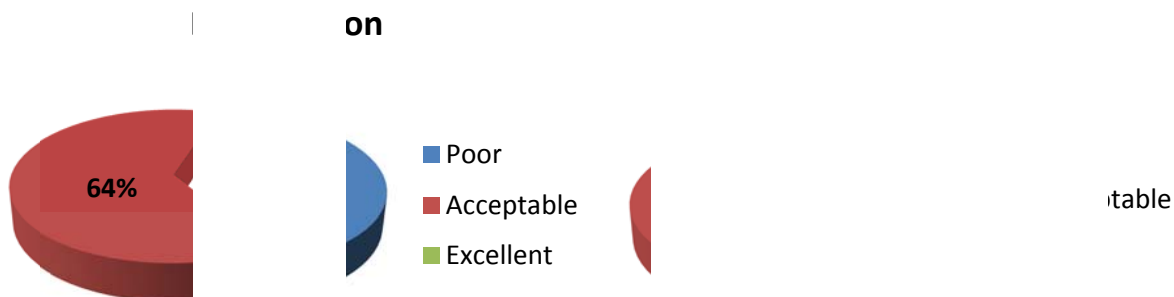


Prior to receiving the arbitrator's decision, all 11 (100%) of the respondents indicated their experience with the BBB AUTO LINE staff were highly satisfactory. Whereas 2 (40%) of the 5 respondents who answered the survey after receiving an arbitration decision, were less satisfied.

There were no consumer comments made to the pre-arbitration decision survey regarding the BBB AUTO LINE staff. The following comments were provided by two consumers on the post-arbitration decision survey:

- Staff were very professional [stet]
- I felt the process was in favor of the manufacturer/dealership from the start despite my ample evidence proving manufacturer was at fault

6. In terms of overall satisfaction, how would you rate your experience with the vehicle Manufacturer's Representative?

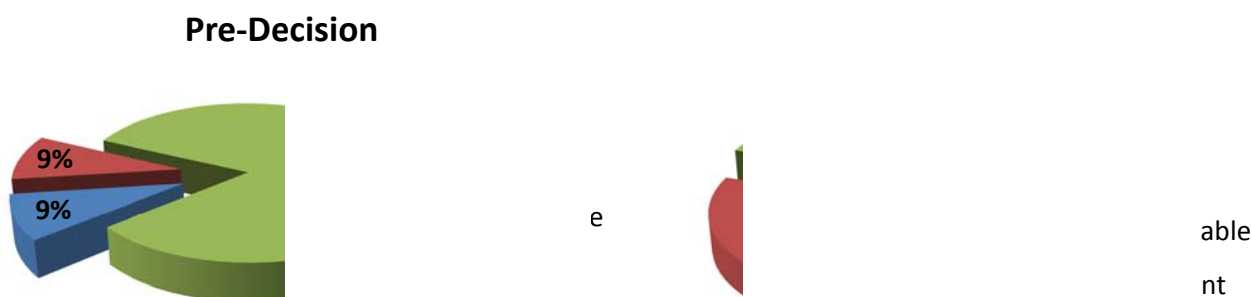


Prior to the arbitration hearing, 8 (73%) of the 11 consumers were overall satisfied with their experience with the Manufacturer's Representative. After the hearing, the percentage declined to 40%.

The following comments were provided on the pre-arbitration decision survey regarding the Manufacturer's Representative:

- The individuals representing the manufacturer were cordial.
- This process does not work well.

**7. In terms of overall satisfaction, how would you rate your experience with the Arbitrator?**



Consumers' initial interaction with an arbitrator is at the time of the arbitration hearing. As the above illustrations show, consumers' assessment of the arbitrator was favorable before the hearing, whereas their overall satisfaction declined after receiving the hearing decision.

The following comments were provided on the pre-arbitration decision survey regarding the Arbitrator:

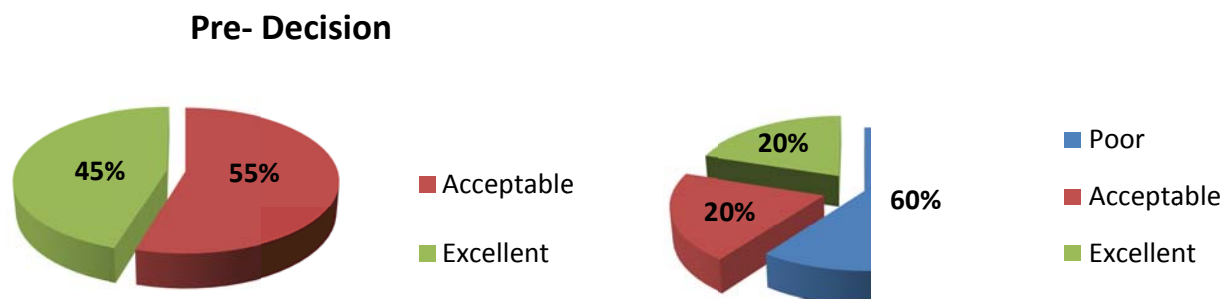
- He didn't seem to understand some concepts of technology, but did not ask questions to clarify them



The following comments were provided on the post-arbitration decision survey regarding the Arbitrator:

- Horrible
- She was friendly

**8. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process?**



Consumers perception of the arbitration process prior to receiving an arbitration decision was rated favorably (excellent and acceptable) at 100%. Whereas after a decision was received, their favorable perception declined to 40% (2 of the 5 respondents rated excellent and acceptable).

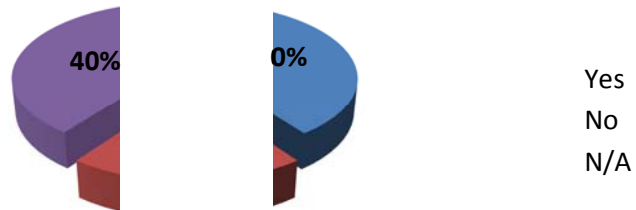
The following comments were provided on the pre-arbitration decision survey regarding the entire process:

- The process took too long
- Happy that this process is available
- Really good response from BBB. I think they are doing a great job by helping consumers feel more able to do something about business flaws.
- The case manager at BBB was difficult to reach. She did not respond to my calls/voice mails promptly at all so I had to speak to assistant to get information. The few times she did answer, she was frustrated because speak english as a third language (I am from China). I want to say she was inpatient as the result of my english and it was rude at times.

The following comments were provided on the post-arbitration decision survey regarding the entire process:

- Waste of time
- I feel as if I wasted my time explaining my case and submitting substantial evidence when the case had more or less already been in favor of the manufacturer.

9. Did the Manufacturer perform the award within the 30 days after you accepted the award?



A. If the performance of the award was over 30 days, did you agree to the delay?



10. If your claim was denied,

A. Did you pursue legal action?



B. Did you know you could reapply for arbitration by getting an additional warranty repair?

**11. If you could think of one major change to improve the arbitration process, what would that be? Please specify.**

- The siding with the manufacturer. Perhaps the BB (stet) could actually be impartial judges in each case.
- Fix the vehicle!
- To have the arbitration process available in other language or at least have someone to translate in other words you can get more business if there was more info. in different languages.

**Results of Respondents Completing Both Pre & Post Surveys**

One respondent completed both the pre- and post-decision surveys. This respondent testified in person and received an award.

The following are the responses by the consumer on the pre- and post-decision surveys for each question. The pre-decision responses are listed first.

- Overall satisfaction with the BBB AUTO LINE staff: excellent; excellent
- Overall satisfaction with the vehicle Manufacturer's Representative: acceptable; acceptable
- Overall satisfaction with the Arbitrator: excellent; acceptable
- Overall satisfaction with the entire arbitration process: excellent; acceptable

**Comparison to 2011 Consumer Satisfaction Survey**

A comparison between the results of the 2011 and 2012 Consumer Satisfaction Surveys revealed:

- There is a significant decrease (50%) in the number of consumers responding to the 2012 Consumer Satisfaction Survey. In 2011, 18% of consumers responded to the survey, while 9% responded in 2012
- In 2011, 67% of consumers indicated they were informed by the BBB AUTO LINE staff that settlement or mediation is a voluntary process. Whereas in 2012, the percentage of consumers informed about the voluntary process declined to 60%
- The BBB AUTO LINE staff received a slight decrease in overall remarks for consumer satisfaction. In 2011, 67% of respondents indicated "acceptable" or "excellent"

satisfaction with BBB AUTO LINE staff. While in 2012, 60% of respondents reported this level of satisfaction

- It appears that consumers' satisfaction with the arbitrator increased in 2012, specifically for consumers surveyed after the arbitration hearing decision. In 2011, 55% of post-decision respondents indicated "acceptable" or "excellent" satisfaction with the arbitrator. While in 2012, 60% of respondents reported this level of satisfaction
- The Manufacturer's Representative received a slight reduction in overall consumer satisfaction. In 2011, 44% of the respondents indicated "acceptable" or "excellent" with the manufacturer's representative. While in 2012, the level of satisfaction decreased to 40%

It appears that consumers' overall satisfaction with the entire arbitration process declined in 2012:

- In 2011 and 2012, prior to receiving an arbitration decision, 100% of respondents indicated "acceptable" or "excellent" satisfaction with the entire arbitration process
- In 2011, 50% of post-decision respondents indicated "acceptable" or "excellent" with their satisfaction of the entire arbitration process. While in 2012, 40% of respondents reported this level of satisfaction

The following responses reflect consumers' experience after receiving an arbitrator's award:

- In 2011 and 2012, after receiving an arbitration award, 67% of consumers indicated the manufacturer completed the performance award within the 30-day requirement
- When consumers were asked in 2011 if they agreed to the delay of the 30-day performance of the award, 56% indicated they did not agree. On the contrary, in 2012, the consumer response rate fell to 20% when compared to the previous reporting year. This is a positive sign by the manufacturer's efforts to remain compliant and retain customer satisfaction
- In 2011, 56% of consumers did not know they are able to reapply for arbitration after getting an additional warranty repair. This percentage has dramatically increased to 80% in 2012, which clearly demonstrates a need for consumers to be educated of this entitlement

**BBB AUTO LINE**  
**VOLKSWAGEN OF**  
**AMERICA, INC.**  
**(INCLUDES AUDI)**

## Volkswagen of America, Inc. (Volkswagen and Audi)

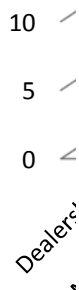
In 2012, the ACP administered both a pre-decision survey (conducted directly after the arbitration hearing) and a post-decision survey. The ACP received 22 responses to the pre-decision survey. The pre-decision survey consisted of four questions designed to gauge consumer satisfaction with the arbitration program, vehicle manufacturer, arbitrator, and overall arbitration process, independent of the decision the consumers received. For the post-decision survey, the ACP contacted 48 consumers. Of these 48 consumers, 17 (35%) responded to the survey. The post-decision survey consisted of 11 questions designed to ascertain consumers' awareness of the Lemon Law, as well as the same questions asked on the pre-decision survey.

Each illustration represented below is characterized by the survey questions. In addition, 11 consumers completed both pre-decision and post-decision surveys. A narrative is included to represent the results of these 11 respondents.

### 2. Before you purchased your vehicle, did you know about the California's Lemon Law?



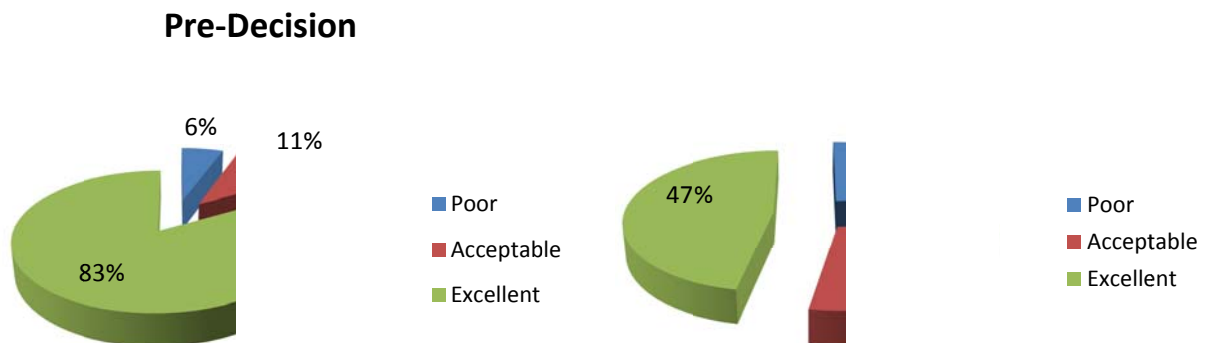
### 3. Before your hearing, where did you learn about applying for arbitration under California's Lemon Law?



4. If you participated in a settlement or mediation process after applying for arbitration with the BBB AUTO LINE, were you informed that it was a voluntary process?



5. In terms of overall satisfaction, how would you rate your experience with the BBB AUTO LINE staff?



Consumers expressed a high satisfaction with BBB AUTO LINE staff, in both the pre and post-decision surveys. Of the 39 surveys, 36 (92%) indicated “acceptable” or “excellent” satisfaction with BBB AUTO LINE staff.

The following comments were provided on the pre-decision survey regarding BBB AUTO LINE staff:

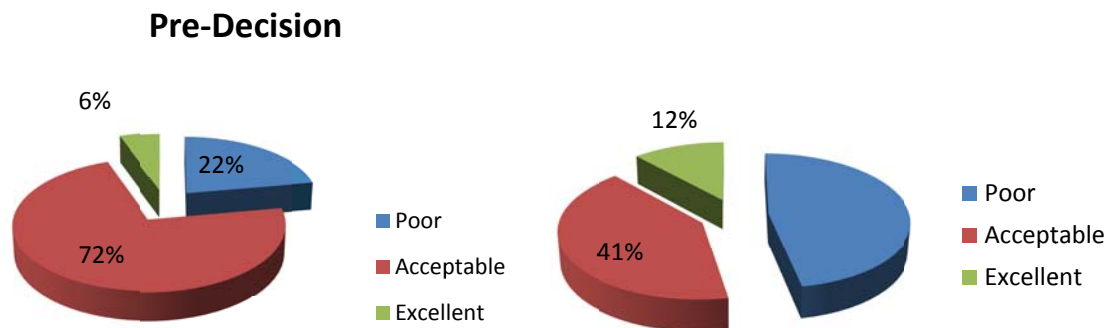
- I am amazed at the efficiency and professionalism
- Very informative
- Very attentive

The following comments were provided on the post-decision survey regarding BBB AUTO LINE staff:

- Did not feel the appropriate judgment was made. It was as if something bad, really bad, has to actually happen before they will do anything about it, rather than pretend

- BBB case staff was very helpful and professional
- Found the arbitration to be extremely fair and asked good questions to help clarify information
- Quick service and very professional
- It took over a week for them to send the application package. By the time it arrived it only gave one to submit or forfeit. At the end of the process a letter from BBB counsel clearly demonstrated a gross of lack of understanding of the issues. The BBB staff had a different understanding of the lemon law than the arbitrator
- Poor communication- would not return calls for days- always received voicemail instead of a person. Sided with the manufacturer or would not allow consumer's voice to be heard
- The mediation process was a complete waste of time. Consumers felt their case was not taken seriously
- Could not have done it without them
- They were very friendly
- The process has no backbone. The manufacturer did not follow the decision or repair the car after the final repair attempt. Consumer requested a reconsideration and the arbitrator did not order anything

**6. In terms of overall satisfaction, how would you rate your experience with the vehicle Manufacturer's Representative?**



Consumers had approximately the same level of satisfaction with the Manufacturer's Representative in the pre and post-decision surveys.

The following comments were provided on the pre-decision survey regarding the Manufacturer Representative:

- Almost in-line with what I would expect



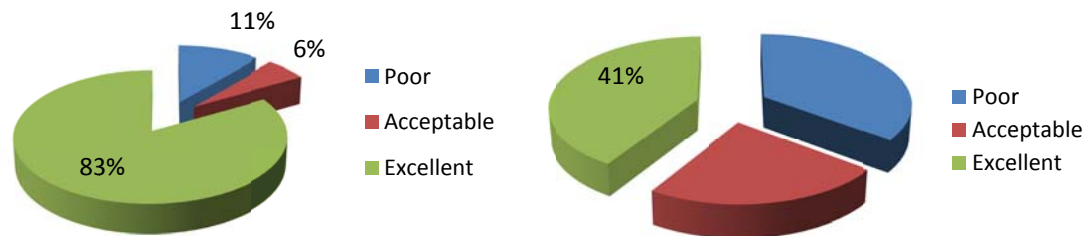
- Based decision on assumptions and not specific (discreet) facts. Only based on experience and observation

The following comments were provided on the post-decision survey regarding the Manufacturer Representative:

- Never provided hard evidence to back up VW's "EPA" mandate, admitted VW altered "design" by computer update
- Rude, lack of effort, didn't care
- VW staff was very arrogant
- The representative that participated in the BBB process had a stance of admit nothing, deny everything, blame the owner, which was totally unacceptable. VW has lost the consumer's trust and as a future customer. Consumer does its very best to persuade people away from VW based on consumer's experience. To this date, consumer's efforts have resulted in 5 less vehicle sales and who knows how many more
- Representative came unprepared. Representative passed out data at the beginning of the hearing which was to be all incorrect. Representative also refused to test drive the vehicle and said he could diagnose the vehicle by listening, the representative was an elderly gentleman with a hearing aid and he made small talk through the entire drive.
- The representative came ill prepared- unable to answer consumer's questions about the corporation. Arbitrator sided with the representative
- VW has denied there is a serious problem with the consumer's brand new car
- They said the vehicle was made for transportation, even that the consumer bought the most expensive of the line
- The representative had no interest in solving the consumer's problems. The representative only fought to avoid repurchase

**7. In terms of overall satisfaction, how would you rate your experience with the Arbitrator?**

**Pre-Decision**



Consumers had a substantial more favorable view (90% excellent/acceptable pre versus 65% excellent/acceptable post) of the arbitrator prior to receiving their decision.

The following comments were provided on the pre-decision survey regarding the Arbitrator:

- Stayed neutral but thorough
- Pending, so far excellent

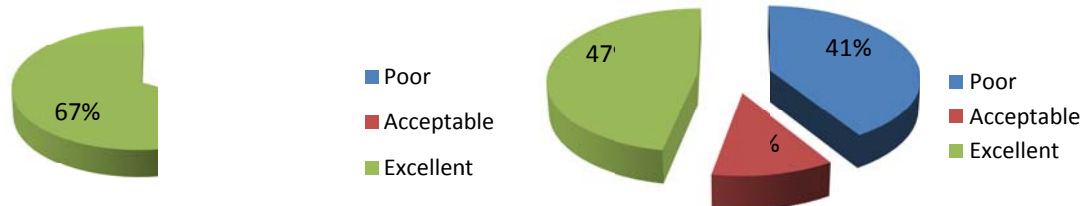
The following comments were provided on the post-decision survey regarding the Arbitrator:

- Ruled for VW as vehicle operating as designed when VW admitted it changed design at 36,000 mile update
- Unprofessional. Arrived late, refused to drive the vehicle on a hill where we could duplicate the problem. Instead arbitrator made consumer drive for 40 minutes in unfamiliar flat streets and dangerous construction zones. Consumer's insistence to drive where they could duplicate the problem was rejected outright. With the same time they could have gone to the terrain that caused the problem and admitted by the VW shop manager after his test drive.
- Arbitrator was business like in manner, yet sided with manufacturer representative
- One of consumer's complaint involved Bluetooth technology- arbitrator didn't even own a cell phone and couldn't understand the problem
- At the very end of the arbitration hearing the arbitrator and manufacturer's representative were talking jargon back and forth, at that point consumer had an inclination that the arbitrator was already siding with the manufacturer
- Fair person
- The arbitrator did not understand the problem

- The process is flawed and biased towards the manufacturer, which makes sense since they pay for the arbitration

**8. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process?**

**Pre-Decision**



The following comments were provided on the pre-decision survey regarding the entire arbitration process:

- Seems fair
- Waiting for decision
- Pending

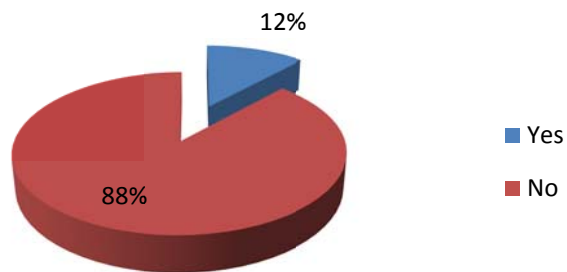
The following comments were provided on the post-decision survey regarding the entire arbitration process:

- Second experience with BBB- first experience involved a Saab, got an attorney afterwards and Saab settled for \$26,000
- Glad this is a place to help consumer
- The entire process was a waste of time for the consumer. The decision in favor of the manufacturer appeared to have been made before the process even started. The consumer's interest against the manufacturer's irresponsible behavior was not protected
- Consumer would never recommend this process to anyone. A total waste of time and energy. Better to go directly to court
- If Song-Beverly and other lemon law issues were prescribed by BBB staff consumers would not have wasted time with this process. In other words, someone should have more carefully reviewed our application and sent consumers an automatic reply saying consumers did not have a case
- Consumer still has the issue
- Not impressed at all. No respect for the customer, just an exercise in futility

9. Did the Manufacturer perform the award within the 30 days after you accepted the award?

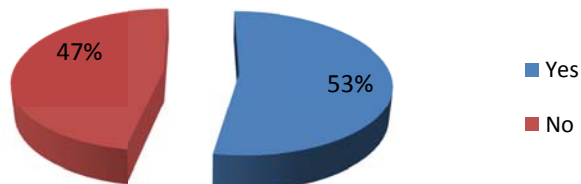
■ Yes  
■ No  
■ N/A

A. If the performance of the award was over 30 days, did you agree to the delay?



10. If your claim was denied,

A. Did you pursue legal action?



B. Did you know you could reapply for arbitration by getting an additional warranty repair?



■ Yes  
■ No  
■ N/A

**11. If you could think of one major change to improve the arbitration process, what would that be?**

- My second experience. First also against me but settled out of court for \$35,000. This experience manufacturer never denied culpability- only that their chance to repair vehicle which increased cost and decreased value was made after 18 months and therefore not covered under lemon law. No evidence presented to support the claim for modification.
- Arbitration should follow rules of evidence and case law. Consumer will pursue legal action
- It would be helpful for the arbitrator to consider the safety of the consumer more. Make a judgment based on what could likely happen. Instead of denying claim because nothing too dangerous had happened. Why wait until someone has an accident or is put in a dangerous situation before anything is done about it? Not very proactive.
- Easier to find all information ahead of time to plan and prepare
- Office staff needs to be more helpful by copying consumer's documents for arbitration process
- More communication throughout the process. Overall, the consumer had a good experience
- The DMV still believes the vehicle is in the consumer's name, even though consumer signed it over to Audi. Suggest that final paperwork and transaction take place at BBB location
- Hire and retrain competent and impartial people
- Consumer doesn't believe much would change since companies pay the BBB to show that they are a good company to people. Consumers now realize BBB takes care of companies and really bother with people and their needs. A total waste of time
- Allow the unsatisfied consumer the opportunity to have a neutral third-party mechanic inspect the car

- Have arbitrator and manufacturer representative not talk jargon back and forth because it gives the appearance that the arbitrator has sided with the representative; BBB should review application more carefully and send an automatic reply saying consumer does not have a case; prescreen better or hire a lawyer to review the claim and the arbitrator should not be exchanging jargon back and forth with the representative at the end of the hearing
- Arbitrate closer to consumer's living place
- They need more information of the specific vehicle, so they can understand the problem
- Allow for some penalty for the manufacturer not following the award. Allow a process that favors the consumer as the law was originally intended

### **Results of Respondents Completing Both Pre & Post Surveys**

Eleven respondents completed both the pre and post-decision surveys. Consumers A, I, J and K did not receive an award. Consumers B, C, D, E, F, G and H did receive an award.

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with BBB AUTO LINE STAFF (Pre-decision listed first):

- Consumer A: poor ; acceptable
- Consumer B: excellent ; acceptable
- Consumer C: excellent ; excellent
- Consumer D: excellent ; excellent
- Consumer E: acceptable ; excellent
- Consumer F: excellent ; excellent
- Consumer G: excellent ; excellent
- Consumer H: excellent ; excellent
- Consumer I: excellent ; acceptable
- Consumer J: excellent ; excellent
- Consumer K: acceptable ; poor

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with the Manufacturer Representative (Pre-decision listed first):

- Consumer A: acceptable : poor
- Consumer B: excellent ; acceptable
- Consumer C: acceptable ; acceptable
- Consumer D: poor ; poor

- Consumer E: excellent ; excellent
- Consumer F: excellent ; excellent
- Consumer G: acceptable ; poor
- Consumer H: acceptable ; acceptable
- Consumer I: acceptable ; acceptable
- Consumer J: poor ; acceptable
- Consumer K: acceptable; poor.

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with the Arbitrator (Pre-decision listed first):

- Consumer A: poor ; poor
- Consumer B: excellent ; acceptable
- Consumer C: excellent ; excellent
- Consumer D: excellent ; excellent
- Consumer E: excellent ; acceptable
- Consumer F: excellent ; excellent
- Consumer G: excellent ; excellent
- Consumer H: excellent ; excellent.
- Consumer I: acceptable ; acceptable
- Consumer J: excellent ; excellent
- Consumer K: acceptable ; poor

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with the entire arbitration process (Pre-decision listed first):

- Consumer A: poor ; poor
- Consumer B: excellent ; acceptable
- Consumer C: excellent ; excellent
- Consumer D: acceptable ; excellent
- Consumer E: acceptable ; excellent
- Consumer F: excellent ; excellent
- Consumer G: excellent ; excellent
- Consumer H: excellent ; excellent
- Consumer I: acceptable ; acceptable
- Consumer J: excellent ; excellent

- Consumer K: acceptable ; poor

## **Comparison to 2011 Consumer Satisfaction Survey**

A comparison between the results of the 2012 and 2011 Consumer Satisfaction Surveys reveals some interesting information:

- The ACP saw an increased response rate in 2012. In 2011 25% of consumers responded to the survey, while 40% responded in 2012
- In 2011 10% of consumers participating in a settlement or mediation process after applying for certification with BBB AUTO LINE, were not informed that it was a voluntary process, compared to 12% in 2012. Although it was an increase of 2% in 2012, the program needs to implement steps and procedures to increase the consumers' knowledge of this voluntary process since 12% of consumers were not informed.
- In 2011 10% of consumers receiving an award stated the Manufacturer did not perform the award within 30 days after the consumer accepted the award, compared to 12% in 2012. Although it was a slight increase of 2% in 2012, the manufacturer needs to strive to increase the performance of the award since 12% of consumers' awards were not performed timely. In 2011 none of the 10% of consumers whose awards were not performed within 30 days provided a response to this question. In 2012 88% of the consumers whose awards were not performed within 30 days after accepting the decision did not agree to the delay. Since it was a significant increase in 2012, the manufacturer needs to strive to increase the performance of the award since 88% of consumers did not agree to the delay.
- In 2011 50% of consumers whose claim was denied did not know they could reapply for arbitration by getting an additional warranty repair, compared to 35% in 2012. Although it was an improvement of 15% in 2012, the program and manufacturer need to strive to educate the consumers since 35% of consumers did not know they could reapply for arbitration after getting an additional warranty repair.
- The BBB AUTO LINE staff continued to receive high remarks for consumer satisfaction. In 2011 82% of respondents indicated "acceptable" or "excellent" satisfaction with BBB AUTO LINE staff, while in 2012, with 85% of respondents reported this level of satisfaction
- It appears that satisfaction with the arbitrator increased in 2012, specifically for consumers surveyed post-decision. In 2011 40% of post-decision respondents indicated "acceptable" or "excellent" satisfaction with the arbitrator, while, in 2012, 64% of respondents reported this level of satisfaction

It appears that overall satisfaction with the entire arbitration process increased in 2012:



- In 2011 88% of pre-decision respondents indicated “acceptable” or “excellent” satisfaction with the entire arbitration process, while, in 2012, 90% of respondents reported this level of satisfaction

In 2011 40% of post-decision respondents indicated “acceptable” or “excellent” satisfaction with the entire arbitration process, while, in 2012, 58% of respondents reported this level of satisfaction

**California Dispute Settlement Program  
(CDSP)**

TOYOTA MOTOR SALES  
USA, INC.

**(INCLUDES SCION)**

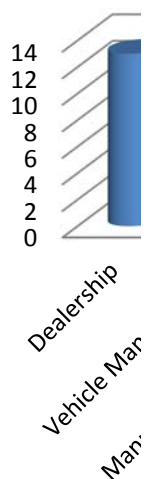
## Toyota Motor Sales USA, Inc. (Toyota and Scion)

In 2012, the ACP administered both a pre-decision survey (conducted directly after the arbitration hearing) and a post-decision survey. The ACP received 32 responses to the pre-decision survey. The pre-decision survey consisted of five questions designed to gauge consumer satisfaction with the arbitration program, vehicle manufacturer, arbitrator, and overall arbitration process, independent of the decision the consumers received. For the post-decision survey, the ACP contacted 138 consumers. Of these 138 consumers, 41 (30%) responded to the survey. The post-decision survey consisted of 12 questions designed to ascertain consumers' awareness of the Lemon Law, as well as the same questions asked on the pre-decision survey. Each illustration represented below is characterized by the survey questions.

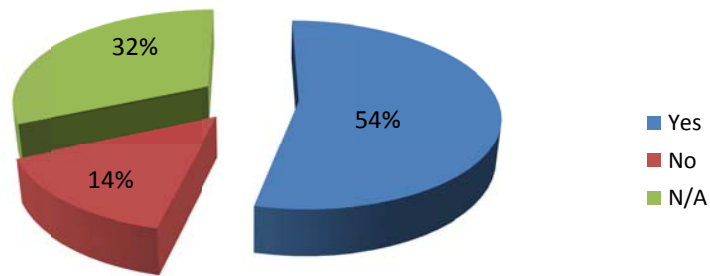
### 2. Before you purchased your vehicle, did you know about the California's Lemon Law?



### 3. Before your hearing, where did you learn about applying for arbitration under California's Lemon Law?

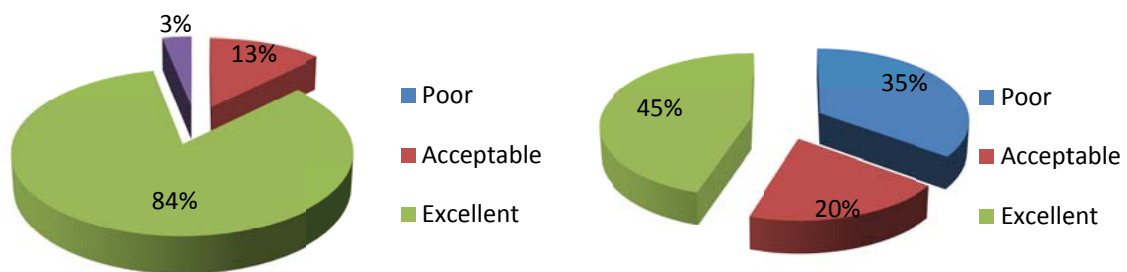


4. If you participated in a settlement or mediation process after applying for arbitration with the California Dispute Settlement Program (CDSP), were you informed that it was a voluntary process?



5. In terms of overall satisfaction, how would you rate your experience with the CDSP staff?

#### Pre-Decision



Consumers expressed a fairly high satisfaction with the CDSP in both the pre and post-decision surveys. Of the 73 surveys, 57 (78%) indicated “acceptable” or “excellent” satisfaction with the CDSP staff. 14 of the 73 surveys (20%) rated their experience as “poor” with the CDSP staff.

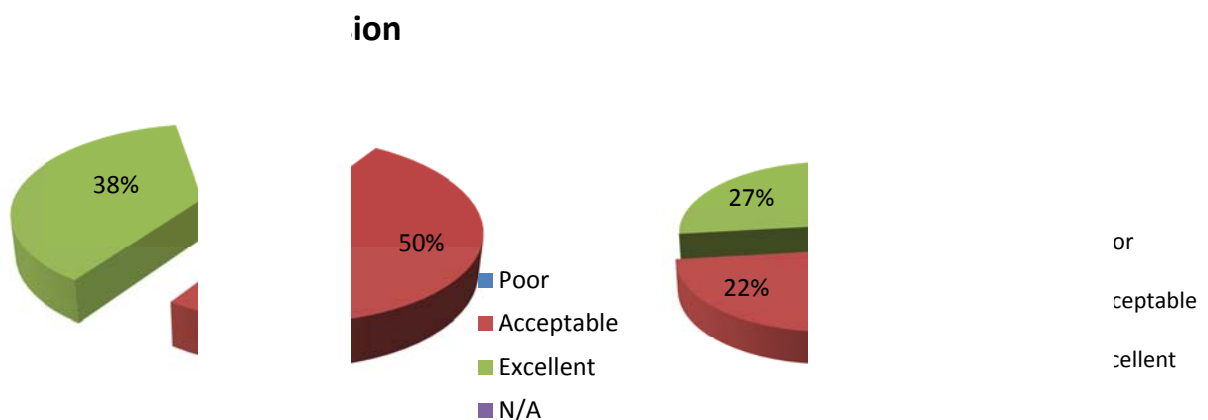
The following comments were provided on the pre-decision survey regarding the CDSP staff:

- My experience with CDSP staff has been excellent. All of my questions and concerns have been addressed in a timely manner.
- Handled professionally
- Very responsive and quick, date came within a good time frame of request
- Very polite and orderly meeting – thanks!

The following comments were provided on the post-decision survey regarding the CDSP staff:

- I had little interaction w/CDSP staff
- Helpful and informative
- On time, clear, helpful
- Responsive professional
- They were rude, unprofessional, drunk with power

**6. In terms of overall satisfaction, how would you rate your experience with the vehicle Manufacturer's Representative?**



Consumers had a stark difference in their overall level of satisfaction with the Manufacturer's Representative in the pre (88%) and post-decision (49%) surveys.

The following comments were provided on the pre-decision survey regarding the Manufacturer Representative:

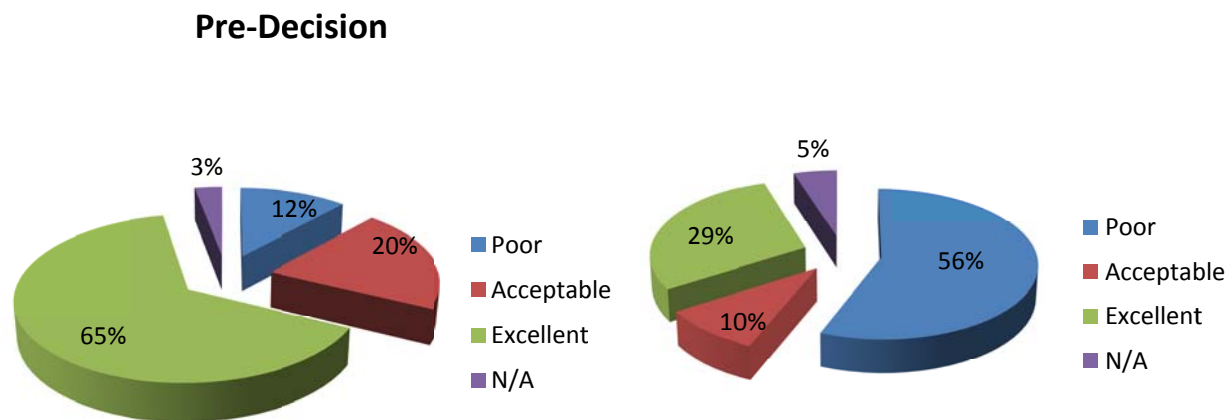
- The representative was courteous and fair in all interactions thus far
- Slightly argumentative, not referencing some truth, deflecting

The following comments were provided on the post-decision survey regarding the Manufacturer Representative:

- There was no offer of payment, negotiation or acknowledgement by representative to reconcile or correct the problems in good faith
- Dishonest
- Friendly, professional

- Toyota and their representative did not care about my concern as a consumer. Problem still exist and I am stuck with their poor quality product
- He was courteous and professional
- Joke, now Toyota doesn't want to fix the paint and it was a problem from the production plant, because of Toyota's poor paint job and the arbitration process, now I get stuck with a poor paint job that the color does not match

**7. In terms of overall satisfaction, how would you rate your experience with the Arbitrator?**



Consumers had a substantially more favorable view (85% excellent/acceptable pre versus 39% excellent/acceptable post) of the arbitrator prior to receiving their decision.

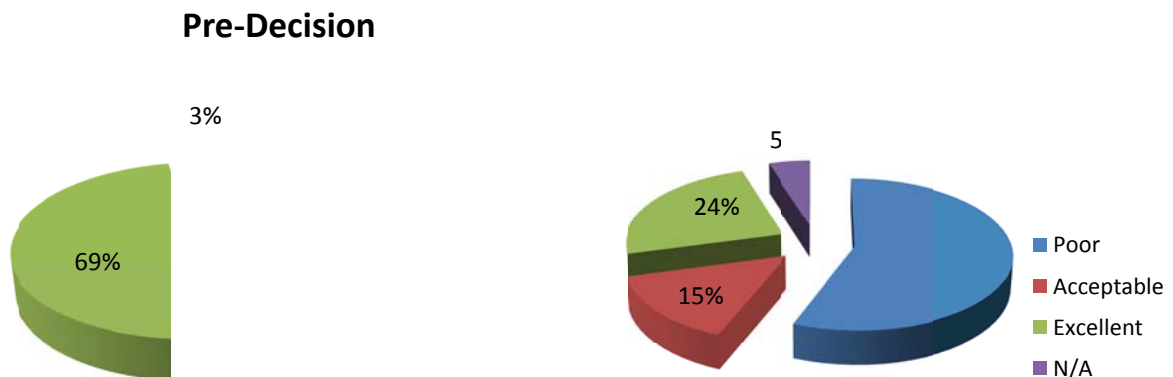
The following comments were provided on the pre-decision survey regarding the Arbitrator:

- I think the arbitrator is too old for this job. He seems to not able to see clearly as my case require some keen eyes
- Excellent job
- Again, the process is great, and the arbitrator was knowledgeable and clear with directions
- Because the arbitrator ignored the fact that it took longer for the problem to appear and they offered a 20 minute test drive
- Impartial, listens well, clarifies
- Very fair experience. Seemed to be accepting of both cases. Unbiased

The following comments were provided on the post-decision survey regarding the Arbitrator:

- I thought I was not going to win my case right away from the beginning
- Buddies with representative. History and documentation made no difference
- The arbitrator did not consider my argument
- The arbitrator did not make a rational conclusion based upon the evidence presented
- First, he miss quoted me in his final statement. He stated something as fact that I never said
- She created a fair, balanced and non-intimidating environment
- I believe he was bias. I believe he ignored ample amount of evidence
- Very unprofessional and seem to side the manufacturer's representative at all times
- He didn't care about the defects and didn't know anything about auto body and repair
- Unprofessional – everyone except arbitrator wore a suit and tie. Seemed impartial, took notes, but his decision did not acknowledge any problem. Incredible!
- Ignored evidence; written reasoning flawed; technically challenged
- He didn't represent my side of the story. He instead told me I was wrong about the problem, when Toyota already acknowledged the issue

**8. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process?**



Consumers had a substantially more favorable view (91% excellent/acceptable pre versus 39% excellent/acceptable post) of the entire arbitration process prior to receiving their decision.

The following comment was provided on the pre-decision survey regarding the entire arbitration process:

- Your Department very good! Thank you!
- The process was well organized. All of the parties were professional. I am fortunate to have access to such a process
- Handled professionally
- I like all the process excellent job
- The overall process was good, minus the difficulty with Toyota and getting the paperwork initiated through them
- The process has been very smooth. I feel as though I had a path to voice a grievance in a non-threatening and efficient manner, with the potential for a timely and actionable result
- There should be different rules for different circumstances not only one rule 20 minutes
- Mr. Williams was professional, informative and supportive. He seemed to be interested in the proceedings and how the consumer (me) was affected
- Very responsive and quick response. Date came within a good time frame of request
- Met this a.m. – we await the decision. Good process to go through

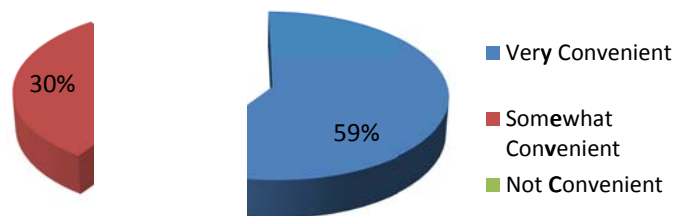
The following comment was provided on the post-decision survey regarding the entire arbitration process:

- I thought it was a waste of my time, thinking I had a good case, the arbitrator mentioned about my wanting money back , which I didn't but only to get my truck repaired
- It is a “pretend” offer for/to help car owners. Clearly never plan to correct matters or negotiate. Sudo [pseudo] process
- I don't understand why other documentation I should have brought. There is no other documentation. I brought all the repairs documentation
- The result was not satisfactory and did not make the process worthwhile



- I feel the outcome is a direct result of the arbitrators lack of focus and understanding my main focus not complaint
- The decision he made was not fair, and that is why I recommend to have more than one person in the arbitration process
- Seems like its bought and paid for by manufacturer. Hence 83% “consumer adverse” outcomes for 2009 audit

**9. How convenient was the location of the hearing?**



**10. A. Did the Manufacturer perform the award within the 30 days after you accepted the award?**



**B. If the performance of the award was over 30 days, did you agree to the delay?**



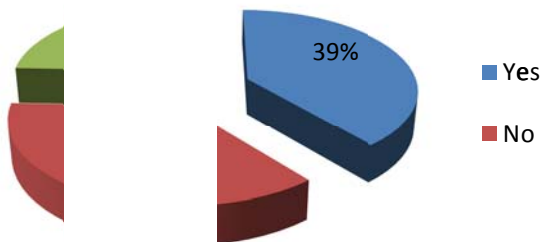
11. If your claim was denied,

A. Did you pursue legal action?



Yes  
No  
N/A

B. Did you know you could reapply for arbitration by getting an additional warranty repair?



- 12. If you could think of one major change to improve the arbitration process, what would that be?**
- To have an unbiased, [expletive] arbitrator
  - Seems like a scam clothed in a robe of propriety. How can an 83% adverse process be fair?
  - I am disgusted and thinking about this ordeal is stressful and shameful a large company can get away with this
  - Make it more clear that arbitration WILL adhere to Lemon Law requirements. I was asking for some loss of value amount knowing that I would be selling the vehicle, but it was quickly apparent during the hearing that vehicle buyback was the only option. This is a decidedly more expensive route for the manufacturer, and creates an all-or-none situation rather than a compromise solution
  - Have more than one person in the arbitration. I recommend to have a committee and more than one opinion. A one person opinion might not be efficient or accurate
  - Make it unbiased. There was nobody technical to examine the car. Nobody knew what exactly was wrong. The Toyota rep assured it was the rims and the arbitrator went with it. Totally biased and waste of time
  - Make Manufacturer try to fix problem
  - Listen to the evidence of the consumer and be more professional. Toyota should let BBB handle their claims
  - Random occurring problem, electronics problems, communications problems, hard to show proof
  - Get someone else who is fair who drove in the car and witnessed the problem. I believe his decision was incorrect and completely unfair. Not acceptable
  - Reduce the amount of paperwork – don't allow dealerships to put in after market products that ruin your automobile
  - Help consumer be better prepared. They / I most likely have never been through the process. So if they are better prepared, they can be equally confident as the manufacturer is. Since they know the process already
  - That the arbitrators be trained as to what conditions should lead to a conclusion in favor of the victim of poor quality vehicles
  - An unbiased arbitrator. I would also recommend to explain in details what additional documentation be brought to the hearing

- I am very dissatisfied that my claim was denied. After all, if this issue really wasn't happening why would I have gone thru all of this?
- It is a fake process – there was no intent on behalf of Toyota to ever assist us
- To look at the complaints from the start when customer started complaining
- In my case, I prefer for no arbitration and that having something happens to my car like that newly purchased shouldn't have happened at all
- If it is not right, the Manufacturer should fix it!

### **Results of Respondents Completing Both Pre & Post Surveys**

Nine respondents completed both the pre and post-decision surveys – 6 Southern California and 3 Northern California consumers. Consumers B, D, E, F, G, and H did not receive an award. Consumers A, C, and I did receive awards.

The following bullet points indicate consumers' answers on the pre and post-decision surveys for the satisfaction with the CDSP STAFF (Pre-decision listed first):

- Consumer A: excellent ; excellent
- Consumer B: excellent ; acceptable
- Consumer C: excellent ; excellent
- Consumer D: excellent ; excellent
- Consumer E: not applicable; poor
- Consumer F: excellent; poor
- Consumer G: excellent ; excellent
- Consumer H: excellent ; excellent
- Consumer I: excellent ; excellent

The following bullet points indicate consumers' answers on the pre and post-decision surveys for the satisfaction with the Manufacturer Representative (Pre-decision listed first):

- Consumer A: not applicable; excellent
- Consumer B: excellent ; acceptable
- Consumer C: acceptable; acceptable
- Consumer D: acceptable ; acceptable
- Consumer E: poor ; poor
- Consumer F: acceptable ; acceptable
- Consumer G: excellent ; excellent
- Consumer H: acceptable ; poor
- Consumer I: excellent ; excellent

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with the Arbitrator (Pre-decision listed first):

- Consumer A: excellent; excellent
- Consumer B: excellent ; poor
- Consumer C: excellent ; excellent
- Consumer D: excellent ; poor

- Consumer E: poor; poor
- Consumer F: excellent ; poor
- Consumer G: excellent ; excellent
- Consumer H: acceptable ; poor
- Consumer I: excellent ; excellent

The following bullet points indicate consumer's answers on the pre and post-decision surveys for the satisfaction with the entire arbitration process (Pre-decision listed first):

- Consumer A: excellent; excellent
- Consumer B: excellent ; poor
- Consumer C: excellent ; excellent
- Consumer D: excellent ; poor
- Consumer E: poor; poor
- Consumer F: excellent ; poor
- Consumer G: excellent ; excellent
- Consumer H: excellent; poor
- Consumer I: excellent ; excellent

### **Comparison to 2011 Consumer Satisfaction Survey**

A comparison between the results of the 2012 and 2011 Consumer Satisfaction Surveys reveals some interesting information:

- The ACP saw an increased response rate in 2012. In 2011 23% of consumers responded to the survey, while 30% responded in 2012
- The CDSP staff received increasingly high remarks for consumer satisfaction. In 2011 62% of respondents indicated "acceptable" or "excellent" satisfaction with the CDSP staff, while, in 2012, 78% of respondents reported this level of satisfaction
- It appears that satisfaction with the arbitrator decreased in 2012, specifically for consumers surveyed post-decision. One indicator may be the number of cases arbitrated significantly dropped from the previous reporting year. Only 138 cases were arbitrated in 2012; while in 2011, 301 cases were arbitrated. In 2011, 43% of post-decision respondents indicated "acceptable" or "excellent" satisfaction with the arbitrator, while, in 2012, 39% of respondents reported this level of satisfaction

It appears that overall satisfaction with the entire arbitration process decreased slightly in 2012. Once again, the number of cases arbitrated significantly dropped from the previous reporting year. Only 138 cases were arbitrated in 2012; while in 2011, 301 cases were arbitrated.

- In 2011, 74% of pre-decision respondents indicated "acceptable" or "excellent" satisfaction with the entire arbitration process, while, in 2012, 91% of respondents reported this level of satisfaction

- In 2011, 45% of post-decision respondents indicated “acceptable” or “excellent” satisfaction with the entire arbitration process, while, in 2012, 39% of respondents reported this level of satisfaction

It appears that overall most consumers who participated in a settlement or mediation process after applying for arbitration with the CDSP were informed that it was a voluntary process. As aforementioned, the number of cases arbitrated significantly dropped from the previous reporting year; however, there was a 13% point increase of consumers who were not aware that CDSP was a voluntary process even with fewer cases arbitrated in 2012.

- In 2011, 67% of respondents indicated they knew that the CDSP was a voluntary process; while in 2012, 54% of respondents reported they knew about this same voluntary process.
- In 2011, 33% of respondents indicated “no” or “not applicable” that they did not know the CDSP was a voluntary process, while in 2012, 46% of respondents reported “no” or “not applicable” that they did not know about this same voluntary process.

It appears that overall most consumers could not fully address the survey question in regards to their individual arbitrated cases as to whether the manufacturer performed the award within the 30 days after they accepted the award. Their responses could possibly be based on their denial of an award or no relief granted in their cases. The denial rate of arbitrated cases in both 2011 and 2012 was 82% and 83% respectively.

- In 2011, 81% of respondents indicated “no” or “not applicable” that the manufacturer performed the award on time, while in 2012, 78% of respondents reported this information as “no” or “not applicable”
- In 2011, 19% of respondents indicated “yes” the manufacturer performed the award within the 30 days after they accepted the award, while in 2012, 22% of respondents reported “yes” that the manufacturer performed the award within the 30 days after they accepted the award

It appears that consumer responses were consistent over the past two years regarding the performance of the award was over 30 days, and if they did agree to the delay or not.

- In 2011 and 2012, 88% of respondents indicated “no” or “not applicable” that if the performance of the award was over 30 days as to whether they agreed
- In 2011 and 2012, 5% of respondents said “yes” they agreed to the performance of the award over 30 days, while 7% said “no” they did not agree to the performance of the award over 30 days

It appears that overall a slight increase of consumers indicated they knew that they could reapply for arbitration by getting an additional warranty repair.

- In 2011, 33% of respondents indicated “yes” they knew they could reapply for arbitration by getting an additional warranty repair, while in 2012, 39% of respondents

reported “yes” they knew they could reapply for arbitration by getting an additional warranty repair

- In 2011, 48% of respondents indicated “no” they did not know they could reapply for arbitration by getting an additional warranty repair, while in 2012, 37% of respondents reported “no” they did not know they could reapply for arbitration by getting an additional warranty repair

**Consumer Arbitration Program for  
Motor Vehicles  
(CAP-Motors)**

PORSCHE CARS  
NORTH AMERICA, INC.



## **Porsche Cars North America, Inc**

In 2012, the ACP administered both a pre-decision survey (conducted directly after the arbitration hearing) and a post-decision survey. The ACP received two (2) responses to the pre-decision survey. The pre-decision survey consisted of four questions designed to gauge consumer satisfaction with the arbitration program, vehicle manufacturer, arbitrator, and overall arbitration process, independent of the decision the consumers received. For the post-decision survey, the ACP contacted 7 consumers. Of these 7 consumers, 1 (7%) responded to the survey. The post-decision survey consisted of 11 questions designed to ascertain consumer's awareness of the Lemon Law, as well as the same questions asked on the pre-decision survey.

One consumer completed both the pre- and post-decision surveys. A narrative is included to represent the result of this respondent.

**2. Before you purchased your vehicle, did you know about the California's Lemon Law?**

The one respondent affirmed knowledge about the California's Lemon Law.

**3. Before your hearing, where did you learn about applying for arbitration under California's Lemon Law?**

The one consumer learned about applying for arbitration from the vehicle manufacturer.

**4. If you participated in a settlement or mediation process after applying for arbitration with the Consumer Arbitration Program for Motor Vehicles (CAP-Motors), were you informed that it was a voluntary process?**

The one consumer was informed by the CAP-Motors staff that the settlement, mediation process was voluntary.

**5. In terms of overall satisfaction, how would you rate your experience with the CAP-Motors staff?**

In the pre-decision survey, one respondent rated the experience with the CAP-Motors staff as "excellent."

One respondent, who responded to both the pre- and post-decision surveys, replied as follows:

Pre-decision survey - rated the experience with the CAP-Motors staff as "excellent."

Post-decision survey - rated the experience as "poor," and included the below remark:

- This program was all favorable to manufacturer. Using a lawyer is easier.

**6. In terms of overall satisfaction, how would you rate your experience with the vehicle Manufacturer's Representative?**

In the pre-decision survey, the one consumer rated the experience with the vehicle Manufacturer's Representative as "acceptable."

One respondent, who responded to both the pre- and post-decision surveys, replied as follows:

Pre-decision survey - rated the experience with the Manufacturer's Representative as "acceptable."

Post-decision survey - rated the experience as "poor," and included the below remark:

- Bad program

**7. In terms of overall satisfaction, how would you rate your experience with the Arbitrator?**

In the pre-decision survey, the one respondent rated the experience with the Arbitrator as "excellent."

One respondent, who responded to both the pre- and post-decision surveys, replied as follows:

Pre-decision survey - rated the experience with the Arbitrator as "acceptable."

Post-decision survey - rated the experience as "poor."

**8. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process?**

In the pre-decision survey, the one consumer rated their experience with the entire arbitration process as "excellent."

One respondent, who responded to both the pre- and post-decision surveys, replied as follows:

Pre-decision survey - rated the experience with the entire arbitration process as "acceptable."

Post-decision survey - rated the experience as "poor."

**9. A. Did the Manufacturer perform the award within the 30 days after you accepted the award?**

The one respondent indicated "not applicable" to this question.

**B. If the performance of the award was over 30 days, did you agree to the delay?**

The one respondent indicated “not applicable” to this question.

**10. If your claim was denied,**

**A. Did you pursue legal action?**

The one respondent did not pursue legal action.

**B. Did you know you could reapply for arbitration by getting an additional warranty repair?**

The one respondent indicated “yes” to knowing the eligibility to reapply for arbitration after obtaining an additional warranty repair.

**11. If you could think of one major change to improve the arbitration process, what would that be?**

- Because of this unfair decision from a person who doesn’t know about the vehicle....it’s favorable to manufacturer rather than the consumer.

**Comparison to 2011 Consumer Satisfaction Survey**

There is no comparison analysis available between the years 2011 and 2012. The ACP was unsuccessful in receiving any responses from the six consumers who were sent the 2011 pre- and post-decision surveys.

## CONCLUSION

This year's responses showed a slight increase in percentage of responses received (23% in 2011 compared to 26% in 2012).

With a 15% negative response when asked if consumers were informed that the settlement or mediation process was a voluntary process, the programs should strive in notifying consumers of this procedure. Changes in properly informing consumers of the voluntary process are recommended.

When asked if the manufacturer performed the award within the 30 days required, 22% of consumers that responded stated that the award was not performed in the required time. As a follow up, consumers were also asked if they had agreed to the delay, while 73% stated it did not apply to them, 14% stated they did not agree to the delay. Manufacturers should strive to adhere to the timelines required.

The programs should also ensure consumers are aware that they could reapply for arbitration by getting an additional warranty repair. This is evident with 43% of consumers stating they were not aware of this.

The responses received from consumers suggest needed improvements in various important areas. Although there was an increase in percentage from 2011 to 2012 in regards to excellent ratings (35% excellent in 2011 and 48% excellent in 2012), consumers responded a similar poor rating (31% poor in both 2011 and 2012). Poor rating for manufacturer representatives decreased in percentage when 2011 and 2012 were compared (60% poor in 2011 and 49% in 2012). Both the programs and manufacturers should consider increased training of staff in order to better handle consumers' questions and complaints. Additionally, manufacturers should consider increased efforts to disclose California's Lemon Law and the availability of the arbitration programs, as well as performing awards within the required timeframe.

An increase in excellent rating of consumers' experiences with arbitrators suggests arbitrators are possibly being educated in proper procedures of arbitration. The percentage of excellent ratings remained consistent between 2010 and 2011 (29% in 2011 and 38% in 2012).

In regards to the overall satisfaction of the entire arbitration process, no significant changes were observed between 2011 and 2012. Arbitration programs should continue to strive to provide obtain positive ratings from consumers who have used their arbitration process.

It is also evident that in comparing the pre-decision and post-decision surveys, consumers have a much positive rating prior to a decision being rendered. It shows that the decision can alter a consumer's outlook of the process, primarily with the manufacturer's representative and the arbitrator, if they don't receive an award.

The results of the 2012 Consumer Satisfaction Survey continue to indicate the desire for increase educational and outreach activities by the Arbitration Certification Program. The ACP must look for better ways to educate consumers about California's Lemon Law. By

educating consumers about the remedies and requirements as well as the limitations of California's Lemon Law, the ACP can facilitate both the ACP's and programs' goal of satisfying consumers.