



CALIFORNIA DEPARTMENT OF
CONSUMER
A F F A I R S



2022 Consumer Satisfaction Survey Results

(Amended)

Table of Contents

INTRODUCTION	1
Methodology.....	1
Cumulative 2022 Survey Overview.....	2
BMW OF NORTH AMERICA, LLC.....	8
BMW of North America.....	9
GENERAL MOTORS, LLC.....	11
General Motors LLC.....	12
JAGUAR LAND ROVER NORTH AMERICA, LLC.	15
Jaguar Land Rover North America LLC.....	16
MERCEDES-BENZ USA, LLC.....	18
Mercedes-Benz USA LLC.	19
NISSAN NORTH AMERICA, INC.	22
Nissan Group of North America Inc.	23
VOLKSWAGEN GROUP OF AMERICA, INC.....	25
Volkswagen Group of America, Inc.....	26
FCA US LLC	29
FCA US LLC.....	30
TESLA MOTORS INC.....	34
Tesla Motors, Inc.....	35
TOYOTA MOTOR SALES USA, INC.	38
Toyota Motor Sales USA, INC.	39
PORSCHE CARS NORTH AMERICA, INC.	42
Porsche Cars North America	43
CONCLUSION	47

INTRODUCTION

Pursuant to Business and Professions Code section 472.4(b) and California Code of Regulations, title 16, section 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 dispute file closed within the 2022 calendar year, were provided by each of the manufacturer's state-certified arbitration program administrators: BBB AUTO LINE, California Dispute Settlement Program (CDSP), and Consumer Arbitration Program for Motor Vehicles (CAP-Motors).

All consumers were mailed surveys, which also included a website address for on-line submission for the survey. This gave consumers multiple avenues for completing the questionnaires. This Consumer Satisfaction Survey (CSS), consisting of 13 questions, captured the consumer's insight on their recent experience with the program and how they would rate the arbitration program staff, the vehicle manufacturer's representative, the arbitrator, and the entire arbitration process.

Cumulative 2022 Survey Overview

BBB AUTO LINE	CDSP	CAP Motors	Totals
151	198	6	355

The ACP contacted 355 consumers who participated in the arbitration process between January and December of 2022. Of the 355 consumers contacted, 151 utilized the BBB AUTO LINE, 198 utilized the CDSP, and six utilized CAP-Motors.

The ACP received CSS responses from 24 of the 355 consumers contacted for a response rate of 6.7%, showing a decrease from 2021's response rate of 11%. The 2022 total responses included: Nine responses from consumers who utilized BBB AUTO LINE, 13 responses from consumers who utilized CDSP, and two responses from consumers who utilized CAP-Motors.

Consumers were first asked how they heard about the arbitration process and whether they experienced any difficulties filing a claim.

Family / Friend/ Attorney	Internet	Manufacturer	Other	Warranty	Difficulties
4	8	4	3	3	2

Were you informed that the settlement or mediation process was voluntary process?

	Yes	No	No Response
All Programs	14	7	3
BBB AUTO LINE	7	2	0
CDSP	6	4	3
CAP-Motors	1	1	0

There was a slight increase of consumers being notified of the voluntary settlement process from 56% in 2021 to 59% in 2022.

Was the dispute resolved within 40 days?

	Yes	No	No Response
All Programs	15	7	0
BBB AUTO LINE	8	1	0
CDSP	4	4	3
CAP-Motors	1	1	0

If the dispute was not resolved, consumers were asked to provide an explanation. The responses provided can be found within the individual manufacturer reports.

Was the consumer ever denied the ability to present evidence?

	Yes	No	No Response
All Programs	8	15	1
BBB AUTO LINE	3	6	0
CDSP	4	8	1
CAP-Motors	1	1	0

If the consumer answered yes, they were asked to provide an explanation. The responses provided are located within the individual manufacturer reports.

Was the consumer ever denied the ability to respond to the manufacture's evidence?

	Yes	No	No Response
All Programs	7	16	1
BBB AUTO LINE	2	7	0
CDSP	4	8	1
CAP-Motors	1	1	0

If the consumer answered yes, they were asked to provide an explanation. The responses provided are located within the individual manufacturer reports.

The following tables represent the consumers' rating of their experience with the arbitration program staff, manufacturer representatives, the arbitrator, and the entire arbitration process:

Experience with the Arbitration Program

	Very Poor	Poor	Satisfactory	Good	Excellent
All Programs	9	2	3	2	8
BBB AUTO LINE	3	0	3	1	2
CDSP	6	1	0	1	5
CAP-Motors	0	1	0	0	1

Experience with the Arbitrator's Fairness to all Parties and the Maintaining of Neutrality Throughout the Meeting

	Very Poor	Poor	Satisfactory	Good	Excellent
All Programs	10	2	3	1	8
BBB AUTO LINE	3	2	2	0	2
CDSP	7	0	0	1	5
CAP-Motors	0	0	1	0	1

Experience with Arbitrator's Understanding of Key Issues and Concerns

	Very Poor	Poor	Satisfactory	Good	Excellent
All Programs	10	2	2	2	7
BBB AUTO LINE	3	1	1	1	2
CDSP	7	1	0	1	4
CAP-Motors	0	0	1	0	1

Experience with Entire Arbitration Process, All Programs

	Very Poor	Poor	Satisfactory	Good	Excellent
All Programs	10	5	1	2	6
BBB AUTO LINE	4	1	1	1	2
CDSP	6	2	0	1	4
CAP-Motors	0	2	0	5	0

The Performance of the Decision

The consumer was then asked if the manufacturer performed the decision within 30 days after they accepted the decision, if applicable?

	Yes	No	N/A
All Programs	6	10	7
BBB AUTO LINE	2	4	3
CDSP	4	4	4
CAP-Motors	0	2	0

If the performance of the decision was over 30 days, did the consumer agree to the delay?

	Yes	No	N/A
All Programs	1	12	10
BBB AUTO LINE	1	6	2
CDSP	0	4	8
CAP-Motors	0	2	0

If the consumer's claim was denied, were they made aware they could reapply for arbitration by getting an additional warranty repair?

	Yes	No	N/A
All Programs	1	7	15
BBB AUTO LINE	0	4	5
CDSP	1	3	8
CAP-Motors	0	0	2

Other changes or improvements recommended?

Of the 2022 CSS responses received by the ACP, the following items listed are the consumers recommendations:

- “GM took 90 days and I had to do the work to get a replacement vehicle ordered still waiting. My case was decided the end of April 2022. Still no replacement ordered. Being built end of August 2022. Dealers would not cooperate and sell me a inventory vehicle. Had to beg a GM to order replacement. GM no help.”
- “Well, I knew I was already denied when they both came on. The arbitrator let him state how we love the BBB, and we appreciate working with your company etc. and she did not stop him. For me she stated if your cry it will not affect me. So apparently, she already had conversation before we even got started. I think the person who the problem was with should be in the mediation as well instead of the complaint person

that has no idea what's going on. I ask him questions he could not answer, and it was critical questions.”

- The best changes the arbitration process can do is not overlook what the customer states when providing video/photo proof. The arbitration process also needs to understand that most customer are not fairly looked at when compared to the manufacturer's decision. Customers are usually left hopeless when the manufacturer is documenting and keep saying they were unable to find any issue. The process could be made fairer by allowing the arbitration process representatives to see the issues in person. The arbitration process also needs to account for the time and money spent on having to take car to the manufacturer every time and leaving without any changes. This whole process seemed biased and favored towards the manufacturer. I can only hope that someone takes action towards the feedback I provided and hopefully other customers like me have a better arbitrator.
- Translation in Spanish be able to present the proofs in person.
- The whole thing was a joke, a waste of time. I believe I had valid concerns, but they were ignored.
- Notify all parties involved that the arbitration process was being initiated. I was completely blindsided by the result letter that was "sent to me as a courtesy"
- “Investigate more efficiently it turns out there is a recall for the rear end of my car. I think Toyota is misleading customers and withholding information to make a sale. Something is wrong but they won't accept they are defective.”
- I don't know if my situation is similar to anyone else. If it is, and other consumers have had a similar experience as I have, a tighter audit of the subsequent vehicle delivery might help.
- During the process, whenever I asked the administrator a question about the process, the response I received was she could not answer because that would be biased. First of all, one example of a question I asked which she refused to answer was "Can I send the e-link to the virtual hearing to my partner "(the co-owner of the car). I don't see how answering that would be helping me but... The reality is the Cap motors process exists for PCNA and their legal staff are uber familiar with the process. This already puts any participant at a disadvantage, even if they work in the legal field. The familiarity is an advantage. During the process, there were multiple events of the administrator taking direction from PCNA and I found it extremely disconcerting, and it created a strong distrust for the process. On multiple occasions I found myself asking "who's in charge here?". Don't get me wrong, I actually appreciate going through the process. It was a great learning experience. It took me some time to get my sea legs once things got going, but overall, it was still better than not having any assistance whatsoever. The hard thing is my case is rather unique and not a standard leman case, with many unusual aspects. All considered I feel taking part to be a positive learning experience

DATA BY MANUFACTURERS

The survey data has been arranged by each manufacturer's state-certified arbitration program. The survey illustrations include those manufacturers with consumers that responded to the survey.

Additionally, the ACP disseminated a survey to eligible consumers whose case file was closed by the state-certified arbitration program during 2022, but the ACP did not receive a reply from all consumers. Factors to the response rate can be attributed to no reply by the consumer, obsolete consumer contact information, no disputes filed, or the survey was returned by the US Postal Service. Consequently, there is no survey data for the following manufacturers:

Manufacturer	Program Administrator	Surveys Mailed
Automobili Lamborghini America, LLC	BBB AUTO LINE	0
Aston Martin North America	BBB AUTO LINE	0
Bentley Motors Inc.	BBB AUTO LINE	0
Ferrari of North America, Inc.	BBB AUTO LINE	0
Ford Motor Company	BBB AUTO LINE	10
Hyundai/Genesis	BBB AUTO LINE	18
Kia of America, Inc.	BBB AUTO LINE	8
Lotus Cars USA, Inc.	BBB AUTO LINE	0
Maserati North America, Inc.	BBB AUTO LINE	3
Mazda North American Operations	BBB AUTO LINE	2

BBB AUTO LINE
BMW OF NORTH
AMERICA, LLC.

BMW of North America

The ACP mailed thirteen surveys to consumers and one consumer responded. The comments that were received in response to a question are included below.

Below are the results of the survey questions.

1. How did you first learn about the arbitration process?

The following response was provided:

- One answered "Lemon Law website"

2. What difficulties or challenges, if any, did you experience when filing your claim with the arbitration program?

The following response was provided:

- One answered "None, it was a simple process"

3. If you participated in a settlement or mediation process after applying for arbitration, were you informed that it was a voluntary?

- One answered Yes

4. Was your dispute decided or resolved within 40 days from the date you filed? If not, please explain.

- One answered Yes

5. Were you ever denied the ability to present evidence? Please explain.

- One answered No

6. Were you ever denied the ability to respond to the manufacturer's evidence? Please explain.

- One answered No

7. In terms of overall satisfaction, how would you rate your experience with the level of customer service provided by your BBB AUTO LINE arbitration program staff? (1 being poor and 5 being excellent)

- One answered 5

8. In terms of overall satisfaction, how would you rate your experience with the arbitrator's fairness to all parties involved and maintaining neutrality throughout the meeting? (1 being poor and 5 being excellent)

- One answered 5

9. In terms of overall satisfaction, how would you rate your experience with the arbitrator's understanding of your key issues and concerns? (1 being poor and 5 being excellent)

- One answered 5

10. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process? (1 being poor and 5 being excellent)

- One answered 5

11.

A. If you accepted the arbitrated decision, did the manufacturer perform the decision within 30 days after you accepted the decision?

- One answered Yes

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

- N/A

12. If your claim was denied, were you informed that you could reapply for arbitration by getting an additional warranty repair?

- N/A

13. If you could think of any changes to improve the arbitration process, what would that be?

The following response was provided:

- "None that I can think of."

BBB AUTO LINE

GENERAL MOTORS, LLC.

General Motors LLC.

The ACP mailed 33 surveys to consumers and two consumers responded. The comments that were received in response to a question are included below.

Below are the results of the survey questions.

1. How did you first learn about the arbitration process?

The following responses were provided:

- One answered "Friend"
- One answered he had "used the process before."

2. What difficulties or challenges, if any, did you experience when filing your claim with the arbitration program?

The following responses were provided:

- One answered "The problem that I was having could not be put on the form because they had basic things you can pick about the problem with my car. It does not always be what they experience before, other things happened beside what they think are happening".
- One answered None

3. If you participated in a settlement or mediation process after applying for arbitration, were you informed that it was a voluntary?

- Two answered Yes
- Zero answered No

4. Was your dispute decided or resolved within 40 days from the date you filed? If not, please explain.

- Two answered Yes
- Zero answered No

The following response was provided if they answered No:

- No response was provided.

5. Were you ever denied the ability to present evidence? Please explain.

- Zero answered Yes
- Two answered No

The following response was provided if they answered Yes:

- No response was provided.

6. Were you ever denied the ability to respond to the manufacturer's evidence? Please explain.

- Zero answered Yes
- Two answered No

The following response was provided if they answered Yes:

- No response was provided.

7. In terms of overall satisfaction, how would you rate your experience with the level of customer service provided by your BBB AUTO LINE arbitration program staff? (1 being poor and 5 being excellent)

- One answered 1
- One answered 5

8. In terms of overall satisfaction, how would you rate your experience with the arbitrator's fairness to all parties involved and maintaining neutrality throughout the meeting? (1 being poor and 5 being excellent)

- One answered 1
- One answered 5

9. In terms of overall satisfaction, how would you rate your experience with the arbitrator's understanding of your key issues and concerns? (1 being poor and 5 being excellent)

- One answered 1
- One answered 5

10. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process? (1 being poor and 5 being excellent)

- One answered 1
- One answered 5

11.

a. **If you accepted the arbitrated decision, did the manufacturer perform the decision within 30 days after you accepted the decision?**

- Zero answered Yes
- Two answered No

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

- Zero answered Yes
- Two answered No

12. **If your claim was denied, were you informed that you could reapply for arbitration by getting an additional warranty repair?**

- Zero answered Yes
- One answered No
- One did not provide a response.

13. **If you could think of any changes to improve the arbitration process, what would that be?**

The following responses were provided if they answered Yes:

- “GM took 90 days and I had to do the work to get a replacement vehicle ordered still waiting. My case was decided the end of April 2022. Still no replacement ordered. Being built end of August 2022. Dealers would not cooperate and sell me a inventory vehicle. Had to beg a GM to order replacement. GM no help.”
- “Well, I knew I was already denied when they both came on. The arbitrator let him state how we love the BBB, and we appreciate working with your company etc. and she did not stop him. For me she stated if your cry it will not affect me. So apparently, she already had conversation before we even got started. I think the person who the problem was with should be in the mediation as well instead of the complaint person that has no idea what’s going on. I ask him questions he could not answer, and it was critical questions.”

BBB AUTO LINE
JAGUAR LAND ROVER
NORTH AMERICA, LLC.

Jaguar Land Rover North America LLC.

The ACP mailed thirty-three surveys to consumers and one consumer responded. The comments that were received in response to a question are included below.

Below are the results of the survey questions.

1. How did you first learn about the arbitration process?

The following response was provided:

- One answered "Through our lawyer"

2. What difficulties or challenges, if any, did you experience when filing your claim with the arbitration program?

The following response was provided:

- One answered None

3. If you participated in a settlement or mediation process after applying for arbitration, were you informed that it was a voluntary?

- One answered Yes

4. Was your dispute decided or resolved within 40 days from the date you filed? If not, please explain.

- One answered No

The following response was provided if they answered No:

- "We are still working toward resolution"

5. Were you ever denied the ability to present evidence? Please explain.

- One answered No

6. Were you ever denied the ability to respond to the manufacturer's evidence? Please explain.

- One answered No

7. In terms of overall satisfaction, how would you rate your experience with the level of customer service provided by your BBB AUTO LINE arbitration program staff? (1 being poor and 5 being excellent)

- One answered 4

8. In terms of overall satisfaction, how would you rate your experience with the arbitrator's fairness to all parties involved and maintaining neutrality throughout the meeting? (1 being poor and 5 being excellent)

- One answered 3

9. In terms of overall satisfaction, how would you rate your experience with the arbitrator's understanding of your key issues and concerns? (1 being poor and 5 being excellent)

- One answered 3

10. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process? (1 being poor and 5 being excellent)

- One answered 4

11.

a. If you accepted the arbitrated decision, did the manufacturer perform the decision within 30 days after you accepted the decision?

- One answered No

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

- One answered No

12. If your claim was denied, were you informed that you could reapply for arbitration by getting an additional warranty repair?

- No response was provided.

13. If you could think of any changes to improve the arbitration process, what would that be?

- No responses were provided.

BBB AUTO LINE
MERCEDES-BENZ USA,
LLC.

Mercedes-Benz USA LLC.

The ACP mailed 35 surveys to consumers and one consumer responded. The comments that were received in response to a question are included below.

Below are the results of the survey questions.

1. How did you first learn about the arbitration process?

The following response was provided:

- One answered the "Internet."

2. What difficulties or challenges, if any, did you experience when filing your claim with the arbitration program?

The following response was provided:

- It was difficult getting a hold of the customer representative when messaging back and forth through the online system. In addition to this, I personally rejected the arbitration decision and the customer service representative just said that the decision is final, and I am not able to do anything about it. This was very frustrating as I am still having the same issues with my car and currently my car is at the Mercedes Service shop and will be there for the next 2+ weeks because of additional issues that are beginning to arise. When filing the claim, I was providing video footage and photographic documentation of the issues that were arising, but I felt the arbitration program was only viewing the documentation provided by Mercedes Benz that was stating that they were "unable to identify the issue." This is where me as the customer providing video footage and pictures taken should have been accounted for because now this has led me to have more issues with my car and Mercedes Benz is not addressing that I was sold a faulty car. Currently half the engine is being replaced and I have had to take my car in multiple times after the arbitration program made its final decision.

3. If you participated in a settlement or mediation process after applying for arbitration, were you informed that it was a voluntary?

- One answered Yes

4. Was your dispute decided or resolved within 40 days from the date you filed? If not, please explain.

- One answered Yes

5. Were you ever denied the ability to present evidence? Please explain.

- One answered Yes

The following response was provided if they answered Yes:

- I was not directly denied the ability to present evidence, BUT the evidence I provided (video footage and photos) was overlooked by the mediator and by the entire arbitration process. As a customer all I had was the ability to show proof using my phone camera for the issues with my car. These issues began showing up immediately after I purchased my car to address all the issues more than 4 times and I have now had to take even after the arbitration decision was made. Although I was able to send the evidence I had, the arbitration process and mediator seemed to have only looked over the documentation provided by Mercedes Benz customer representative.

6. Were you ever denied the ability to respond to the manufacturer's evidence? Please explain.

- One answered Yes

The following response was provided if they answered Yes:

- I was never told that I am able to deny the evidence provided by the manufacturer (Mercedes Benz). Each time I went to the manufacturer and showed proof of what was going wrong with my car, I was given documents stating they were "unable to replicate the issue" and therefore they said, "nothing was wrong with my car." I was unable to respond to this evidence provided by Mercedes Benz. Also, during the mediation process, the only thing the mediator said was that "Mercedes has provided a written statement" and I was never shown this written statement was not I able to deny this or respond to it in any way. As a customer I was left hopeless with a faulty car and rejected decision through the entire process. The arbitrator did not seem fair during the process and was speaking in an arrogant and rude tone to me during the arbitrator presentations. It was unfair that Mercedes provided a written statement, and no additional information was provided to me about why Mercedes was denying my request to buy back a faulty car.

7. In terms of overall satisfaction, how would you rate your experience with the level of customer service provided by your BBB AUTO LINE arbitration program staff? (1 being poor and 5 being excellent)

- One answered 1

8. In terms of overall satisfaction, how would you rate your experience with the arbitrator's fairness to all parties involved and maintaining neutrality throughout the meeting? (1 being poor and 5 being excellent)

- One answered 1

9. In terms of overall satisfaction, how would you rate your experience with the arbitrator's understanding of your key issues and concerns? (1 being poor and 5 being excellent)

- One answered 1

10. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process? (1 being poor and 5 being excellent)

- One answered 1

11.

a. If you accepted the arbitrated decision, did the manufacturer perform the decision within 30 days after you accepted the decision?

- No response was provided.

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

- No response was provided.

12. If your claim was denied, were you informed that you could reapply for arbitration by getting an additional warranty repair?

- One answered No

13. If you could think of any changes to improve the arbitration process, what would that be?

The following response was provided if they answered Yes:

The best changes the arbitration process can do is not overlook what the customer states when providing video/photo proof. The arbitration process also needs to understand that most customer are not fairly looked at when compared to the manufacturer's decision. Customers are usually left hopeless when the manufacturer is documenting and keep saying they were unable to find any issue. The process could be made more fair by allowing the arbitration process representatives to see the issues in person. The arbitration process also needs to account for the time and money spent on having to take car to the manufacturer every time and leaving without any changes. This whole process seemed biased and favored towards the manufacturer. I can only hope that someone takes action towards the feedback I provided and hopefully other customers like me have a better arbitrator.

BBB AUTO LINE

NISSAN NORTH

AMERICA, INC.

(INCLUDES INFINITI)

Nissan Group of North America Inc.

The ACP mailed 15 surveys to consumers and two consumers responded. The comments that were received in response to a question are included below.

Below are the results of the survey questions.

1. How did you first learn about the arbitration process?

The following responses were provided:

- One answered "Manufacturer"
- One answered "Friend"

2. What difficulties or challenges, if any, did you experience when filing your claim with the arbitration program?

The following response was provided:

- No translation in Spanish and the hearing is not in person to better explain.

3. If you participated in a settlement or mediation process after applying for arbitration, were you informed that it was a voluntary?

- Two answered Yes
- Zero answered No

4. Was your dispute decided or resolved within 40 days from the date you filed? If not, please explain.

- Two answered Yes
- Zero answered No

5. Were you ever denied the ability to present evidence? Please explain.

- One answered Yes
- One answered No

The following response was provided:

- Because regarding a vehicle it is better in person in order to explain.

6. Were you ever denied the ability to respond to the manufacturer's evidence? Please explain.

- Zero answered Yes
- Two answered No

7. In terms of overall satisfaction, how would you rate your experience with the level of customer service provided by your BBB AUTO LINE arbitration program staff? (1 being poor and 5 being excellent)

- Two answered 3

8. In terms of overall satisfaction, how would you rate your experience with the arbitrator's fairness to all parties involved and maintaining neutrality throughout the meeting? (1 being poor and 5 being excellent)

- Two answered 2

9. In terms of overall satisfaction, how would you rate your experience with the arbitrator's understanding of your key issues and concerns? (1 being poor and 5 being excellent)

- One answered 4
- One did not provide a response.

10. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process? (1 being poor and 5 being excellent)

- One answered 1
- One answered 3

11.

a. If you accepted the arbitrated decision, did the manufacturer perform the decision within 30 days after you accepted the decision?

- One answered Yes
- One answered No

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

- One answered Yes
- One answered No

12. If your claim was denied, were you informed that you could reapply for arbitration by getting an additional warranty repair?

- One answered No
- One did not provide a response

13. If you could think of any changes to improve the arbitration process, what would that be?

The following response was provided if they answered Yes:

- Translation in Spanish be able to present the proofs in person.

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

Volkswagen Group of America, Inc.

The ACP mailed 22 surveys to consumers and two consumers responded. The comments that were received in response to a question are included below.

Below are the results of the survey questions.

1. How did you first learn about the arbitration process?

The following responses were provided:

- One answered "Manufacturer"
- One did not provide a response.

2. What difficulties or challenges, if any, did you experience when filing your claim with the arbitration program?

The following response was provided:

- One answered "None."
- One did not respond.

The following comments were provided:

- The website was not as user-friendly as it could be.
- Hired attorney who submitted claim after my initial self-submitted claim went ignored by Audi/VW. No explanations were ever given, and VW/Audi Corp has remained silent and has not engaged with lawyers at all.

3. If you participated in a settlement or mediation process after applying for arbitration, were you informed that it was a voluntary?

- One answered Yes
- One answered No

4. Was your dispute decided or resolved within 40 days from the date you filed? If not, please explain.

- One answered Yes
- One answered No

The following response was provided:

- Arbitrators' settlement was only for repurchase and NO attorney's fees which is not CA Lemon Law = full attorney fees and option for REPLACEMENT. Lawsuit filed against VW/Audi. Still no movement: Hearing with judge scheduled in Aug, then trial date to be scheduled. Original lease date end is end of Sept 2021 so seem that VW/Audi is trying to run the clock out.

5. Were you ever denied the ability to present evidence? Please explain.

- One answered Yes
- One answered No

The following response was provided:

- Was not made aware of arbitration until AFTER it had happened.

6. Were you ever denied the ability to respond to the manufacturer's evidence? Please explain.

- One answered Yes
- One answered No

The following response was provided:

- Was not made aware of arbitration until AFTER it had happened.

7. In terms of overall satisfaction, how would you rate your experience with the level of customer service provided by your BBB AUTO LINE arbitration program staff? (1 being poor and 5 being excellent)

- One answered 1
- One answered 3

8. In terms of overall satisfaction, how would you rate your experience with the arbitrator's fairness to all parties involved and maintaining neutrality throughout the meeting? (1 being poor and 5 being excellent)

- One answered 1
- One answered 3

9. In terms of overall satisfaction, how would you rate your experience with the arbitrator's understanding of your key issues and concerns? (1 being poor and 5 being excellent)

- One answered 1
- One answered 2

10. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process? (1 being poor and 5 being excellent)

- One answered 1
- One answered 2

11.

a. If you accepted the arbitrated decision, did the manufacturer perform the decision within 30 days after you accepted the decision?

- No responses were provided.

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

- One answered No
- One did not provide a response.

12. If your claim was denied, were you informed that you could reapply for arbitration by getting an additional warranty repair?

- One answered No
- One did not provide a response.

13. If you could think of any changes to improve the arbitration process, what would that be?

The following responses were provided if they answered Yes:

- The whole thing was a joke, a waste of time. I believe I had valid concerns, but they were ignored.
- Notify all parties involved that the arbitration process was being initiated. I was completely blindsided by the result letter that was "sent to me as a courtesy"

**California Dispute Settlement Program
(CDSP)**

FCA US LLC

(Fiat Chrysler Automobiles)

FCA US LLC

The ACP mailed 113 surveys to consumers and six consumers responded. The comments that were received in response to a question are included below.

Below are the results of the survey questions.

1. How did you first learn about the arbitration process?

The following responses were provided:

- Three answered "Online"
- One answered "Manufacturer"
- One answered "Other"
- One did not provide a response.

2. What difficulties or challenges, if any, did you experience when filing your claim with the arbitration program?

The following responses were provided:

- The vehicle was out of service 65 days, but the arbitrator excused this delay to the consumer's detriment by blaming it on supply chain issues and a shortage of parts. This was unfair and anti-consumer, and it is up to the manufacturer to have parts available, to complete repairs promptly, and to buyback vehicles when it cannot repair vehicles promptly. The arbitrator's decision basically said the delays aren't FCA's fault, and that was a biased and anti-consumer position.
- I had some difficulty finding out where to start and who to contact. Once I got the correct contact information, everything went very smoothly.
- The agent was good, but it was very slow, and information was technical and not very customer friendly. In attempt to be impartial you failed to give basic advice and help.

3. If you participated in a settlement or mediation process after applying for arbitration, were you informed that it was a voluntary?

- One answered Yes
- Two answered No
- Three did not provide a response.

4. Was your dispute decided or resolved within 40 days from the date you filed? If not, please explain.

- Two answered Yes
- Three answered No
- One did not provide a response

The following responses were provided if they answered No:

- I believe it was longer but not sure. The manufacturer did buy the vehicle back where arbitration didn't believe we had a case- demonstrates how they didn't fully review the information.
- Was not resolved within 40 days of the date the claim was filed.
- Well, the arbitrators denied my request for reimbursement or replacement of the vehicle but did say that Ram, Ram is the company that made my vehicle, has 30 days to repair the 2 issues that my vehicle was having to my satisfaction and if they were not able to fix both issues in the 30 days then the arbitrators would reconsider my case. I should say that this was the case if I decided to sign their decision agreement which I did, and the 30 days started from the day that they received my signature on that document. So, after waiting months for Ram to fix my pickup they all the sudden had the parts in stock to fix one of the issues so they did fix 1 of 2. After they fixed the first issue, I asked about fixing the second issue and the dealership acted like they didn't know anything about it which they 100% knew about it because I had the truck in there for both issues several times for each issue separately. A few days after that I received an email from Alexis my case manager, I think is her title, I apologize if I am wrong, but the email stated that the manufacturer requested a clarification hearing on the ruling to see if they were supposed to be fixing one issue or 2 issues in the 30-day period. The ruling came back stating that they were to fix both issues in the 30-day period.
- The dispute was eventually sorted out but the whole process was very slow. The date provided was almost a month from when I filed and then nearly Christmas. The decision came well after Christmas. All in all, very slow. The car finally got bought back last week making the whole process many months.

5. Were you ever denied the ability to present evidence? Please explain.

- Two answered Yes
- Three answered No
- One did not provide a response.

The following responses were provided if they answered Yes:

- I submitted information however when I received their response it was clear none of it was reviewed based on their commentary.
- We were never permitted an opportunity to respond to FCA's claim that its failure to repair the vehicle in 65 days was due to alleged supply chain issues.
- BUT... You offered very little information about what information would be good to provide. You assumed that the customer would know exactly what documents the arbitrator would be looking for. IE you didn't tell me they would have no access to the repair order and that it would be needed. You didn't tell me that Jeep wouldn't provide this. Hence, I went into a very aggressive legal arbitration with 2 lawyers who spoke legal jargon and were very condescending of the fact I didn't have that documentation. By the skin of my teeth, I managed to make them give me 24 hours to get the document which saved the case. You could have been FAR more helpful and offered advice along the way. You seemed very keen not to be helpful

6. Were you ever denied the ability to respond to the manufacturer's evidence? Please explain.

- Two answered Yes
- Three answered No
- One did not provide a response

The following responses were provided if they answered Yes:

- Manufacturer evidence was not provided only during the phone call was I able to have their side.
- We were never permitted an opportunity to respond to FCA's claim that its failure to repair the vehicle in 65 days was due to alleged supply chain issues.

7. In terms of overall satisfaction, how would you rate your experience with the level of customer service provided by your CDSP arbitration program staff? (1 being poor and 5 being excellent)

- Four answered 1
- One answered 4
- One answered 5

8. In terms of overall satisfaction, how would you rate your experience with the arbitrator's fairness to all parties involved and maintaining neutrality throughout the meeting? (1 being poor and 5 being excellent)

- Four answered 1
- One answered 3
- One answered 5

9. In terms of overall satisfaction, how would you rate your experience with the arbitrator's understanding of your key issues and concerns? (1 being poor and 5 being excellent)

- Five answered 1
- One answered 5

10. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process? (1 being poor and 5 being excellent)

- Four answered 1
- One answered 2
- One answered 5

11.

a. **If you accepted the arbitrated decision, did the manufacturer perform the decision within 30 days after you accepted the decision?**

- One answered Yes
- Two answered No
- Three did not provide a response.

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

- Two answered No
- Four did not provide a response.

12. **If your claim was denied, were you informed that you could reapply for arbitration by getting an additional warranty repair?**

- Two answered No
- Four did not provide a response

13. **If you could think of any changes to improve the arbitration process, what would that be?**

The following responses were provided if they answered Yes:

- They didn't review any of the data shared. This process was a waste of time and a waste of taxpayer \$.
- The process should not be one sided. The response from the arbitrator did not include my details submitted.
- Arbitrators who are fair and not in the manufacturer's pocket.
- It went very well. The first person that I spoke to explained everything in detail and was very nice about it. I hope they keep up the good work.
- It is set up as a court room where lawyer arbitrates and a lawyer for the manufacturer presents evidence. That makes it REALLY hard for an average Joe customer to know what he's supposed to say, how he's supposed to respond to the manufacturer claims and evidence. You could impartially provide a lot more help in making sure the customer knows exactly what kind of evidence they will require and will be expected in the hearing. The arbitrator was arrogant, didn't really listen and didn't really understand the issue. He was very condescending and seemed very biased toward the lawyer from the manufacturer. I'm actually VERY surprised he found in my favor.

**California Dispute Settlement Program
(CDSP)**

TESLA MOTORS INC.

Tesla Motors, Inc.

The ACP mailed 41 surveys to consumers and two consumers responded. The comments that were received in response to a question are included below.

Below are the results of the survey questions.

1. How did you first learn about the arbitration process?

The following responses were provided:

- One answered "Online"
- One answered "Attorney"

2. What difficulties or challenges, if any, did you experience when filing your claim with the arbitration program?

The following responses were provided:

- One answered None
- One did not provide a response

3. If you participated in a settlement or mediation process after applying for arbitration, were you informed that it was a voluntary?

- One answered Yes
- One answered No

4. Was your dispute decided or resolved within 40 days from the date you filed? If not, please explain.

- One answered Yes
- One answered No

The following response was provided if they answered No:

- Was not resolved within 40 days of the date the claim was filed.

5. Were you ever denied the ability to present evidence? Please explain.

- One answered Yes
- One answered No

The following response was provided if they answered Yes:

- Car was not examined even after making a request to have the car examined

6. Were you ever denied the ability to respond to the manufacturer's evidence? Please explain.

- One answered Yes
- One answered No

The following response was provided if they answered Yes:

- Never saw manufacturer's evidence

7. In terms of overall satisfaction, how would you rate your experience with the level of customer service provided by your CDSP arbitration program staff? (1 being poor and 5 being excellent)

- One answered 2
- One answered 5

8. In terms of overall satisfaction, how would you rate your experience with the arbitrator's fairness to all parties involved and maintaining neutrality throughout the meeting? (1 being poor and 5 being excellent)

- One answered 1
- One answered 5

9. In terms of overall satisfaction, how would you rate your experience with the arbitrator's understanding of your key issues and concerns? (1 being poor and 5 being excellent)

- One answered 2
- One answered 4

10. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process? (1 being poor and 5 being excellent)

- One answered 2
- One answered 4

11.

a. If you accepted the arbitrated decision, did the manufacturer perform the decision within 30 days after you accepted the decision?

- No responses were provided.

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

- No responses were provided.

12. If your claim was denied, were you informed that you could reapply for arbitration by getting an additional warranty repair?

- No responses were provided.

13. If you could think of any changes to improve the arbitration process, what would that be?

- No responses were provided.

**California Dispute Settlement Program
(CDSP)**

**TOYOTA MOTOR SALES
USA, INC.**

Toyota Motor Sales USA, INC.

The ACP mailed forty-four surveys to consumers and five consumers responded. The comments that were received in response to a question are included below.

Below are the results of the survey questions.

1. How did you first learn about the arbitration process?

The following responses were provided:

- Two answered Internet
- Two answered Warranty Booklet
- One answered Research

2. What difficulties or challenges, if any, did you experience when filing your claim with the arbitration program?

The following responses were provided:

- Two answered None
- One answered, "It was easy."
- One answered, "Not enough conclusive evidence and didn't do anything to go out there way to find out what's going on."
- One answered, "I felt my problems were not taken seriously."

3. If you participated in a settlement or mediation process after applying for arbitration, were you informed that it was a voluntary?

- Four answered Yes
- One answered No

4. Was your dispute decided or resolved within 40 days from the date you filed? If not, please explain.

- Three answered Yes
- One answered No
- One answered Can't remember

The following response was provided if they answered No:

- "Felt like longer than 40 days and never did anything to reach out to resolve."

5. Were you ever denied the ability to present evidence? Please explain.

- One answered Yes
- Four answered No

The following responses were provided:

- “But I think they did not investigate my problem”
- “It seems like evidence that I provided wasn’t good enough.”

6. Were you ever denied the ability to respond to the manufacturer’s evidence? Please explain.

- One answered Yes
- Four answered No

The following responses were provided:

- “But I feel the manufacturer lied under oath and did not bring all files of my problems.”
- “Never had the chance and didn’t know I could.”

7. In terms of overall satisfaction, how would you rate your experience with the level of customer service provided by your CDSP arbitration program staff? (1 being poor and 5 being excellent)

- Two answered 1
- Three answered 5

8. In terms of overall satisfaction, how would you rate your experience with the arbitrator’s fairness to all parties involved and maintaining neutrality throughout the meeting? (1 being poor and 5 being excellent)

- Two answered 1
- Three answered 5

9. In terms of overall satisfaction, how would you rate your experience with the arbitrator’s understanding of your key issues and concerns? (1 being poor and 5 being excellent)

- Two answered 1
- Three answered 5

10. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process? (1 being poor and 5 being excellent)

- Two answered 1
- Three answered 5

11.

a. If you accepted the arbitrated decision, did the manufacturer perform the decision within 30 days after you accepted the decision?

- Two answered No
- Three answered Yes

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

- Two answered No
- Three did not provide a response.

12. If your claim was denied, were you informed that you could reapply for arbitration by getting an additional warranty repair?

- One answered No
- Four did not provide a response.

13. If you could think of any changes to improve the arbitration process, what would that be?

The following response was provided:

- “Investigate more efficiently it turns out there is a recall for the rear end of my car. I think Toyota is misleading customers and withholding information to make a sale. Something is wrong but they won't accept they are defective.”

**California Arbitration Program
(CAP-Motors)**

**PORSCHE CARS NORTH
AMERICA, INC.**

Porsche Cars North America, Inc.

The ACP mailed six surveys to consumers and two consumers responded. The comments that were received in response to a question are included below.

Below are the results of the survey questions.

1. How did you first learn about the arbitration process?

The following responses were provided:

- One answered Brochure
- One answered Manufacturer

2. What difficulties or challenges, if any, did you experience when filing your claim with the arbitration program?

The following responses were provided:

- One answered "It was a bit confusing at first as I didn't realize filing the claim only triggers a vetting process. So, at first, what I thought were procedures, requests for information and statements regarding the case were actually intended to confirm eligibility."
- One answered "None, filing was seamless. Cap-Motors was very efficient with filing and arbitrating."

3. If you participated in a settlement or mediation process after applying for arbitration, were you informed that it was a voluntary?

- One answered Yes
- One answered No

4. Was your dispute decided or resolved within 40 days from the date you filed? If not, please explain.

- One answered Yes
- One answered No

The following responses were provided if they answered No:

- The dispute was resolved in my favor and Porsche was instructed to replace my vehicle in February 2022. They have not yet replaced the vehicle despite 1000s of similar vehicles being delivered to their dealers. Porsche has obstructed at every step. They could not find a replacement. They said I would need to order a new build but refused to supply an allocation saying I needed to find one. When I found one, they refused to pay the dealers market price. After weeks, they agreed to supply my dealer an extra allocation. I ordered a very basic vehicle and received an email from Porsche stating the vehicle was completed on June 23rd

with delivery July 27, 2022. Several days later, the tracking app stated the vehicle was back in production, scheduled to be delivered in November. I called the Porsche representative who was not at all helpful and stated these are only estimates that cannot be relied on. He would not give me any further information other than that despite my requests. When my delivery comes closer, I fear they will do the same thing again despite delivering other orders properly. Porsche is thumbing its nose at the California arbitration system.

- It is still ongoing. The arbitrator's decision was in my favor, but the decision did not include nor require PCNA to provide the information I sought in the first place. The decision only spoke to a couple of minor repair items on the car. I filed the case in order to receive information from PCNA regarding a flag which was placed within my vehicle profile on the PCNA system. This flag is what prevents me from having any service nor any recall repairs done to the car. Dealerships turn me away due to the flag. So, ordering repair of the specific items does not get to the root of the issue. Also, in the process of having the ordered repairs done, the Porsche dealership damaged the car by improperly reinstalling the windshield which removal was necessary in order to execute one of the ordered repairs. While the car was at Porsche Marin for the repairs, I called for a status update and the service advisor stated the windshield removal and replacement was a repair not usually done in house and not something they are familiar with executing and they were having issues with mine. Having that info, I felt it best to take the car to a qualified repair shop to have the damaged windshield repaired and Porsche refused and stated I must go back to Porsche Marin. So, we were at a stalemate. I can't imagine bringing the car back to the place that both damaged it and stated they weren't familiar with this type of work. It just makes no sense. I have had the windshield repaired and expect PCNA to reimburse me along with the one-day car rental. Porsche has not indicated PCNA will do so.

5. Were you ever denied the ability to present evidence? Please explain.

- One answered Yes
- One answered No

The following response was provided if they answered Yes:

- A large part of the issue at hand has to do with the fact that the PCNA paralegal Edmond Evans has refused to be of any help in solving the issue. He even stated so in an email included in the case file. The entire arbitration process could have been avoided had Mr. Evans simply applied a customer relations approach instead he took the approach of a lawyer and chose to fight my request. Which in a way he lost, but in a way, he is still fighting as he still refuses to provide specific information regarding the Blocking Indicator initiated on the car and how it effects my ability to receive service on the car as well as roadside assistance. The Blocking Indicator also significantly effects the vehicle resale value. Which should be addressed.

6. Were you ever denied the ability to respond to the manufacturer's evidence? Please explain.

- One answered Yes
- One answered No

The following response was provided if they answered Yes:

- The arbitrator requested PCNA provide a full vehicle repair history as part of her discovery. That repair history included items which spoke to an unusual repair history. When I attempted to email a response / note as to what I felt was applicable, the administrator replied to my evidence window was no longer open. So, I assume my email with notes regarding the specific applicable repair history items was not forwarded to the arbitrator. At that point all I could do was hope the arbitrator noticed the items as well and would take them into account.

7. In terms of overall satisfaction, how would you rate your experience with the level of customer service provided by your CAP-Motors arbitration program staff? (1 being poor and 5 being excellent)

- One answered 2
- One answered 5

8. In terms of overall satisfaction, how would you rate your experience with the arbitrator's fairness to all parties involved and maintaining neutrality throughout the meeting? (1 being poor and 5 being excellent)

- One answered 3
- One answered 5

9. In terms of overall satisfaction, how would you rate your experience with the arbitrator's understanding of your key issues and concerns? (1 being poor and 5 being excellent)

- One answered 3
- One answered 5

10. In terms of overall satisfaction, how would you rate your experience with the entire arbitration process? (1 being poor and 5 being excellent)

- One answered 2
- One answered 3

12.

a. If you accepted the arbitrated decision, did the manufacturer perform the decision within 30 days after you accepted the decision?

- Two answered No

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

- Two answered No

13. If your claim was denied, were you informed that you could reapply for arbitration by getting an additional warranty repair?

- Two did not provide a response.

14. If you could think of any changes to improve the arbitration process, what would that be?

The following response were provided if they answered Yes:

- I don't know if my situation is similar to anyone else. If it is, and other consumers have had a similar experience as I have, a tighter audit of the subsequent vehicle delivery might help.
- During the process, whenever I asked the administrator a question about the process, the response I received was she could not answer because that would be biased. First of all, one example of a question I asked which she refused to answer was "Can I send the e-link to the virtual hearing to my partner "(the co-owner of the car). I don't see how answering that would be helping me but... The reality is the Cap motors process exists for PCNA and their legal staff are uber familiar with the process. This already puts any participant at a disadvantage, even if they work in the legal field. The familiarity is an advantage. During the process, there were multiple events of the administrator taking direction from PCNA and I found it extremely disconcerting, and it created a strong distrust for the process. On multiple occasions I found myself asking "who's in charge here?". Don't get me wrong, I actually appreciate going through the process. It was a great learning experience. It took me some time to get my sea legs once things got going, but overall, it was still better than not having any assistance whatsoever. The hard thing is my case is rather unique and not a standard leman case, with many unusual aspects. All considered I feel taking part to be a positive learning experience

CONCLUSION

This year's survey shows a decrease in the number of responses received compared to last year: 10% in 2021 and 7% in 2022.

In 2022, 59% of consumers stated they were informed that settlement/mediation process is a voluntary process. The programs need to strive to ensure every consumer is made aware that this is a voluntary process.

Manufacturers are required to perform the arbitrated decision within 30 days, however only six or 37% of the 16 consumers who responded to question eleven agreed that the decision was performed within the required time frame. This suggests needed improvements in this area. As a follow up question, consumers were asked if they had agreed to the delay in the performance of the decision. Only one consumer agreed to a delay, whereas 12 or 75% of consumers stated they did not agree to the delay. The manufacturers and programs need to ensure the performance of the arbitrated decision is completed within the required timeframes.

The programs should ensure consumers are aware that they could reapply for arbitration by acquiring an additional warranty repair. Only one of the 24 consumers who responded stated that they were aware of this information.

Based on the responses received regarding the overall satisfaction of the entire arbitration process, ten of the 24 consumers who responded or 42% provided a rating of Good (4) or Excellent (5), while ten consumers or 42% provided a rating of Very Poor (1). The arbitration programs should continue to strive to obtain positive ratings from consumers who have utilized their arbitration process.

ACP will continue to monitor regulatory compliance of the program's operations, to instill and encourage consumers' confidence and manufacturers' participation.