

From: [Deidre Evans](#)
To: [Legal Affairs and Community Safety Committee](#)
Subject: Submission Regarding Lemon Laws - Deidre Evans - 2012 Ford Fiesta Zetec
Date: Sunday, 13 September 2015 5:17:24 PM
Attachments: [ACCC Submission 1 - Deidre Evans.pdf](#)
[Update to ACCC Complaint - 13 Sep 2015 - Deidre Evans.docx](#)
[Letter OF Demand No 1 - Deidre Evans.pdf](#)
[2nd Letter of Demand - Ms D Evans.pdf](#)

Please find attached my submission regarding my lemon 2012 [REDACTED] with a faulty automatic transmission that cannot be repaired as admitted by [REDACTED] Staff themselves, after one clutch replacement , two seals and numerous computer re-learns t is still faulty and dangerous to drive!!

Deidre Evans

[REDACTED]

From: noreply@qld.gov.au
Sent: Sunday, 2 August 2015 11:05 AM
To: OFT.Comms@justice.qld.gov.au; [REDACTED]
Cc: OFT.Comms@justice.qld.gov.au; [REDACTED]
Subject: Report a lemon 20150802

Flag Status: Flagged

Experience: I have had issues with the dual clutch auto transmission on my 2012 [REDACTED] Auto since 6 months after purchase, these issues include engine shudder, stalling and jerking gear changes. The stalling and slowing down in gear changes is most dangerous resulting in near misses when cars have nearly hit me and I have been unable to accelerate quickly enough to avoid them. I have taken the vehicle into a few different [REDACTED] dealers for investigation and have had numerous computer [REDACTED];relearns [REDACTED]; performed which has been meant to fix it. It has not fixed it for more than a few weeks and the same problem is back. On 24/8/13 at my 15,000 km service with [REDACTED] I reported the shuddering and erratic gear changes and the service dept confirmed that it needed a new clutch assembly. They advised that there were none available and I would have to wait. The problems persisted and on 4/9/13 I returned the car to [REDACTED] to investigate once more. It was determined again that it was faulty but this time they advised that two seals in the clutch assembly required replacement which was done under warranty. They advised a computer relearn was also done at this point. The car drove OK for about 2 weeks but then was playing up again. I called [REDACTED] and they advised I needed to drive it for another 1,000 kms for it to "learn how I drive again".

I took this advice and found it made no difference. On two more occasions I called and was advised that is just the way the car drives and there is nothing that can be done. I persisted all this time and after two near miss accidents because of the fault I took it back to [REDACTED] at my wits end on 5/7/14 as it was due to have a 30,000km service anyway. It was determined it needed another computer relearn which was done. On 11/7/14 I took it back again as the problem was worse. On this occasion (6 days later) it was determined that the right hand axle seal had failed and it was replaced but they could find no fault with the transmission – even though it was shuddering badly and jerking gear changes. On 22/10/14 I took the vehicle to [REDACTED] as I was staying on that side of town. Another computer relearn was done by them. This time I was advised to drive it 3,000km for it to take effect. After I had driven this distance I called [REDACTED] again to advise the issue still persisted and that I had another near miss accident. They said to continue to drive it and it would get better. In early January 2015 I had another scare with a vehicle when the car failed to accelerate as I was exited an up ramp out of a car park. At this time I called [REDACTED] Head Office in a frantic state and a case was raised for [REDACTED] to look at the car again. On 14/1/15 [REDACTED] replaced the clutch – this worked for about two months then the shuddering and stalling returned to the same degree as before. On 20 May 15 I contacted [REDACTED] via their Facebook page and another case was raised by [REDACTED]. I had the car booked in at [REDACTED] on 26/5/15 but had to cancel as I was unwell. The problem persisted – the same as usual. On 18/7/15 I took my car to [REDACTED] for the 45,000km service and reported the shudder and stalling again. Another relearn was performed and I was told to drive for another 1,000kms to let the change settle in but have noticed no improvement to date.

As I am unemployed I rely on my car to go to temp admin work assignments on the other side of the city as I have to take the work when it comes up. I have lost wages as a result of this as have had to refuse work due to having an unreliable car. I have also missed out on two interviews. After many calls to [REDACTED] and two cases being raised (the most recent in June 2015), [REDACTED] have finally come up with an offer but this is not suitable to me. They want to replace my [REDACTED] automatic sports model with a base line [REDACTED] manual model. This car is very basic in appearance and not equivalent to the sporty look of mine - eg it does not have the chrome trim, fog lights etc that mine has. Also the car offered is a manual and I have not driven one for many years. As I am now 52 years old and have problems with my legs I am not confident in driving a manual and I should not have to go back to one when my current car is an automatic. On 17 May 15 I was on a roundabout and a car was coming towards me at full speed and was not giving way as it should. I accelerated to leave the roundabout quickly to avoid a collision. My car faltered and would not take off properly and when it finally did the car heading for me narrowly missed me! On 18 June 2015 I was travelling on the Centenary Hwy at 100 kms per hour with a truck right behind me. My car dropped out of gear and slowed considerably resulting in the truck nearly hitting me. He overtook me beeping and

yelling abuse not realising that I slowed down due to no fault of my own, these two incidents are only some of the recent dangerous situations I have been put in due to the faulty auto transmission of these cars. I have been offered a new clutch (for the second time) which will not resolve the problem! They are saying there is now a new improved [REDACTED]; type clutch but I know this is not the truth as my friend had one installed recently and it is the same as her old clutch (if not worse) as it caused the car to stall on her only a week after installation. Other reviews on the new F type clutch are just as bad with people reporting it has not fixed the issue! The second offer [REDACTED] made me was a 2015 [REDACTED] manual vehicle which is well below the specifications and features of my [REDACTED] Auto. I am not willing to go down to a manual and also the [REDACTED] is a lower grade of car without the features and sporty look that mine has. When I explained this to the case manager the response was that is all they will offer. I know of many other [REDACTED] and [REDACTED] owners who are in receipt of far better deals such as full refunds of purchase price and equivalent new cars. In two cases their original cars are even the model below mine! There is no consistency with how [REDACTED] are managing these cases and they are not helping me and many others, just trying to save money and trade you up to a more expensive model which they cannot do in my case as I have no money to put in. I believe that this is discriminatory, unfair and unethical.

When did you purchase your new car: In 2011 or after

Name: Deidre Evans

Email: [REDACTED]

Postcode: [REDACTED]

Attachment 1:NA

Attachment 2:NA

Attachment 3:NA

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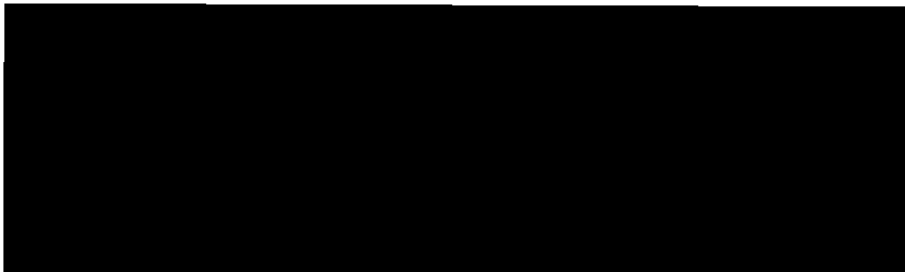
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Deidre Evans

1 August 2015