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PROBLEMS WITH A VEHICLE PURCHASE... CAN DMV HELP ME?

Filing a Complaint with the Department of Motor Vehicles

STATE OF CALIFORNIA
DMV
DEPARTMENT OF MOTOR VEHICLES®

A Public Service Agency

INV 172 (REV. 7/2016) **WWW**

FILING A COMPLAINT WITH DMV

You should know that DMV has limited resources to review and catalog these complaints. Your information will be reviewed by the Investigations Division. ***Not all complaints are investigated.***

Use the attached form to register a complaint regarding a new or used vehicle dealer, a broker, dismantler, registration service, vehicle verifier, odometer fraud, identity theft, misuse of Disabled Person Placard/Plates, driving school or traffic violator school. Only written complaints, submitted on this form, are accepted.

DMV investigators conduct ***selective*** investigations of these licensees and their activities, based upon the department's priorities, patterns of misconduct and the availability of personnel. Your complaint will be kept on file in case an investigation is undertaken against this party or firm. If this occurs, you may be contacted.

You should know that, even if DMV conducts an investigation, this can only result in criminal or administrative action against the licensee, and may not result in any monetary judgment or award to you or other victims. ***Your only recourse to recover a financial loss, or to seek another remedy, is to consider filing a civil claim against the licensee.***

TYPICAL COMPLAINTS WITHIN THE DEPARTMENT'S JURISDICTION

- Counterfeit/fraudulent/forged DMV Documents
- Odometer Fraud
- Identity Theft
- Misuse of Disabled Person Placard/Plates
- Dealer Did Not Transfer Registration to Buyer Within 60 Days
- Dealer Overcharged for DMV Fees
- Unlicensed Dealer, Dismantler, Registration Service, Driving School, etc.
- Certain Fraudulent Misrepresentations
- Violations of the Motor Vehicle Sales Finance Act
- Violations of the Moscone Vehicle Leasing Act

WHEN PURCHASING A VEHICLE

You should know:

- It is your responsibility to read and understand your vehicle sales contract before signing it.
- The term "AS - IS" means exactly that. Inspect a potential purchase carefully, or have it checked by a mechanic.
- After you sign the contract, there is no "72-hour (or any) cooling off period" that allows you to return the vehicle to the dealer unless you purchase a contract cancellation option.
- If you signed a contract and later decided you do not want the vehicle, you may still have to make payments, as required by the contract. You may wish to contact an attorney for assistance. Failure to pay may damage your credit. Returning the vehicle to the dealer does not cancel the contract or release you from the agreement. The dealer may have the vehicle towed elsewhere and you will be charged for towing and storage.

DMV cannot:

- Give legal advice or discuss a case prior to investigating a complaint.
- Act as a go-between to settle contract terms for buyer or dealer.
- Investigate complaints against private parties, unless the complaint is for suspected odometer mileage fraud, counterfeit/fraudulent/forged DMV documents, or they are acting as an unlicensed motor vehicle business.
- Recover money or property for the consumer.
- Investigate most complaints about the condition of used cars. "AS-IS" on a contract or Buyers Guide, displayed on the used car window, means you will pay all repair costs after you sign the contract, not the dealer. (Safety equipment problems are handled by the California Highway Patrol.)
- Resolve disputes over money owed to or by another party.
- Force a dealer to take back a vehicle after a contract is signed.
- Investigate verbal agreements or statements, made by the dealer, about the vehicle.

Alternatives

You can seek remedy through the courts, which may award money or order actions to help you reclaim property. To do this, you can contact a private attorney or legal aid group. Legal aid agencies may give free legal advice or represent people who cannot afford private counsel. Legal aid groups are listed in the white pages of the local telephone directory.

You may choose to file a case in Small Claims Court, where claims are limited to $10,000. Some courts provide advisors to explain procedures and prepare claims. Check for Small Claims Court in the County Government pages of local telephone directories.

Many consumers feel it is worthwhile to contact their local Better Business Bureau to register complaints regarding area businesses. Also, many local television and radio stations offer free consumer assistance through a special telephone number or address.

Other DMV Resources

Private party vehicle sales: problems with transfer and registration

✓ Contact nearest DMV Field Office. Check state government section of local telephone directory for telephone number and location.

Lemon Law information

✓ Contact New Motor Vehicle Board. Call (916) 445-1888.

Bond information for dealers gone out of business, how to file a claim against a dealer bond.

✓ Contact DMV Occupational Licensing Unit. Call (916) 229-3126, Monday through Friday, between 8 a.m. and 5 p.m.

TO FILE A RECORD OF COMPLAINT

Before filing a complaint with DMV, attempt to resolve the problem with the other party or firm.

If your attempts are unsuccessful, and you wish to submit information for DMV files, complete the enclosed Record of Complaint Form, INV 172A, and attach photocopies of all documents related to the complaint. Do not send original documents.

Refer to the back of the attached Record of Complaint Form for statewide office locations. Send the complaint and photocopied documents to the Investigations District Office closest to where the sale took place or dealer is located. Remember that civil or small claims actions are the means by which you may seek damages or reimbursement of any loss you may have suffered. DMV cannot assist you in this aspect of problem.

STATE OF CALIFORNIA
DMV
DEPARTMENT OF MOTOR VEHICLES
A Public Service Agency

INVESTIGATIONS

RECORD OF COMPLAINT FORM

READ THE ATTACHED BROCHURE *BEFORE* COMPLETING YOUR COMPLAINT. NOT ALL COMPLAINTS ARE INVESTIGATED.

Instructions: Type or print the following information for the person filing the complaint and the Business/Seller the complaint is against.

SECTION 1 — COMPLAINANT (*Person Filing Complaint*)

NAME (*FIRST, MIDDLE INITIAL(S), LAST*)

STREET OR P. O. BOX	APT. NUMBER	DRIVER LICENSE OR IDENTIFICATION NUMBER

CITY	STATE	ZIP CODE

DAY TELEPHONE NUMBER	EVENING TELEPHONE NUMBER
( )	( )
SIGNATURE	DATE
X	

SECTION 2 — BUSINESS/SELLER COMPLAINT IS AGAINST (*If applicable*)

NAME (*FIRST, MIDDLE INITIAL(S), LAST*)

STREET OR P. O. BOX	TELEPHONE NUMBER
	( )

CITY	STATE	ZIP CODE

DID YOU SEND A PREVIOUS COMPLAINT TO DMV AGAINST THIS BUSINESS/SELLER?	IF YES, WHEN?

May we show a copy of your complaint to the business/seller? ..... ☐ Yes ☐ No

If the transaction occurred at a location different than the business address above, please list it here.

STREET OR P.O. BOX	CITY	STATE	ZIP CODE

SECTION 3 — VEHICLE INFORMATION

Type the license plate number and vehicle identification number as they are shown on the contract between the buyer and seller. Enter the purchase date (same as when the contract was signed)

YEAR	MAKE	MODEL	LICENSE PLATE NUMBER	STATE

VEHICLE IDENTIFICATION NUMBER (VIN)	PURCHASE DATE

SECTION 4 — COMPLAINT *Explain the details of this complaint.*

SEE OTHER SIDE FOR ADDITIONAL SPACE AND INFORMATION

Go to Page 2 | Print | Clear Form

SECTION 4 — COMPLAINT (*continued*) *IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS OF PAPER*

SECTION 5 — MAILING DIRECTIONS

To help explain the details of your complaint, **YOU MUST SUPPLY PHOTOCOPIES OF THOSE DOCUMENTS RELATED TO YOUR COMPLAINT.** (Include: contracts, warranties, receipts, cancelled checks, repair orders, photographs, letters)

—DO NOT SEND ORIGINAL DOCUMENTS—

PHOTOCOPY THE COMPLETED COMPLAINT. KEEP A COPY FOR YOUR RECORDS.

- **Mail the complaint and copies of supporting documents to the Investigations Office closest to where the incident took place (see list below).**

FAILURE TO SEND SUPPORTING DOCUMENTS MAY DELAY RESPONSE TO YOUR COMPLAINT

SECTION 6 — DEPARTMENT OF MOTOR VEHICLES INVESTIGATIONS DISTRICT OFFICES

CITY	STREET ADDRESS	ZIP CODE
Artesia	17100 South Pioneer Boulevard, Ste. 320	90701-2762
Bakersfield	7000 Schirra Court	93313-2117
Brisbane	150 North Hill Drive, Ste. 29	94005-1025
Chula Vista	30 North Glover Avenue	91910-1040
El Monte	3204 Rosemead Boulevard, Ste. 202	91731-2912
Fresno	2510 South East Avenue, Ste. 100B	93706-8007
Milpitas	860 Hillview Court, Ste. 100	95035-4567
Mission Hills (Granada Hills)	15455 San Fernando Mission Blvd., Ste. 305	91345-1353
Los Angeles (Inglewood)	621 N. La Brea Avenue	90302-3006
Los Angeles (LA Metro)	3615 South Hope Street	90007-4370
Los Angeles (Lincoln Park)	3529 North Mission Road	90031-3120
Riverside	6296 Rivercrest Drive, Ste. A	92507-0738
Rocklin	4240 Rocklin Road, Ste. 11	95677-2862
Orange	750 The City Drive, Ste. 200	92868-6902
Sacramento	8259 Demetre Avenue, MS/L219	95828-0932
San Diego	4375 Derrick Drive	92117-4990
San Diego (Mission Valley)	2878 Camino Del Rio South, Ste. 310	92108-3847
Stockton	1507 East March Lane, Ste. B	95210-5625
Vallejo	200 Couch Street	94590-2904
Ventura	1732 Palma Drive, Ste. 202	93003-5717
West Covina	800 South Glendora Avenue, Rm-100	91790-4201

Go to Page 1