

## **Nissan Group 1 Stellenbosch are thieves**

I wanted to buy my son a car - back in July. A friend has a brother who is the Dealer Principal of Nissan Group 1 in Stellenbosch. He told me he had a nice little 2nd hand Kia Picanto for only R75000 that had once belonged to "an elderly couple". I went to have a look, liked it and paid a R15000 deposit for the car, believing everything they told me about AA tests having been done etc. I drove the car home, all fine. That evening when my son and I took it for a drive we noticed a very loud klunking sound coming from the left front side of the car. This was the beginning of 3 weeks of hell. I took the car back and asked them to check out the noise, as well as the 'sticky' clutch, the aerial that was broken and a radio that no longer clipped out, as said clip had been broken off. The brakes were also squeaking. The DP proceeded to tell me that those radios don't unclip, they come with the car as a fixture – a story he was later to change! My son argued with me that this was a high tech radio (something that "an elderly couple" would not be interested in putting in the car) and they should unclip or we stood a higher chance of the car being broken into, for want of said radio! The DP again denied this. The car went back to Nissan 3 times before we eventually got it back with a fixed aerial. The 'sticky clutch' I was told was "how KIA Picanto clutches worked" but they said they had put new brakes in. Each and every time I got the car back from them I had to the next day send it back because the klunking noise was still there – I even recorded it!! They denied hearing any such noise and the frustrating thing was every time I drove the car with the DP and his salesman the car never made said noise. It only did it when I was alone in the car and when my son drove it the couple of times he was fortunate to even get to drive it! Also, each time they always made such a thing about how they had replaced the brakes because I had mentioned that the brakes were making a grinding sound.

After a couple of days of this we took the car to KIA themselves and asked them to please look over the car and see if they can find anything wrong with said car – this told to them without mentioning any of the faults. We ended up with a quote for just under R18000 and included in the quote was a new clutch, because as the mechanic told me, "that clutch is about to go and its dangerous driving with it like that!" The brakes were also bad because "you've had cheap rubbish brakes installed" and there is an oil leak but we don't know where it is, and if we should have to look for that we will have to charge you, so it hasn't been included in the quote."

I took this quote back to the DP at Nissan who said KIA were lying. Again, he kept the car and returned it to me a couple of days later – no changes at all. Eventually after a few more days I phoned him and said that I would like to please cancel the whole deal and get my deposit back to which he replied "Bring the car in on Monday and we will resolve the matter". I did that and then he informed me that on Tuesday he was going to Jhb but would sort it out on Wednesday. I gave him all the paperwork, everything ... and left. On Wednesday his salesman phoned me to say they were not taking the car back and would not refund me my money and would be returning the car to me that evening. I told him not to as I wouldn't be there – I wanted to now see a lawyer!

On the Thursday I went to a lawyer who told me I was legally allowed to cancel the deal and get my money back and not to worry she would send him a demand. A week later I asked the lawyer what was happening to which she replied that they still say no, they're not giving my money back so she must now summons them. 2 Weeks later I again contacted her to ask what was going on and she again said nothing, she was waiting to hear from Nissan's lawyers. By this time I had now received a bill from the lawyer for just under R4000 – for having done very little!

Then I remembered the salesman saying to me "If you like we will buy the car back from you for R60 000" so I mentioned this to the lawyer because all I could see now after a month of getting nowhere, was her bills escalating and me getting nowhere nearer to a solution.

She contacted Nissan's lawyers who agreed and long story short they came back and said I had to pay an EXTRA R7879,79 IN and THEN they would close the whole deal.

She told me that she thinks this is a good idea because should we progress with summons etc it could possibly take up to 2 years to settle this matter and I would end up paying lawyers fees that amounted to more than what the car cost! Already the first month instalment had now gone off my bank account.

I paid the R7879,79 into Nissans account and everything was finalised – a car I had bought in all faith and paid just under R23000 for ..... Was not even mine!!

To top it all off I then got my final bill from the lawyer for R1300 – which I paid.

All in all I spent close on R28 000 for a car that I never even HAD ..... after being TOLD that LEGALLY I was entitled to change my mind and cancel the deal, get my money back etc.

Another friend of mine is a Dealer principal for Hyundai and when I mentioned this to him and asked if I should have gone to the Ombudsman his reply was "You would have wasted your time the ombudsman is so far in arrears they would never have been able to have helped you either".

So, thank you NISSAN GROUP 1 IN STELLENBOSCH ..... you have STOLEN money from a 54 year old divorcee who is struggling as it is to keep my head above water with no help from anyone, but your SALES RECORD and your position within Nissan is more important.

Where is the honesty and legal RIGHTS in all of this I would like to know? I work as a Carer in the UK and am a 54 year old divorcee who is just trying to help my children where I can. I returned from the UK on the 20 October, reason why I haven't written to you since this all happened in July. I have all the relevant emails from the lawyers as well as from Nissan and their lawyers should you need for proof including the proof of payments to Nissan. All for a car that I never got!

Where is CONSUMER PROTECTION ACT RIGHTS?????