



LEGAL BRIEFS

From the Fort Knox Legal Assistance Office

CAR REPAIRS

What's the problem?

Complaints about car and truck repairs are a common consumer problem. Poor or shoddy workmanship, overcharging, and deception in making repairs are among the more common concerns. As a consumer, there are several things you can do to protect yourself from mechanics and repair shops who may be out to dupe you.

Do your homework:

A reputable mechanic or repair shop is your best protection against fraud or faulty repairs. Locating a reputable mechanic, however, may entail some work on your part, especially if you are new to an area, or if you have not had your vehicle repaired before. How do you find a reputable mechanic? The best suggestion is to ask your friends. Friends can be a great source for information like this. If a mechanic did a good job on their car, they will be more than glad to tell you. Better yet, if a mechanic did a lousy job repairing their car, they will be even happier to tell you. Also, the local Better Business Bureau, the Chamber of Commerce, or your Army Community Service office should be able to help you. If your installation has a motor craft shop (Fort Knox has one next to the Hansen Center), the professionals on staff there are usually reputable and are available to either repair your vehicle, or to recommend someone off the installation who can do the repairs. Once you locate a shop, feel free to ask them if they have a past customer or two that you can contact to verify the quality of the shop's work. A reputable shop should not hesitate to do so.

Get the agreement in writing:

You should always insist on a written estimate. Get the estimate before the mechanic or shop starts the repair work. The estimate should list the cost of all parts and labor to be used on your vehicle. Tell the mechanic; "if my car requires additional parts or labor over the estimate, call me with the information before you do anything." With that, you will know in advance if problems come up. You will have authorized the additional parts or labor and the final bill will not surprise you. Whatever the case, your final bill should be close to the estimated price.

Question the bill if the charge is much higher than the estimate, or if the work was done without your authorization. Overcharging happens. If you suspect you have been overcharged,

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have the shop justify, and then write out, the reasons for the difference in cost. Keep in mind if you refuse to pay the repair bill, the mechanic may have the right to keep your car until you pay.

What to do if you have a complaint or if you have been overcharged:

First of all, the easiest solution may be to pay the bill and negotiate a reduction in the price later on. That way you will have your vehicle and the shop will not have you "over a barrel," so to speak trying to get it. When paying an overcharged bill, make it perfectly clear you do not agree with the total. Speak to the manager and see if you can resolve it amicably. If not, he or she will know you had a complaint. After getting the car back, if the shop refuses to adjust the price, small claims court may be your best option. Small claims court has authority to listen to your side of the story, to the mechanic's side, and then make a finding according to the law.

If you believe the vehicle was not repaired correctly, and that the problem is one of poor workmanship or substandard parts (old or refurbished parts instead of new parts if new parts were promised) as opposed to price, your first step should be to take your car to another repair shop. Give the second mechanic a copy of the itemized bill from the first shop. Have the second mechanic inspect the repairs with an eye for the quality of the workmanship or for the quality of the parts. If the second mechanic agrees the repairs are not satisfactory, have him or her put that conclusion in writing. You can use that opinion to try to get your money back from the first shop. If you wish, the second shop can then do the repairs correctly. Again, get everything in writing, and keep the substandard parts as evidence of the challenge.

What the law says:

It is unlawful for a mechanic or a repair shop to: 1) knowingly make a false or misleading statement about the need for parts, replacement or repair service; 2) to represent that work has been done, or parts replaced, when that isn't true; or 3) to represent that repairs were made with new parts when, in fact, the parts were secondhand or refurbished. Those acts constitute a fraud and may authorize you to break your contract with the mechanic or shop. Your Legal Assistance Office can advise you on these matters should the situation require it.

What Legal Assistance Can Do:

If you have questions or need additional information about car repairs or going to small claims court, please feel free to call us to schedule an appointment or for more information. Our telephone number is (502) 624-2771, and our hours of operation are Monday through Friday, 0800-1600. We are located in the Office of the Staff Judge Advocate, Building 1310, Pike Hall (north of the post office on Knox Street).