GRADUATE INTERNSHIP EXPERIENCE BETTER BUSINESS BUREAU OF CHICAGO AND NORTHERN ILLINOIS

By

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CHAPTER I

BETTER BUSINESS BUREAU

Introduction

Better Business Bureaus are independent non-profit corporations which are entirely financed by membership dues or subscriptions paid by responsible business and professional firms in the communities. Reputable firms are solicited for membership to maintain and expand services provided by the Better Business Bureau. The Bureaus are self regulatory, not governmental, agencies that seek voluntary cooperation of business.

History of the Better Business Bureau

About one hundred years ago, the industrial growth in the United States began to flourish. Those were the days of unrestrained commerce, and the buyer had to be aware of a seller's reputation. Responsible and honest businessmen sensed a tremendous value of advertising and did so cautiously. It was the con men who advertised in a freewheeling style. To deal with growing concerns the Congress voted "Fraud Order" powers to the U.S. Postmaster General in 1872 (Wansley, 1980). This enabled the Post Office

Department to take action against mail swindlers.

This action, however, did not solve the whole problem. Honest advertisers were still plagued by the question of how they could protect such an important tool of the trade as advertising without destroying it. In 1909, Samuel C. Dobbs, sales manager and later president of the Coca-Cola Company, launched a crusade for honesty in advertising. The next step toward the effort was taken in November, 1911 by John Irving Romer, publisher of <u>Printer's Ink</u> (Wansley, 1980). Romer persuaded a lawyer to draw up a model statute to deal with fraud and deception in advertising. This law, known as the "Printer's Ink Statute", makes dishonest advertising illegal and has since been adopted by most states in one form or another.

Romer also suggested that "vigilance committees" be set up throughout the country. He suggested that these committees be sponsored by local advertising clubs to help eliminate abuses and create advertising codes and standards. The Advertising Men's League of New York was the first to set up such a committee. In 1912, the organization branched out into the National Vigilance Committee. This group became a fully independent corporate entity in 1926 and remained in continuous existence, changing its name in 1921 to the National Better Business Bureau of the Associated Advertising Clubs of the World (<u>Better Business Bureau</u> <u>Operations Manual</u>, 1985).

The vigilance committees began their work on a volunteer basis, but soon the activities became so widespread that a full-time professional was needed. The Vigilance Committee of the Minneapolis Advertising Club was the first to recognize this need. In 1914, they hired H. J. Kenner as the manager of the committee. The first use of the name Better Business Bureau came with the establishment of the Minneapolis branch (Wansley, 1980).

Within ten years, the name came into universal use and some moves were made toward a federation of the vigilance committees and Better Business Bureaus. The Minneapolis Better Business Bureau was soon followed by Bureaus in St. Louis, Milwaukee, Indianapolis, and Cleveland. Other groups soon became interested in the development of new Bureaus. This included retail merchants, publishers, manufacturers, and banking and investment groups (<u>Better Business Bureau</u> Operations Manual, 1985).

During World War II, the Better Business Bureaus experienced a unique problem. Business firms dropped their memberships and new ones were impossible to enroll. Business was only concerned with the war, not improvement of the marketplace. During the war the Better Business Bureau income became "frozen" because there was no business income. However, an opportunity for service did arise. The War Charities Act had been passed, which required all appeals in behalf of servicemen to be cleared by the government.

Since the government was unable to cope with the great demand, it asked the Bureaus to help with the investigation (Wansley, 1980).

After peace was announced, the Bureaus began the War Savings Protection Program. This program was aimed at keeping the money earned by servicemen and war industry workers out of the wrong hands. <u>United Business Service</u>, a weekly forecast service for business, credited the Bureaus with alertness to the problem. The publication announced:

The Bureaus in various parts of the country are sending out warning signals. Under the slogan `Before You Invest, Investigate', these organizations are trying to impress upon the holders of War Savings Bonds that they possess an excellent investment which should not be converted to other forms without most careful consideration (Wansley, 1980).

Purpose and Functions of the Better Business Bureau

The mission of the Better Business Bureau is basically twofold: "to advance market integrity through business self-regulation and to resolve disputes and correct abuses; and to do this in the best interest of both the consuming public and the business institutions which it serves" (<u>Better Business Bureau Operations Manual</u>, 1985). The Better Business Bureaus seek to achieve their mission by

these specific functions:

- Providing information about companies before individuals do business;
- (2) Helping to resolve complaints consumers might have with a firm, including a final step of binding arbitration in most areas;
- (3) Developing and providing consumer education and information to promote more intelligent buying decisions;
- (4) Fostering standards of ethical advertising and selling practices;
- (5) Monitoring advertising and selling practices;
- (6) Providing speakers for schools, civic groups and business organizations;
- (7) Providing information on organizations making charitable solicitations;
- (8) Alerting consumers to bad business and advertising practices when the business in question will not cooperate with the Bureau to eliminate the abuse;
- (9) Disseminating consumer information through newspapers, radio, television, and printed literature;
- (10) Providing the media with public information materials on consumer subjects.

(<u>What Is a Better Business</u> <u>Bureau?</u>, 1986)

There also are six significant ways in which a Better

Business Bureau can help honest companies in a community:

- (1) Its reassurance of skeptical prospects;
- (2) Its direct improvement of customer relationships;
- (3) Its aid in eliminating unscrupulous competition;
- (4) Its effectiveness in increasing confidence in local advertising and selling;
- (5) Its practical help in preventing local companies from getting into business relationships with disreputable firms or from making ill-advised business purchases or contributions;
- (6) Its consistent efforts to increase profit-inducing economic freedom.

(Better Business Bureau Operations Manual, 1985) Even though the Better Business Bureaus make no effort to promote specific companies, they do help with sales for businesses in their area. This is done through the hundreds of calls the Bureau receives each day from customers. Eighty to ninety percent of these calls are inquiries, while the other small proportion is attributed to complaints. Much of the time spent is assuring skeptical, hesitant consumers that the company inquired about meets the Better Business Bureau standards of good business practice. Therefore, by simply reporting the facts and not personally endorsing a business, the Better Business Bureau can turn skeptics into customers for responsible businesses.

The Bureaus can also help improve customer

relationships for local businesses. Many times when a person calls a Better Business Bureau with a complaint, the complaint is unjustified. The Bureau can explain the situation to a consumer objectively. They also may be more convincing and believable to the consumer than the company's complaint department.

Unscrupulous and dishonest competition is a great problem of local companies. Better Business Bureaus help eliminate competition that use misrepresentation, trickery, and fraud. They help in reforming these organizations. If that does not work, then steps are taken to put them out of business.

The Bureaus will increase consumer confidence in advertising and selling techniques that are used by local businesses. By doing much of its work in person, on the telephone, and by mail, the Bureaus assure doubting customers of business integrity. This not only increases consumers' confidence in local businesses but in all companies.

Most people assume that all the inquiries received at a Bureau are from consumers making personal purchases. A large proportion, though, come from companies that are seeking information on charities or firms with which they plan to deal. This information may help a company by saving it money they may have lost if dealing with unethical organizations.

A Better Business Bureau may bring about satisfaction of having improved local business standards to those who cooperate. It also brings satisfaction to individuals because they have participated in a service which helps people of the community. These businessmen realize that by doing their part they are helping maintain an essentially free, self- regulating economy.

There are, however, several functions that the Better Business Bureau does not perform:

- (1) Offer legal advice or perform legal services;
- (2) Endorse any company product, service, or individuals;
- (3) Help to break or assist in voiding contracts made without fraud or misrepresentation;
- (4) Make collections of any kind, or provide credit information;
- (5) Pass judgment on prices charged for merchandise, quality of services or workmanship, efficiency of operation of devices, or how long merchandise should wear or last;
- (6) Charge the public for its services.

(<u>What Everyone Should Know About the Better</u> <u>Business Bureau</u>, 1986)

Membership

Membership standards are uniform for all Bureaus, but dues may vary according to the area that each organization represents. Businesses are invited to join the Better Business Bureau if they comply with the membership standards:

- (1) A company or organization must be in business for at least one year unless: the principals are well known to the Bureau because of their businesses in which they are or have been involved; the firm is a branch of an already accepted member or company which has met the standards; the business has moved from or is an expansion of a firm in another Bureau city where it has been a member in good standing for at least one year;
- (2) An officer has signed and complied with the Bureau membership agreement;
- (3) The company has a satisfactory business performance record, including evidence to show the elimination of causes of customer dissatisfaction;
- (4) The company has demonstrated a willingness to cooperate with the Bureau by supplying background information about company principals; furnishing information deemed essential to provide factual company reports regarding accuracy of any

advertising and selling claims or programs; correcting advertising and selling practices which fail to meet established, recognized guidelines and Trade Practice Program recommendations; giving reasonable response and settlement to customer complaints brought to its attention by the Bureau, as well as demonstrating a willingness to enter into the arbitration of any complaint which it has been unable to satisfactorily resolve;

- (5) The company is not the subject of definitive governmental actions which relate directly to the basis of its customer related practices during the previous two years;
- (6) The company complies with the established policy on the use of the Better Business Bureau name and its logo and decals;
- (7) The company acts responsibly in all marketplace transactions;
- (8) The background of the company's principals, and the type of business, will not reflect negatively on the name and reputation of the Bureau.

(<u>Better Business Bureau</u> <u>Consumer Resource Book and</u> <u>Membership Roster</u>, 1985)

Council of Better Business Bureaus

The Council of Better Business Bureaus, Inc. was formed in 1970 by consolidating the National Better Business Bureau and the Association of Better Business Bureaus International (<u>What Is a Better Business Bureau?</u>, 1986). The Council has offices in Arlington, Virginia and New York City. The headquarters in Arlington coordinates the activities of member Bureaus, issues trade practice codes on the national level, administers the Better Business Bureau arbitration program, disseminates information about charitable solicitations, and performs consumer education and public information functions (<u>What Is a Better Business Bureau</u>?, 1986).

The Council works closely with government regulatory agencies and trade associations to keep up with activities that concern business and consumers. It also functions to maintain and increase financial support among major national corporations. The New York office monitors and investigates complaints against national advertising (<u>What Everyone</u> <u>Should Know About The Better Business Bureau</u>, 1986).

The Council mission is "to be an effective national self-regulatory force for business, to demonstrate an active concern for consumers, and to coordinate the activities of member Bureaus" (<u>Better Business Bureau Operations Manual</u>, 1985). As the national voice for the Bureau system, the

Council depends on the cooperation of local Bureaus for effective exchange of information. This exchange of information enables each Bureau to take advantage of the experience and facilities of others.

The following are members of the Council staff and the position they hold:

James L. McIlhenny	President
Allen Beatty	Vice President/Bureau Affairs Division
Richard Bullock	Senior Vice President
Dean Determan	Vice President/Mediation, Arbitration Division
Stephen Jones	Vice President/Legal Affairs and Policy Administration
Norman Nelson	Vice President/Administrative Service and Research
Helen O'Rourke	Vice President/Philanthropic Advisory Service
Walter Stein	Vice President/Controller
Candace Von Salzen	Vice President/Standards and Practices
Lorraine Reid	Senior Vice President/National Advertising Division
Ronald Smithers	Senior Vice President/National Advertising Division
	(<u>Directory of Better</u> <u>Business</u> <u>Bureaus</u> , 1986)

Summary

Throughout the years, the concept of self-regulation has gradually expanded to include the handling of inquiries and complaints as well as extensive public education programs. The Bureaus have gained a good reputation for the protection of the consumer in initiating and maintaining ethical standards in advertising and selling practices and for the encouragement of self-regulation in the business community.

CHAPTER II

Better Business Bureau of Chicago and Northern Illinois

History

The Better Business Bureau of Chicago and Northern Illinois was founded in 1926, fourteen years after the first Bureau opened its doors. This year the Chicago Bureau celebrates sixty-one years of serving responsible consumers and legitimate business, while the Better Business Bureau network is celebrating its seventy-fifth anniversary. Throughout those sixty-one years, the marketplace, as well as buyers and sellers, have experienced considerable change. Even though this change has occurred, the Chicago Better Business Bureau's philosophy has not been altered. Their fundamental concern remains focused on the ethical and moral aspects of business transactions (Better Business Bureau Consumer Resource Book and Membership Roster, 1985). The Bureau is prepared to respond to those who do not cooperate with this philosophy.

Staff Organization and Duties

Experience has shown that key figures in the business community are vital to a Bureau's success. These people must have a good reputation, and the respect of the community. They also must be able to gain the cooperation of others. It is these types of leaders who are members of the Board of Directors. In 1986, there were ninety-six members of the Board. Of these members, nine are elected to the Bureau's Executive Committee. The Chicago Bureau's Executive Committee is elected at the annual meeting. This year's elected members are:

Chairman	Gerald M. Cole							
Vice Chairwoman	Barbara Proctor							
Vice Chairman	William G. Stratton							
Vice Chairman	Michael R. MacDonald							
President	Earl R. Lind							
Executive Vice President	James E. Baumhart							
Treasurer	Ira Nathanson							
Secretary	Robert H. Fentress							
Immediate Past Chairman	James L. McCormick							
	(<u>Alert</u> , 1987 March)							

The members of the Board of Directors perform their duties through standing committees. These committees include: 1) advertising standards; 2) by-laws; 3) education; 4) foundation; 5) long range planning; 6) member relations;

7) public relations; 8) special projects; 9) staff benefits; and 10) trade practice coordinating (<u>60th Annual Report</u>, 1986).

There also are thirteen trade practice subcommittees which are extremely important: 1) apparel; 2) automobile; 3) direct selling; 4) electronics; 5) food; 6) home furnishings; 7) home improvement; 8) insurance; 9) laundry/ dry cleaning; 10) loans/credit; 11) mail order; 12) telecommunications; and 13) weight reducing and health quackery (<u>60th Annual Report</u>, 1986). These subcommittees consist of a chairperson, one or two members, and a consultant. The consultant is a member from the Better Business Bureau staff specializing in that area. The chairperson and members of the subcommittee are chosen because of their direct involvement with the product or service.

The Better Business Bureau of Chicago and Northern Illinois staff (Figure 1, page 17) is comprised of the following positions:

The President serves on the Executive Committee of the Board of Directors. He protects the consumer's interests and at the same time gives fair representation to the businesses' position. The President has remained active on a national level by serving on two Council of Better Business Bureau's committees. He also participates in a number of other national meetings of the Council and other

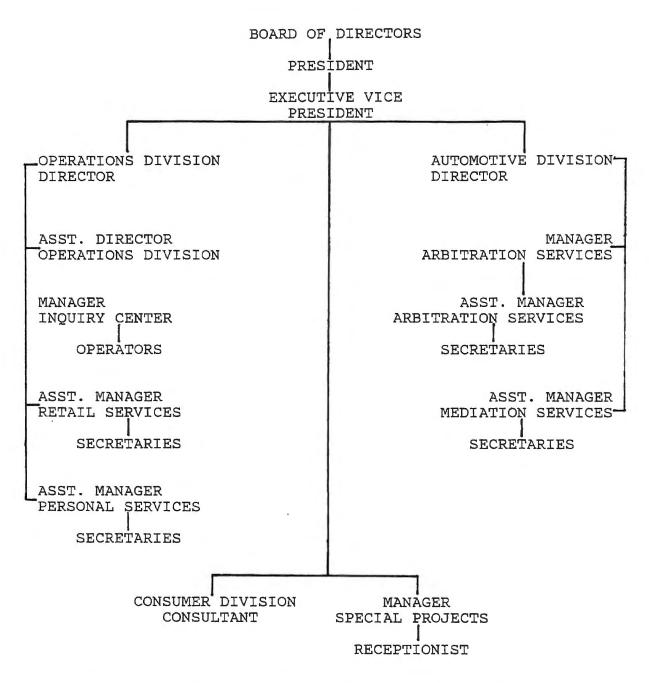


Figure 1. Better Business Bureau of Chicago and Northern Illinois Organizational Chart.

organizations, as well as the District meetings of the Bureaus.

The Executive Vice President is responsible for the administrative functions of the Bureau. This includes personnel, accounting, computer operations, and public relations. He also serves on the Executive Committee of the Board of Directors and on the Council/Better Business Bureau Auto Line Advisory Committee.

The Director of the Operations Division reports to the Executive Vice President. She is responsible for the two departments within this area: retail services and personal services. The Director coordinates the receipt and processing of all complaints related to the commodity or service, advertising review, and the development of company reports.

The Director of the Automotive Services Division is responsible for all automotive products and services, with the exception of automobile insurance. He coordinates the Auto Line program, the arbitration services department, and the mediation services department. He reports directly to the Executive Vice President.

The Assistant Director of the Operations Division concentrates on several primary areas. These include the Bureau's in-house computer system, advertising review in all areas and the Bureau's Charitable Solicitations and Investor Alert programs. The Manager of Special Projects has a variety of duties. She sets up the arbitration hearings by working with the manufacturer, consumer, and arbitrator. She is also the liaison for the Bureau with the publisher of the Bureau's <u>Consumer Resource Book and Membership Roster</u>. In conjunction with this duty, she reviews all incoming membership applications to determine if the companies meet the Bureau standards.

The Manager of the Inquiry Center reports directly to the Director of the Operations Division. She is responsible for the writing of reports for all businesses. These reports are used in the Inquiry Center, which gives out the information to consumers. She is also responsible for the Center's staff and deals with any problems or special inquiries.

The Manager of the Arbitration Services Department handles all arbitrations at the Bureau. Ninety-seven percent of the Bureau's arbitration hearings last year were related to the automotive industry, but other areas are also covered. She coordinates arbitrator training sessions and arbitrator newsletters. She also reviews all hearing decisions and keeps close ties with the automobile manufacturers' representatives.

The Assistant Manager of the Arbitration Services Department coordinates many of the daily functions of the department. Since the processing of arbitration hearings is

paper intensive, she makes sure that the development of customer files are properly completed. She also assists in the coordination of arbitration training sessions, and in the transfer of cases from the mediation department to the arbitration department.

The Assistant Manager of the Mediation Services Department handles all incoming automobile complaints. She has direct contact with the consumer and the manufacturer's representatives. Her role is to bring these two parties together to discuss the problems. If the two parties can agree on a settlement, then she may close the case. If they cannot agree, then she forwards the case over to the arbitration department.

The Assistant Manager of the Retail Services Department and the Assistant Manager of the Personal Services Department work with the Director of the Operations Division. They are responsible for all complaints within their department. They are involved in initial complaint calls and follow up on all complaints to which businesses have not responded. They are also responsible for any walkin complainants.

The Consultant for the Consumer Division has numerous duties. She coordinates activities during National Consumer Week, works with the Junior Achievement Program, and distributes several mailings to members. She is the Bureau's representative at the Society of Consumer Affairs

Professionals in Business.

The Inquiry Center Operators handle fifteen incoming telephone lines. The operators use computers in order to provide information to callers. More than 800 phone calls are received each business day. They also update the files which are kept on the businesses. Another duty involves sending written reports to consumers.

The Secretaries of the various departments prepare correspondence, type vital forms and information, and assist in answering complaint calls. The receptionist meets visitors and answers all incoming telephone calls. She then transfers the calls to the appropriate department.

The Consumer Division

Two of the specific functions that the Better Business Bureau seeks to achieve are to develop and provide consumer education and information, and to provide speakers for schools, civic groups and business organizations (<u>What Is a</u> <u>Better Business Bureau</u>, 1986). These two functions are the main responsibility of the Consumer Division. The Consumer Division of the Chicago Bureau was founded in 1971, and is the only one within the Better Business Bureau network. The Division was developed to "stimulate public involvement in the marketplace through which the business community and its customers can communicate and interact effectively" (<u>Better</u> Business Bureau Consumer Resource Book and Membership

<u>Roster</u>, 1985). The Division achieves this goal through the following means: 1) allowing for individual consumer participation in Bureau activities; 2) making available educational materials and programs to assist consumers in making wise purchasing decisions; 3) increasing use of marketplace resources to improve business/consumer relationships and understanding; and 4) providing a forum for direct input of consumer needs, thinking, and activities into the operation of the Chicago Bureau (<u>Better Business</u> Bureau Consumer Resource Book and Membership Roster, 1985).

Membership to the Consumer Division is available only to consumers and requires a \$10 membership fee. Almost 1000 individuals and families are members. This membership entitles them to a number of special services. These services include: a one-year subscription to <u>Alert</u>, a monthly publication containing buying tips; an unpublished telephone number for information or assistance; a Door Stopper Decal letting salespeople know that any offers will be checked before signing contract; a Telephone Gyp Stopper Decal advising what to say to telephone solicitors; invitations to attend various consumer conferences; and a 50% discount on all pamphlets (<u>Publications Order Form</u>, 1986).

The Division also conducts the Bureau's Consumer Forums and sponsors the Consumer Education Fair during National Consumer Week. At this year's Consumer Education Fair,

eleven consumer protection agencies, along with Illinois Bell and Underwriter's Laboratories, participated with exhibits and made their services available to the public. Participating with exhibits were: Illinois Attorney General's Office; City of Chicago Department of Consumer Services; Federal Reserve Bank; Federal Trade Commission; Food and Drug Administration; State Attorney's Office; Small Claims Court; U.S. Consumer Products Safety Commission; Federal Communication Commission; and Illinois Secretary of State's Office (Alert, 1987 April).

The Better Business Bureau Tel-Tips is yet another service provided to consumers. The Tel-Tips are offered as a means of making useful information available to consumers by simply making a telephone call. All a consumer has to do is dial the Tel-Tips phone number. Then a computer recording voice asks the caller to enter in a three-digit code of the taped message. These codes are found in a pamphlet distributed by the Consumer Division and are published in the <u>Better Business Bureau Consumer Resource</u> <u>Book and Resource Book</u>. The consumer pushes the buttons on the telephone to make the selection. This service is provided to consumers twenty-four hours every day (<u>Better</u> <u>Business Bureau Tel-Tips</u>, 1986).

The Consumer Division is also involved with the Junior Achievement Program. This is done to encourage ethical business practices and helps provide education for all ages.

The program involves high school students who form and operate a mini-business. These "companies" elect officers, sell stocks, manufacture and market a product or service, keep records, open bank accounts, pay shareholders, and issue an annual report (<u>Better Business Bureau Consumer</u> <u>Resource Book and Membership Roster</u>, 1985). A \$500 scholarship and two achievement awards are presented annually by the Better Business Bureau of Chicago and Northern Illinois. The scholarship is awarded to an outstanding Junior Achievement student, and the achievement awards are presented at the National Junior Achievement Conference (<u>60th Annual Report</u>, 1986).

The Operations Division and Complaint Handling

The Operations Division is built on six functions of the Better Business Bureau: to provide information about companies; help resolve complaints; foster standards of ethical advertising practices; monitor advertising practices; provide information on charitable organizations; and alert consumers to bad business and advertising practices. This division is responsible for the handling of the complaints and the writing of reports for all business classifications other than automobile, which is the responsibility of the Automotive Division. The Operations Division is also responsible for the Inquiry Center, advertising review, and the Charitable Solicitations and Investor Alert Programs. All of these complaints are divided into two departments: retail services and personal services. These two departments overlap in their duties. One of the departments, or sometimes both, will cover such areas as mail order, home remodeling contractors, travel agencies, dry cleaning and laundry, insurance companies, appliance service and manufacturing complaints. Table 1 (page 26) represents a statistical complaint analysis by type of industry (60th Annual Report, 1986).

In 1986, the nation's Better Business Bureaus handled more than 9.7 million consumer inquiries and complaints, which was an increase of 5.9% over 1985 (<u>Alert</u>, 1987 April). This increase is attributed to the number of prepurchase inquiries, which last year totaled 7,458,511. This number represents 77% of all consumer contacts with the Better Business Bureaus. Twenty-three percent reflected the percentage of consumer complaints, or 2,252,536. Of these total numbers, the Better Business Bureau of Chicago and Northern Illinois handled an estimated 281,900 instances of service in 1986. This number includes all types of complaints from both the Operations Division and the Automotive Division, as well as inquiries. Table 2 (page 27) shows a synopsis of the Bureau's activities over a four year period (<u>60th Annual Report</u>, 1986).

Frequently a customer may not be an expert in all

	1986	%	1985	5%	1984	4%
Industries	Complaints.		Complaints		<u>Complaints</u>	•
Franchised Auto Dealers/Manuf. Mail Order Companies	6 3 25	96	6018	97	5471	97
Non-Magazine	1895	83	1805	83	1777	83
Service Companies	915	71	894	71	1069	71
Automobile Repairs	910	57	780	58	438	57
Home Remodeling						
Contractors	760	56	748	56	756	57
Magazine Sales	732	79	605	78	896	79
Travel Agencies	721	90	582	90	678	93
Retail Stores	486	69	464	68	497	67
Home Furnishings						
Stores	439	71	397	69	448	75
Department Stores Dry Cleaning/	349	-98	335	98	329	98
Laundry	255	47	229	47	235	48
Roofing Contractors Automotive	254	64	226	40	240	40
Miscellaneous Heating & Central	251	52	217	65	197	64
Air Conditioning Insurance Companies/	198	52	190	52	192	51
Agents Gasoline Service	196	88	186	89	240	90
Stations Real Estate &	194	62	176	64	166	65
Rental Appliance Service	168 159	65 56	170 165	65 56	151 175	66 56
UNDITUICE DELAICE	133	50	105		1.0	20

Table 1. Statistical Compalint Analysis Top Industries

	1986	1985	1984	<u>1983</u>
Daily Average	1,114*	1,060	1,023	886
Total Instances of Service	281,900*	255,480	246,650	225,009
Closed Written Complaints	18,100*	16,909	16,366	14,350
Complaints Settled(%)	84*	84	80	77
Arbitration Hearings	584	390	352	185
Tel-Tips Messages	12,900	14,263	14,653	10,536
Ad Review Actions	380	528	1,027	842

*Estimated

Table 2. Synopsis of Chicago Bureau Activities.

business matters. Things that are perfectly clear to the business person may not be understood by the consumer. When this happens, and the consumer feels mistreated, the matter must be resolved fairly. To resolve such a matter, facts, courtesy, and opportunity must exist. Opportunity refers to the chance a consumer must give the business to correct or resolve the conflict. The Better Business Bureau's role is to bring the two parties together so that the problem may be resolved.

There are several elements of an effective Better Business Bureau complaint system. One element that is vital is a trained, professional staff. A capable staff is important for an effective and efficient system. Screening the complaints is needed to help the staff determine whether a complaint should be handled. Complaint forms and letters should also be screened for appropriateness, adequacy of details, profanity, and defamatory remarks. Another element to the complaint system is a referral file. The staff should have an up to date file of agencies and organizations to which a consumer may be referred when a matter cannot be handled by the Bureau. Following up on the complaint is yet another essential element. One of the Bureaus' priorities is to bring about a speedy settlement to the situation. When a follow-up procedure is used, this goal can be more easily achieved. The final element is verification. A company's final action should not be left to assumption. A

firm may respond to the customer without letting the Bureau know. The customer's response should be verified when closing the case.

The first step in handling a complaint deals with completing a complaint form. The forms, which include several copies, ask for time, dates, and facts regarding the complaint, as well as what adjustment the consumer would consider fair. Each case is processed to the company against when the complaint has been filed. There are three ways in which the matter may be handled. The simples is reconciliation, in which the company is contacted and the problem is solved. A more complicated procedure is mediation. The Better Business Bureau, the mediator, will listen to both sides and work to eliminate any differences. Common ground between the two parties is sought, and both may have to give in to resolve the problem. When the two parties cannot reach an agreement, arbitration is offered as a final resolution. A neutral third party, an arbitrator, comes in to hear both sides of the problem. The arbitrator then makes his or her decision based upon the facts the two parties present during the hearing. Figure 2 (page 30,31) depicts the complaint handling procedure in greater detail. All complaints, whether resolved or unresolved, are recorded in the company's files. These files are the basis for the Inquiry Center.

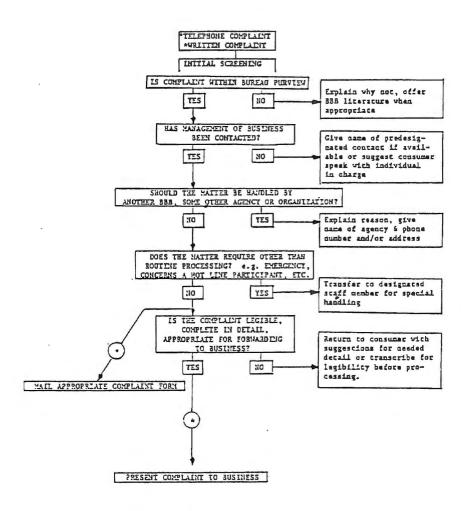


Figure 2. Complaint Handling Procedure

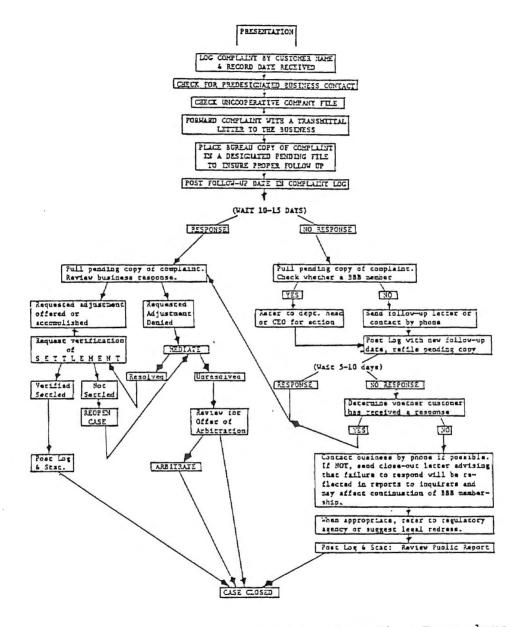


Figure 2 Cont. Complaint Handling Procedure

Inquiry Center

The Bureau's Inquiry Center, which is open between the hours of 10:00am to 2:30pm weekdays, is staffed by five people handling fifteen incoming telephone lines. Each worker has a computer on which information appears about more than 10,000 companies in the northern Illinois area (<u>Better Business Bureau Consumer Resource Book and</u> <u>Membership Roster</u>, 1985). This staff also has access to information on an additional 60,000 less active companies and businesses. These reports are prepared on a "need" basis. The need is established by the number of inquiries or complaints the company has received.

More than 800 phone calls are received each business day. The caller is informed of the date the Bureau file was opened on the company, or the date the company started business along with the report date. If the company is a member of the Chicago Bureau, that information is also given to the caller. Information on whether the business has a satisfactory business performance record to date is given. A satisfactory business performance record means that the company has cooperated with the Bureau by giving background information about the company and its owners; correcting any advertising or selling claims which did not meet established guidelines; giving reasonable response and settlement to customer complaints; and the company has not been under

governmental action concerning their customer relations practices (<u>Better Business Bureau Consumer Resource Book and</u> <u>Membership Roster</u>, 1985).

Many companies, however, do not have satisfactory business performance records. In that case a caller would be notified of that, and would be given a specific reason why the company does not have a satisfactory record. Occasionally, the company information is too detailed to give over the phone. In those instances, a written report is sent to the inquirer. The caller is also informed if there is no information on a company and may be forwarded to a agency who may be able to help.

Solicitations Control Program and Investor Alert

Charitable contributions in 1986 hit an all-time high of \$87.2 billion, according to the American Association of Fund-Raising Counsel (<u>Alert</u>, 1987 May). The largest share of these total donations went to religious organizations. Then came education causes, followed by health organizations and hospitals, social service organizations, arts and humanities, and public affairs groups (Alert, 1987 May).

Since so many Bureau members and the general public are contacted by these organizations, it is important to know all the facts. The Solicitations Control Program was founded to investigate, monitor, and report on fund-raising efforts in each community. The Better Business Bureau reports about the group's history, programs, and finances. The Bureau receives this information by contacting the organization itself, other Better Business Bureaus, and the Council's Philanthropic Advisory Service (<u>Better Business</u> <u>Bureau Operations Manual</u>, 1985). Specific information in the report includes: when the group was established and its purpose; who makes decisions about programs and finances; main accomplishments, activities, and goals; methods and results of fund-raising; last year's income and expenses; tax status; and whether it meets Better Business Bureau standards (<u>Better Business Bureau Operations Manual</u>, 1985). Figure 3 (page 35,36) is an outline of Charitable Solicitations standards.

The Investor Alert is a quarterly program sponsored by the Chicago Bureau and the Illinois Securities Administrators Association. The program is designed to expose investment frauds and to provide useful information on how to avoid unlawful schemes. There are ten basic guidelines that this program suggests to potential investors:

- Be cautious when strangers make contacts by phone calls, unannounced visits or contacts from mailing lists;
- (2) Question promises of extraordinary returns on your money in a short period of time;

Public Accountability

- Soliciting organizations shall provide, on request, basic information about the current solicitations campaign(s) and the organization.
- 2. Soliciting organizations shall provide, on request, a statement of the estimated proceeds from the planned fund raising campaign, including the total amount to be raised, the amount to be spent on fund raising expenses, and the amount to be spent on administrative expenses. The organization shall also provide, on request, a statement of the actual proceeds and expenditures from the campaign.
- 3. Soliciting organizations shall provide, on request, an annual report describing programs and activities.
- 4. Soliciting organizations shall provide, on request, an audited financial statement.

<u>Use of Funds</u>

- 1. For direct solicitations, at least 75% of the gross proceeds from the campaign should go towards the programs and activities described in solicitations.
- For special events/sales solicitations, at least 50% of the gross proceeds from the campaign should go towards the programs and activities described in the solicitations.

Solicitations and Informational Materials

- 1. Solicitations and informational materials, distributed by any means, shall be accurate, truthful and not misleading, both in whole and in part.
- Soliciting organizations shall substantiate, on request, that solicitations and informational materials, distributed by any means, are accurate, truthful and not misleading, both in whole and part.

Figure 3. Charitable Solicitations Standards.

- 3. Solicitations shall include a clear description of the programs and activities for which funds are requested.
- 4. Direct contact solicitations, including personal and telephone appeals shall identify:
 - a. The solicitor and his/her relationship to the benefitting organization,
 - b. The benefitting organization or cause, and
 - c. The programs and activities for which funds are requested.
- 5. Solicitations in conjunction with the sale of goods, services or admissions shall identify at the point of solicitation:
 - a. The benefitting organization,
 - A source from which written information is available, and
 - c. The actual or anticipated portion of the sales or admission price to benefit the charitable organization or cause.

Fund Raising

- 1. Soliciting organizations shall establish and exercise controls over fund raising activities conducted for their benefit, including commitment in writing of all fund raising agreements and contracts.
- 2. Fund raising shall be conducted without excessive pressure.
- 3. Fund raising activities shall comply with the state and local regulations relating to those activities.

Figure 3 Cont. Charitable Solicitations Standards.

- (3) Do not be pressured by sales techniques requiring hurried money commitments;
- (4) Avoid investments where the seller has little or no written information on the company;
- (5) Be wary of investments sold on the basis of rumors, tips, or "inside information";
- (6) Ask the seller for written information about the investment;
- (7) Get competent help;
- (8) Contact government agencies to find out if a company or individual is licensed;
- (9) Deal with established businesses;
- (10) When in doubt, wait.

(<u>Better Business Bureau Consumer Resource Book and</u> <u>Membership Roster</u>, 1985)

Advertising Review Program

Advertising review is an important program to the Better Business Bureau since its history is based on vigilance committees investigating cases of alleged advertising abuse. When those vigilance committees first started in 1912, they handled almost 100 cases by the end of that year. They had obtained voluntary changes in many claims which violated the earliest advertising codes (<u>Better</u> <u>Business Bureau Operations Manual</u>, 1985). Three basic

objectives of a Better Business Bureau review program were

set more than 70 years ago, and these components have remained constant. These basic objectives are: establishing standards for advertising; reviewing and investigating advertising for compliance with the standards; and working with advertisers to apply the standards and correct an claims not meeting them (<u>Better Business Bureau</u> <u>Operations Manual</u>, 1985). However, the objectives for the program have expanded to include the following:

- To help consumers make meaningful choices in the marketplace by eliminating misleading advertising, and encouraging informative and useful product information in advertising;
- (2) To prevent the repetition of untrue, deceptive or misleading advertising through effective and prompt action;
- (3) To provide guides for advertisers by working with industry representatives in developing voluntary advertising standards;
- (4) To build public confidence on advertisers, media, and advertising;
- (5) To assist advertisers in avoiding violations of law that might result in legal actions;
- (6) To help bridge the gap between consumer

expectations and business performance. (<u>Guide for Better Business Bureau Advertising</u> <u>Review</u>, 1974)

The basic question in the review of advertising is

whether the claim has the capacity to be misunderstood, to be misleading, or to be deceptive, none of which may be the intent of the advertiser. The primary responsibility for truthful advertising rests with the advertiser. They should be ready to substantiate any claims before they are published. The advertisers should use claims that advise consumers of the facts and qualities of a product which will help them make intelligent choices. The advertisers should also be aware that even though separate sentence may be considered true, an advertisement as a whole may be misleading. This can not only happen from direct statements but by omitting or obscuring the facts (<u>Better Business</u> <u>Bureau Operations Manual</u>, 1985).

There are several alternatives that the Bureau may use in handling questionable advertising claims. The first step that must always be initiated is to contact the firm's chief executive officer. If this does not succeed, then other steps may be implemented. Telephone correction is one way. The telephone is the fastest and easiest means for getting a correction. If this alternative is used, a letter should be drafted to formalize the agreed-upon correction. A conference with the advertiser may be another alternative. If the Bureau is getting little cooperation, they may schedule a meeting with top management. Some Bureaus use a "NIPI" notice, which stands for "Not in the Public Interest". These are distributed to the local media on

specific advertising claims that are deceptive or fraudulent and the advertiser is uncooperative. This notice states why the Bureau believes that the advertisement is not truthful. The media must make its own decision on whether on not to continue with the advertisements. When the abuses involve a national advertiser, the Bureau refers the claim to the National Advertising Division for further action.

The National Advertising Division of the Council of Better Business Bureaus reviews and investigates all complaints received on national advertisers. Most complaints are settled at this level by negotiating with the advertiser. However, if the National Advertising Division cannot resolve the problem, it is turned over to the National Advertising Review Board. The National Advertising Review Board was established in 1971 by four associations: The American Advertising Federation, The American Association of Advertising Agencies, The Association of National Advertisers, and The Council of Better Business This association's main objective is to sustain Bureaus. high standards of truth and accuracy in national advertising (Better Business Bureau Consumer Resource Book and Membership Roster, 1985). The National Advertising Review Board will appoint a five-member panel to review the problem. If the panel finds the complaint valid, the advertiser is asked to change his or her claims. If he or she refuses, the matter will be referred to an appropriate

governmental agency.

Cooperation With Other Agencies

The Better Business Bureau of Chicago and Northern Illinois works closely with other organization and agencies. Among them are the Secretary of State's Office, the State Attorney's Office, Attorney General's Office, and the Federal Trade Commission. A list of other agencies which provide consumers with information and assistance is found in Figure 4 (page 42,43). The Secretary of State's Office, headed by Jim Edgar, works with the Bureau in the areas of securities fraud, auto theft, titling alterations, and odometer rollbacks. The Securities Department regulates the offer and sale of all stocks, bonds, limited partnership interests and other securities within the state of Illinois. The department has two divisions: registration and enforcement. The registration department registers all securities prior to the offer and the sale. Dealers, salespeople, and investment advisors must be licensed through this division. The enforcement department investigates and resolves complaints regarding fraud committed against Illinois residents. One of the most important roles of this department is to protect investors from securities fraud.

The Illinois Secretary of State's Office is also fighting auto theft by working with the Midwest Task Force

Mayor's Office Inquiry/ who specialize in certain areas. Information Refers and connects people to appropriate city agency. **Building Department** 744-5000 121 N. LaSalle **General Information-**Chicago, IL 60602 State Of Illinois Office Hours of Governor's Office of Citizen Assistance are 8:30 a.m. -5:00 p.m. Monday through Friday. Chicago - 793-2754 Agriculture, Dept. Of Licenses pet shops, storage companies, refrigerated warehouses and dog hotels, not veterinarians. (217) 782-2172 American Medical Association 535 N. Dearborn St. Chicago, IL 60610 Answers medical billing questions, provides pamphlets. 645-5000 Attorney General's Consumer **Protection Division** 100 W. Randolph St., 12th Floor Chicago, IL 60601 Fraudulent sales practices. 917-3580 **Charitable Trust & Solicitations** Every charity must be registered to solicit. 917-2595 **Bankruptcy Court** 219 S. Dearborn Chicago, IL 60604 Provides information on pending cases over the telephone - must have case number. One can write or appear in person to secure case number. 435-5550 **Bar Association** 29 S. LaSalle St. **Credit Information** Chicago, 1L 60603 444 N. Michigan Will provide names of attorney Chicago, IL 60611

Complaints on structural housing conditions. Room 803 for complaints. 744-3420 **Commerce** Commission 160 N. LaSalle Chicago, IL 60601 Licenses interstate movers, towing companies & utilities, electric, gas, water, etc. 793-2887 **Commissioner of Banks** 310 S. Michigan, Room 2130 Chicago, IL 60604 State regulation of banks. 793-2043 **Commissioner** of Banks 233 S. Wacker Drive, Room 5750 Chicago, IL 60606 Federal regulation of banks 353-0300 **Consumer Product** Safety Commission 230 S. Dearborn Chicago, IL 60604 Complaints on unsafe products and toys. 353-8260 Consumer Sales, Chicago Dept. of 121 N. LaSalle Chicago, IL 60602 Checks scales, pumps, meters in Chicago, taxicabs, food & restaurant 744-4091

782-7348

(referral service) 332-1111

Obtain your own record for a small fee. 645-6000 **Direct Mail Marketing Assoc.** 6 Fast 43rd St New York, N.Y. 10017 To stop junk mail. **Employment Division**/ Illinois Dept. of Labor 910 S. Michigan Ave. Chicago, 11, 60605 Information on licensed employment agencies. 793-3500 Equal Employment Opportunity 536 S. Clark St. Chicago, IL 60605 Discrimination complaints with regard to employment: age, race, religion, origin, sex and equal pay. 353-2713 Fair Housing Commission 318 S. Michigan Chicago, IL 60604 Discrimination in housing. Complaints on housing, the rights of tenants and landlords. 922-7925 Federal Trade Commission 55 E Monroe Chicago, IL 60603 Fraudulent advertising & selling. 353-4423 **Financial Institution** Department 160 N. LaSalle Chicago, IL 60601 Licenses loan & finance companies, currency exchanges and credit unions.

793-2000

Other Agencies for Information Figure 4. and Assistance

Food & Drug Administration 433 W. Van Buren St. Chicago, IL 60607

Food additives/drugs and related matters. 353-5863

Funeral Directors Assoc. 9318 S. Kedzie Ave. Evergreen Park, IL 60642

Information regarding funeral Industry. 423-6570

423-0570

Health, Department of 1000E. Ohio Chicago, IL 60611 Licenses and inspects all food establishments. 744-8556 Housing, Department of

130 E. Kandolph Chicago, IL 60601 Discrimination in housing. 565-5200

Human Relations 510 Peshtigo Court Chicago, IL 60611 Deals in discrimination of all types including alcoholics, handicapped. 744-4111

Illinois Attorneys Disciplinary Action Commission 203 N, Wabash Ave. Chicago, IL 60601 Complaints against attorneys. 346-0690 Insurance Department

160 N. LaSalle St. Chicago, IL 60601 Information on insurance companies. 793-2427

Interstate Commerce Commission 219 S. Dearborn Street Chicago, IL 60604 Licenses interstate truckers, buses and movers. 353-6204

Figure 4 Cont.

910 S. Michigan Ave. Chicago, IL 60605 Complaints on minimum wage and overtime. 793.2804 Labor, State Department of 910 S. Michigan Ave. Chicago, IL 60605 Unpaid wages, vacation pay, employer/employee relations. checks that bounce, wage disputes. 793-2808 Legal Aid Bureau 14 East Jackson Blvd. Chicago, IL 60604 Answers legal questions and assists low income people. 922-5625 **Occupational Safety & Health Administration - OSHA** 230 S. Dearborn St. Chicago, IL 60604 Unsafe working conditions. 353-2220 **Postal Inspector** 433 W. Van Buren St. Chicago, IL 60607 Unsolicited pornographic mailings and mail fraud. 886-2820 Public Instruction 188 W. Randolph St. Chicago, IL 60601 Licensing of private businesses and vocational schools.

Labor Law Enforcement

793-2220 Registration & Education 17 N. State Street Chicago, IL 60602 (All contacts with agency should be written.) Licenses: architects, barbers, beauty culturists, collection agenc-

ies, dentists, embalmers, funeral directors, doctors, chiropractors, nurses, nursing homes, optometrists, podiatrists, psychologists, public accountants, veterinarians.

Revenue Department 160 N. LaSalle St. Chicago, IL 60601 information on sales tax, state tax, and income tax. 641-2150 · (Sales Tax) 793-3196 Savings & Loan **Commissioner's Office** 160 N. LaSalle St. Chicago, IL 60601 Regulates state mortgage companies. 793-2030 Secretary of State 100 W, Randolph St. Chicago, IL 60601 **Corporate Division - determine if** a company is incorporated in IIlinois. May know if a company has gone out of business. 793-3380 Securities & Exchange Commission 219 S. Dearborn St. Chicago, IL 60604 Information on stock brokers and investment companies. 353-7390 **Small Business Administration** 230 S. Dearborn St. - Suite 510 Chicago, IL 60604 Information on starting a business. 353-3336 Small Claims Court **Civic Center** Under \$500 - 443-4725 or 443-4856 Over \$500 - 443-5145 or 443-5147 Social Security & **Medicare Administration**

Medicare Administration 175 W. Jackson Blvd. Chicago, IL 60602 Information on Social Security and Medicare.

725-8838

Other Agencies for Information and Assistance and the Bi-State auto theft unit. The Bi-State unit combats interstate auto theft by organized crime in Illinois and Indiana. The unit arrested 36 major crime figures in auto theft rings and recovered over one half million dollars in stolen cars and parts in its first year of operation (<u>Better</u> <u>Business Bureau Consumer Resource Book and Membership</u> <u>Roster</u>, 1985).

The office issues 3.5 million automobile titles a year. Records are carefully maintained for all vehicle registered in Illinois with a special computer system. This computer system is linked to the National Crime Center and Law Enforcement agencies Data System and can check if a vehicle has been reported stolen. Also, the computer system can find a discrepancy during the transfer of a title, such as lower mileage than previously reported.

The State Attorney's Office Consumer Fraud Unit works closely with the Bureau in supplying consumers with the information they need to avoid being cheated. The State Attorney's biggest concern for consumers are the con artists and the shady operators. The office investigates deceptive trade practices and seeks remedies in the civil, as well as criminal courts. They try to stop cases of false advertising, unlicensed lawyers and doctors, repairmen who do not perform the work for which they were hired, and other forms of consumer fraud.

The enforcement of the Consumer Fraud Act is the

responsibility of the Consumer Protection Division of the Attorney General's Office. This division receives more than 20,000 written complaints and thousands of telephone inquiries every year. These complaints are handled by 19 regional offices throughout the state. Most of the complaints are resolved by the non-attorney consumer advocates which comprise the staff. That tactic, along with the litigation by the office's attorneys has saved consumers over one million dollars in the last two years. It also has collected \$450,000 from those found guilty of defrauding consumers (<u>Better Business Bureau Consumer Resource Book and</u> Membership Roster, 1985).

Yet another agency that the Bureau cooperates with is the Federal Trade Commission. The Commission's goal is to ensure that the marketplace is honest and competitive. The agency focuses on deceptive advertising, unfair credit practices, and harmful marketing practices. The regional office in Chicago serves Illinois and six other Midwestern states. It is responsible for investigation and prosecuting antitrust violations, which involves unfair methods of competition and other activities that lessen competition. When the Federal Trade Commission feels the law is being violated, it can do the following: investigate the alleged violation; attempt to obtain voluntary compliance with the law by entering into a consent agreement with the company; and if voluntary compliance cannot be achieved, it may take

legal action against an individual or company (<u>Better</u> <u>Business Bureau Consumer Resource Book and Membership</u> <u>Roster</u>, 1985).

Summary

The Better Business Bureau of Chicago and Northern Illinois, which was founded in 1926, achieves its purposes through the three divisions: Consumer; Operations; and Automotive. Several programs and services help in achieving these goals: Junior Achievement Program; Tel-Tips; Inquiry Center; Solicitations Control Program; Investor Alert; and Advertising Review Program. The Bureau can not, however, aid consumers single-handedly. With the support of other local agencies, the Chicago Bureau can help consumers everyday.

CHAPTER III

The Automotive Division

Introduction

The Automotive Division is built on one important function of the Better Business Bureau: to help resolve complaints consumers might have with a firm, including a final step of binding arbitration in most areas. This division is responsible for all complaints involving automobile manufacturers, car dealerships, and repair shops, except automobile insurance. It also handles all arbitration hearings within the Bureau. These complaints are divided between the two departments within the Automotive Division. These two departments are the mediation and arbitration departments. Within the mediation department, there are two areas. One deals strictly with complaints involving car dealerships and repair shops. The other is involveed in mediating settlements with the automobile manufacturers who are enrolled in the Auto Line Program. The arbitration department handles all arbitration hearings. Most of the hearings, however, are automobile related.

In 1986, a total of 7680 automobile complaints were

processed. This was a 28 percent jump from the previous year. Of these complaints, 88 percent were settled to the consumer's satisfaction. This was due to the Bureau's successful mediation efforts. There also was an increase in the number of arbitration hearings. During the year, 584 hearings were held. This includes non-automotive cases, but of the total, 97 percent were automotive related.

Auto Line Program

The National Consumer Arbitration Program consists of a mediation/arbitration program that many manufacturers are including in their warranties. The Better Business Bureau's Auto Line Program, a type of non-binding arbitration, is such a program. Auto Line is an out-of-court forum which settles disputes between consumers and certain automobile manufacturers. The program is available at no cost to the consumer, since the manufacturers must pay for the service. By writing this program into their warranties, the manufacturers have pledged in advance to arbitrate complaints about their products and repairs if mediation efforts fail. Since this program is written into the warranty, many times car owners are required to use the Auto Line process before being able to take the dispute to court. This program must operate according to federal guidelines issued by the Federal Trade Commission. Therefore, the complaints must be handled automatically and quickly. The

Auto Line Program is currently being used by all General Motors Divisions, American Motors, Honda, Volkswagen, Nissan, Porsche, Audi, Renault, and SAAB (<u>Better Business</u> <u>Bureau Consumer Resource Book and Membership Roster</u>, 1985). The Chrysler Corporation and Ford Motor Company have set up their own appeals boards for those customers who are having difficulties with their vehicles.

There are certain limitations, however, to the Auto Line Program. Disputes involving the loss of wages, depreciation or loss of value, replacement transportation, or any other incidental or consequential damages may not be arbitrated. Also, any claims which exceed the purchase price or repair price may not be subject to a hearing. An owner cannot arbitrate any claims involving a car or truck which has been sold, except in certain instances. Finally, all disputes involving insurance claims, punitive damages, mental anguish or personal injury are beyond the authority of the Auto Line Program. These types of issues should be decided in a court of law (<u>Auto Line: Modified Rules for</u> the Arbitration of Automobile Dispute, 1984).

The Better Business Bureau's main role in the program is to serve as an administrator. The Bureau staff handles all of the necessary paperwork, schedules the hearings, and serves as an intermediary between the two parties and the arbitrator. However, there are certain restrictions in the Bureau's role. They are not permitted to take an active

role in the hearing or to make comments about the dispute. Procedural questions can be answered by the staff, but only in an advisory capacity.

There are several basic principles of the Auto Line Program:

- The Better Business Bureau staff seeks a mediated resolution of the dispute;
- Arbitration is offered when all informal efforts to resolve the dispute have failed;
- A pool of trained volunteers is available to make the final decision;
- Consumers may choose to have their case presented in person, by telephone, or in writing;
- 5) All hearings are private and do not have formal rules;
- An on-site inspection of the vehicle by a technical expert is available;
- Consumers have the right to pursue other remedies if they do not accept the arbitrator's decision;
- The program is consistent with state and federal law;
- 9) The entire process must be completed in 40 days from the time all the information is received. (<u>Auto Line Policies and Procedures</u>, 1985)

Types of Cases

The final principle, the time in which a complaint must be processed, depends on the type of complaint involved. The Auto Line Program processes three different types of consumer cases: "703" cases; regular cases; and General Motors/ Federal Trade Commission Consent Order cases. Top priority is given to the 703 cases. For a complaint to be considered a 703 case, Auto Line must be written into the consumer's vehicle warranty and the complaint must still be within the warranty coverage (<u>Auto Line Policies and</u> <u>Procedures</u>, 1985). True 703 cases must be handled within forty days. The time limit is increased to forty-seven days if the consumer has not contacted the manufacturer about the complaint. These time limits must be met to adhere to the strict federal regulation guidelines.

There are two theories behind the 40/47 day time limit. One theory is that consumers are required to defer their constitutional rights to sue in court by going through the Auto Line Program. These rights should be deferred for the shortest time possible. Another theory suggests that the consumer's right to go to court should not be jeopardized by running too far into the statute of limitations. This could terminate the right to sue in court (<u>Auto Line Policies and</u> <u>Procedures</u>, 1985).

The forty-day clock begins ticking (Figure 5, page 53)

when the Bureau receives the necessary information to begin processing the complaint. The necessary information refers to the following: the customer's name, address, and telephone number; the make, model, year, exact mileage, and time of delivery of the vehicle; the vehicle identification number; and a statement of the complaint (<u>A National Program</u> of <u>Mediation/Arbitration for Automotive Disputes</u>, 1987). Not only is this information necessary to start the process, but it also determines whether the complaint is classified as a 703 case. If the time limit exceeds forty days, the consumer is free to drop out of the process and go to court. The consumer may also elect to continue with the program.

The second type of complaint is the non-703, or regular case. This case occurs when the two conditions of the 703 case are not met. This includes complaints involving vehicles which are out of warranty and do not specifically mention Auto Line. These cases have a longer time line (Figure 6, page 54), usually 60 days, because the manufacturer has not pledged to arbitrate these complaints, excepts for a few companies. Depending on the type of problem, the manufacturer may refuse to deal with these types of cases.

The final type of complaint is the General Motors/ Federal Trade Commission Consent Order case. This case deals with the Consent Order General Motors signed with the Federal Trade Commission in November, 1983. This Consent

DAY 1

STEP #1 Automotive Case Record returned by consumer

STEP #2 Automotive Case Record sent to zone

DAY 10

STEP #3 Automotive Case Record returned by zone

STEP #4 Agreements to Arbitrate and Arbitrator lists sent to consumer and zone

DAY 18

STEP #5 Agreement to Arbitrate and Arbitrator lists returned by consumer and zone

> STEP #6 Send Notice of Hearing

> > DAY 30

.

STEP #7 Hold hearing

DAY 40

STEP #8 Send out decision

Figure 5. Time Limit for 703 Cases

DAY 1

STEP #1 Automotive Case Record returned by the consumer

> STEP #2 Automotive Case Record sent to zone

DAY 20

STEP #3 Automotive Case Record returned by zone

STEP #4 Agreements to Arbitrate and Arbitrator lists sent to zone and consumer

DAY 30

STEP #5 Agreement to Arbitrate and Arbitrator list returned by consumer and zone

STEP #6 Choose Arbitrator and begin to set up hearing

DAY 35

STEP #7 Send Notice of Hearing

DAY 50

STEP #8 Hold hearing

DAY 60

STEP #9 Send out decision

Figure 6. Time Line for Regular Cases

Order involves three specified components: THM 200 automatic transmissions manufactured from 1976 through April 26, 1983; camshaft or lifters in 305 or 350 V-8 engines produced from 1974 through April 26, 1983; and fuel injection pumps or fuel injectors in 350 CID diesel engines produced through April 26, 1983 (Auto Line Policies and Procedures, 1985). The Consent Order does not guarantee any automatic payments of repairs, but it does require that all eligible consumers have an opportunity to present their claims. Consumers do not have to presently own the vehicle to receive payment, but they must establish a problem with one of the components and prove any repair costs. A qualifying owner may receive compensation for up to ninety percent of the cost of repairs that occurred during the first 24000 miles. Eighty percent may be awarded to those who experienced repairs after 24000 but before 36000 miles, and sixty percent for repairs after 36000 miles but before 50000 miles. The Bureau's program only deals with those cases that occurred after 50000 miles. All other cases under 50000 miles will be forwarded to the settlement administrator, who reimburses the consumers.

Mediation

The first step that the consumer should attempt if having a problem is to speak with the dealership or the manufacturer's representative. If this fails, the consumer

should then file a complaint with the Better Business Bureau. The Bureau will get the facts from both the consumer and manufacturer. The mediation process is the first stage in the handling of the complaint. The mediation stage is an important one because it brings the manufacturer and consumer together. Often the intervention by a third party can help obtain a satisfactory settlement.

The mediation process is done by telephoning back and forth between the consumer and manufacturer. If the Better Business Bureau is successful in mediating a settlement, the consumer should be sure that he or she is completely satisfied. The consumer should be happy not only with the settlement, but also with the time allowed for the performance of repairs. The date of performance should be announced to the Bureau, so that they may verify the adjustment with the consumer within two weeks of the time promised. If the Bureau is not successful or if the prospects of success are not good, the case will then be forwarded to the arbitration department. The consumer may feel it is useless for the Better Business Bureau to continue with its mediation efforts. If this occurs at any time during the process, the consumer may notify the mediation department and the case will be sent to arbitration.

Arbitration

Arbitration is a service provided and administered by the Better Business Bureau. It is a process in which two or more parties agree to let an impartial person or panel decide their dispute. The National Consumer Arbitration Program of the Council of Better Business Bureaus has been established in more than 150 major cities. The Better Business Bureau administers two types of arbitration programs: binding and non-binding. In the binding program, both the consumer and the business give up their right to go to court. They agree to have the arbitrator make the final decision in the dispute. In the non-binding program, a consumer has the option of rejecting the arbitrator's decision and pursuing the matter through court. This type of program is used to settle warranty disputes (<u>Arbitrator</u> <u>Training Course</u>, 1987).

Thousands of disputes are being arbitrated each year by the many volunteer arbitrators. Arbitrators are the individuals who are selected to conduct the arbitration hearing and make the final decision in the dispute. Thousands of volunteers from all fields serve as arbitrators. These volunteers include professionals, educators, retirees, lawyers, and homemakers. The arbitrators are not employed by the Better Business Bureau, but the Bureau does provide an eight hour training session.

These people do not get paid for their services, but perform their duties as a public service. At the present time, the Chicago Better Business Bureau has a pool of 350 volunteer arbitrators (<u>Arbitrator's Newsletter</u>, 1987).

There are several advantages to arbitration. First of all, the proceedings offer both parties an option to the court system. The hearings, though, do not require legal counsel, which saves both time and money to both parties. Legal counsel may be used if a party desires, but they must report their intent to the Bureau before the hearing. The Bureau then informs the other party of this, which gives him or her the opportunity to also obtain legal counsel. The proceedings are private and speedy, usually taking less than two hours. The hearing also gives the consumer and the company the opportunity to present their position to an impartial third party. Finally, the arbitration hearing is held at a time and place which is convenient for all parties.

Business and government have recognized the worth of this dispute resolution system. Warren E. Burger, Chief Justice of the United States Supreme Court, endorsed programs like the National Consumer Arbitration Program by saying:

The notion that most people want black-robed judges, well dressed lawyers and fine paneled courtrooms as the setting to resolve their disputes is not correct.

People with problems, like people with pains, want relief, and they want it as quickly and inexpensively as possible. The harsh truth is that if we do not devise substitutes for the courtroom process, and do not do it rather quickly, we may well be on our way to a society overrun by lawyers.

(<u>Auto Line: A National Program of</u> <u>Mediation/Arbitration for Automotive Disputes</u>, 1987)

Arbitration Stages

When the Bureau's mediation efforts fail, the complaint is turned over to the arbitration process. There are three stages to the arbitration process: the pre-hearing procedures; the hearing procedures; and the reasoning and decision. The pre-hearing stage entails three procedures (Figure 7, page 60): the agreement to arbitrate; the selection of the arbitrator; and the selection of a hearing date and location. The agreement to arbitrate (Appendix C, page 115) is drawn up by the Better Business Bureau. The document describes the nature of the dispute, sets the parameters of the dispute, and defines the arbitrator's authority. The agreement must be signed by both the manufacturer and the consumer.

Choosing the arbitrator is the second step in the prehearing procedures. State law and Bureau policies may affect the way in which an arbitrator is chosen. One way to

The customer requests arbitration or the zone fails to respond to the claim. The BBB drafts an arbitration agreement and prepares a list of arbitrators. The BBB sends the agreement, list and date preference form to both the customer and zone. The BBB receives the agreement, list and date preference information from the customer and zone. The BBB matches zone and customer arbitrator choices to choose the most mutually acceptable arbitrator. Dates available for both the customer and zone to attend a hearing are also reviewed. The BBB sets a mutually acceptable date for the hearing and sends a Notice of Hearing. The customer and zone may be called with this information to finalize the date prior to sending the notice. The BBB calls all parties the day before the hearing to remind them of the hearing date. HEARING HELD

Figure 7. Arbitration Pre-Hearing Steps

choose an arbitrator is to prepare a list of arbitrator names. This list is sent to the manufacturer and consumer along with the agreement to arbitrate. A brief biography of each arbitrator is also enclosed. Each party is asked to cross off any people with whom they may have any kind of relationship, either business, financial, or social. Next, each party prioritizes the remaining names. The highest overlapping priority of both parties usually becomes the arbitrator. When the arbitration staff receives the choices, they match the representative's and the consumer's choices to find a mutually acceptable arbitrator. The final step is to set the hearing date and location. By reviewing the dates preferred by both parties, the staff calls the arbitrator to determine when he or she is available. A mutually acceptable date for the hearing is established and a "notice of hearing/ inspection" document is sent (Appendix C, page 117). This document lists the specific date, time, and place of the hearing, the arbitrator's name, along with any final instructions.

After the pre-hearing procedures have been accomplished, the hearing procedures take place. The arbitrator plays an important role in this stage. He or she must remain a neutral decider in the dispute. If he or she is not neutral, the credibility of the program will be affected. The arbitrator must also maintain order, conduct the hearing according to the rules, and get enough

information to render a decision. There are nine specific steps to the hearing process: introduction; reading of the agreement to arbitrate; signing the arbitrator's oath and oaths of witness; presentation of the case; questions by the arbitrator; questions by the parties; inspection of the vehicle; use of technical advisors; and closing statements from the parties (<u>Arbitrator's Training Course</u>, 1987).

The first step, the introduction, consists of the arbitrator introducing himself to both parties. The arbitrator then introduces the parties to one another. It is important that the arbitrator remains isolated from both parties until the introductions are made. In this way, the arbitrator's neutrality is preserved. The procedures should then be explained to both parties. The next step involves the swearing in of all parties, including the arbitrator. The arbitrator's oath (Appendix C, page 118) and the oath of witness (Appendix C, page 119) are reviewed and then signed. These documents and procedures may vary from state to state.

The third step is the reading of the agreement to arbitrate. This is done to make sure that the information is correct and to ensure that both parties agree on the issues to be discussed. Issues not included in the original agreement can be added, but only if both parties agree. The additions should be amended to the agreement and must be initialed by both parties. The presentation of the case follows. Each side makes an opening statement on his or her

position. Then the first party, usually the consumer, presents his or her case. Each party may present whatever evidence or witnesses they think will help them prove their point. After the first party finishes presenting evidence, the other party presents its proof.

After all evidence and testimony has been heard, the arbitrator may ask either party any questions that may clarify the issues. Also, both parties may ask questions of one another. On occasion, the parties may begin to talk and act as if they are willing to settle the case themselves. If this happens, the arbitrator must leave and give the parties the chance to settle the dispute. If the parties do reach a settlement, the arbitrator can then write their decision as a formal decision. If the parties decide they cannot settle their differences, the arbitrator should continue with the hearing.

The seventh and eighth steps go together. If either party asks the arbitrator to inspect the vehicle, he or she must do so. Inspection is automatic in repurchase or buyback situations. An inspection can be held before, during, or after the hearing. The arbitrator must take care to observe his or her neutrality during the inspection. An arbitrator should never talk to one party without the presence of the other. Also, if a road test it taken, both sides should be present. If the automobile is a two-seater, the arbitrator should take the road test alone. Technical

advisors may be present if the arbitrator does not feel qualified to make an inspection. The Better Business Bureau will arrange for an advisor.

The final step of the hearing process is to hear closing statements. Each party concludes their case by giving a quick synopsis and a desirable decision. If all the evidence has been presented, the arbitrator may close the case. The arbitrator tells the parties that the decision will be issued in ten calendar days. A decision is never given orally at the end of the hearing.

The final stage in the arbitration process is the decision and the reasoning for it. Once the hearing is concluded, the arbitrator is given ten calendar days in which to reach his or her conclusion. The decision must provide clear directions to both parties and tell them what their responsibilities are. The arbitrator should state who is responsible for what, when and where the car must be made available, and why the decision was made. A decision document (Appendix C, page 120) and a reasons for decision document (Appendix C, page 121) must be filled out by the arbitrator and submitted to the Bureau for review. The Bureau checks both documents to make sure they are factually correct, they stay within the limit of the agreement to arbitrate, are clear and concise, and are free of any libelous language. Arbitrators can issue two types of decisions: interim and final. An interim decision is used

when the case involves the awarding of repairs. If the repairs are successful and the case can be concluded, the interim decision becomes the final decision. If the decision is absolute, then a final decision should be issued.

There are four types of settlements that are used in Auto Line cases: refusal; reimbursement; repairs; or repurchase. The refusal decision occurs when the arbitrator denies the consumer of what he or she sought. Two elements that are vital in this decision are the statements of what is being denied and who is being released from responsibility. The decision must specifically state what is being denied, whether it be reimbursement, repurshase or repairs.

In a reimbursement decision, four elements must be stated. The first is which party must pay the reimbursement. Secondly, an exact dollar amount of the reimbursement must be stated. A statement of when the money must be paid to the party should be included. Finally, what the reimbursement is for should be added. This may range from transmission replacement to engine repair.

Four elements should be included in a repair decision. The items that are to be repaired or replaced should be listed. Also, the place where the repairs are to be performed should be specified. This may name a specific dealership or may be chosen by either the customer or the

manufacturer. The number of days after the decision the repairs should be completed is yet another element to the repair decision. Finally, the party who is responsible for payment of the repairs must be identified.

A repurchase decision also has four elements. One such element is the repurchase price that will be awarded. In a repurchase decision, an arbitrator must deduct for age, mileage, or condition of the vehicle. The intent for these deductions is to find a current, fair market value for the vehicle. Another element which is critical is the statement of when the repurchase will take place. Many consumers are anxious to know when this will occur. The location of where the transaction will take place must also be established by the arbitrator. The arbitrator must also note that the manufacturer will contact the consumer to arrange the transaction. The decision should include any customer obligations, such as providing the title and delivering the vehicle in a condition similar to the condition it was in at the time of the hearing.

After the arbitrator has presented the decision to the Bureau, and it has been reviewed by the Bureau, a copy of the decision, the reasons of the decision, and an acceptance or rejection of decision document (Appendix C, page 122) are sent to the consumer. The manufacturer receives a copy of the decision and the reasons for it. The consumer's options and consequences of those options are listed on the

document. If the consumer accepts the decision, the manufacturer is legally bound by it. If the decision is rejected, the consumer may pursue other legal courses of action. In the rejection option, the manufacturer is not obligated to do anything. The consumer should be aware that if he or she rejects the settlement and decides to take legal action, the decision can be introduced as evidence in court. The acceptance or rejection of a decision must be returned to the Bureau within 14 days, or it will be presumed rejected. The manufacturer is then notified of the consumer's acceptance or rejection.

On occasion, either party may ask the Bureau to request the arbitrator to modify, clarify, or correct the final decision. Under the Bureaus' rules, an award may be changed if it is impossible to perform. An award containing a mistake of fact or a miscalculation of figures can easily be corrected. A mistake of fact includes a transcription error or the inclusion of a wrong date. A miscalculation of figures refers to an arithmetic error. Changes in a decision because an individual is not happy with it or wants to reargue the case are not permitted.

Summary

The Better Business Bureau's Auto Line program has grown tremendously since its beginnings. It included many of the major automobile manufacturers. The program's

success is due to the dedication and commitment of the volunteer arbitrators. This success can be seen through the results of a 1985 Better Business Bureau consumer survey of participants in the Auto Line Program. The study found that more than nine out of every ten consumers surveyed said they would use the program again. This survey also included those who had lost their cases. Of these consumers, eight out of ten said they thought the arbitrators were fair and impartial. Therefore, the study shows that one of the most important public services that the Better Business Bureau offers is working effectively.

CHAPTER IV

THE INTERNSHIP EXPERIENCE

Objectives

Several general objectives were developed before the internship as a guide for activities. These objectives were:

- To gain an understanding of the scope of the Better Business Bureau and its activities;
- (2) To learn about the responsibilities of the Council of Better Business Bureaus;
- (3) To gain an understanding of how the BetterBusiness Bureau and businesses work together;
- (4) To become familiar with the mediation and arbitration processes. To learn how complaints are handled;
- (5) To become familiar with other agencies that handle consumer complaints;
- (6) To come in contact with professionals in the consumer area;
- (7) To gain experience in dealing with consumers on a one-to-one basis.

This list of objectives was discussed with Mr. James

Baumhart, Executive Vice President, and Mr. Edward Przylucki, Director of Automotive Services before the internship began. The objectives were coordinated with the Bureau's needs and included an introduction to the different areas of service.

The first objective was important because it set the foundation of a Better Business Bureau. In understanding the scope of the Bureau and its activities, I was able to connect the past with the present. The vigilance committees had a specific goal of eliminating abuses and creating advertising codes and standards. Today's Bureaus have continued to pursue this goal. They have, however, expanded on the goal and included other activities and services that may help eliminate problems.

The second objective involved learning about the Council of Better Business Bureaus. I felt this was an important area because the Council plays a vital role with member Bureaus. As the national voice for the Bureau system, the Council coordinates all activities. This coordination is important to the reputation of the system. Without guidelines and regulations, the Bureau system would not work and its reputation among consumers and businesses would be affected.

One aspect which is vital to a Bureau's survival is its relationship with local businesses. This is why it is important to understand how the Chicago Bureau and

businesses worked together. Since the Bureau is an independent non-profit corporation, it relies on responsible businesses and professional firms for financial help. Without a good relationship between the two, the Bureau would not able to achieve its goals. The business climate would be affected and self regulation would not work.

One of the Bureau's functions is to help resolve complaints, which includes a final step of arbitration if necessary. This function is one of the most important functions of the Chicago Bureau. In 1986, the Bureau closed an estimated 18,100 complaints, and completed 584 arbitration hearings. These processed, therefore, are an intrical part of the Bureau's activities and should be understood by everyone.

The fifth objective was to become familiar with other agencies that handle consumer complaints. Many of these agencies offer legal advice or perform legal services, which the Better Business Bureau does not do. A consumer affairs professional should be able to recognize which agency, either governmental or non-governmental, may be able to help a consumer. Interaction between these agencies maintains a high level of protection for consumers.

Professionals in the consumer affairs area are directly involved with issues as they emerge. It is important to gain another perspective on the area and its issues, rather than being limited to classroom experiences. By interacting

with these professionals, recent trends and problems can be detected.

The final objective, to gain experience in dealing with consumers, was important to my individual growth. My experience in dealing with problems was limited. I felt that through this type of experience my base of consumer affairs knowledge would be enhanced. Communication skills must be developed for all types of situations. Since no two situations are the same, it is important to be versatile and flexible.

Significant Responsibilities

For the major portion of the internship, I worked in the Automotive Division. This included working in both the mediation and arbitration departments. One major responsibility was the handling of complaints. This is very important because the Division's purpose is to settle complaints between the consumer and the dealer/manufacturer. The complaint process starts with the consumer letting the Better Business Bureau know of their problem. This could be done either by telephone or by mail. From this initial contact, I had to determine whether the Bureau could handle the case. If it was not possible, I informed the customer and suggested who may be able to help. If the case could be handled by the Bureau, I proceeded to obtain the necessary information.

After receiving the necessary information, I sent it to the manufacturer. When the decision of the manufacturer was received, I informed the consumer, either by mail or by telephone. Very often the consumer had not heard of the decision from the manufacturer. They would then call the Bureau for this information. I discussed the case and the decision with the consumer. During this time, the consumer decided whether the decision was satisfactory. If it was, the case could be closed. If it was not, the consumer could either opt to arbitrate the case, drop the case, or use other means.

If the consumer decided to arbitrate the case, I sent the file to the arbitration department. If the customer was not satisfied but did not want to arbitrate, I sent the file to the assistant manager of the mediation department. She would then try to mediate another decision between the two parties. If the case was dropped, it could be closed. It was my responsibility to close these cases and to send the information to the Council.

At the arbitration stage, I helped set up the hearing between the consumer, manufacturer, and arbitrator. It was also my responsibility to confirm the arbitrator's and consumer's presence at the hearing. The manufacturer does not have to be contacted since it is mandatory that they attend.

Another portion of internship was spent in the Inquiry

Center. As an operator, I answered inquiry calls. The consumers that called would inform me of the company's name and I would type it into the computer. If a file existed, it would come up on the screen. I then would let the customer know the company's address, date of operation, and its membership status within the Bureau. I would then read the report from the screen to the customer and answer any questions they may have. If a file did not exist, I would inform the customer and suggest another agency which may have some information. Customers were limited to two companies per phone call since there was such a great demand. After the call, I had to keep a tally of each company. I also had to keep a list of companies that did not have files.

Another responsibility was answering complaint calls in the Operations Division. The complaint line handles all problems other than automotive related complaints. I asked the consumer about the problem and decided whether the Bureau could help. If the Bureau could, then a complaint form was sent. If the Bureau could not help, a phone number of a contact person at the company or a phone number of the appropriate governmental agency was given to the customer.

I was also involved in several projects. One of the projects was an arbitration hearing. I was allowed to take part as an observer of an actual hearing. I was allowed to listen to both sides of the case and could take notes. I

was, however, not allowed to ask any questions or to make any comments. After the hearing, I had to fill out the appropriate forms and to write a decision and my reasons for that decision. I then compared my decision with that of the arbitrator's. The decision was similar, but there were a few points that were different. My decision and the reasons for the decision are found in Appendix D (page 129).

Another project that I worked on involved the recruitment of volunteer arbitrators. The first step I took in this project was to talk to the Bureau staff about any ideas they may have had in regard to the recruitment. I also asked them if they knew of any organizations that may be willing to help in the process.

After receiving this input, I made a list of possible contacts. The next step was to put together some information that could be distributed to those interested in the program. This information was incorporated in a fact sheet. I also wrote a press release which could be used on radio or in a newspaper (Appendix C, page 123).

After completing the initial work, I then proceeded to contact the organizations on the list. I asked them if they would be willing to help in our promotional efforts by including a piece in their newsletter or by posting a sign on their bulletin board. I received a favorable response from everyone, including the Chicago SOCAP chapter, several retirement communities, and one university. The work I had

started on this project was continued after I left.

While completing my internship, I also had the opportunity to attend several seminars and meetings. The first seminar I attended was an arbitrator's training session. The seminar ran all day and involved about forty people. The session was led by a Council member and the Director of Automotive Services. In the morning, the arbitrators were informed of the various rules of the program, their role within the program, and the Bureau's role. A film was shown that explained the right and wrong ways to preside over a hearing. A discussion of the film followed. There was a question and answer session over the morning's information.

After the lunch break, the arbitrators had a session dealing with the documents involved in arbitration. This included an introduction of the documents, the elements required in each document, and a practice case. The practice case involved the writing of a fictional decision and reasons for the decision.

Another meeting that I attended was the Board of Director's meeting. These meetings take place twice a year. I helped greet the members and find their name tags. During the luncheon, I listened to the opening remarks, the reading of the minutes, the treasurer's report, the operations report and related administrative matters, and any new business. Mr. Nathanson, the treasurer,

discussed the financial statements which were given to the members. Mr. Lind, President of the Better Business Bureau of Chicago, discussed the operation of the Bureau this year compared to last year. He commented on the companies that had the most inquiry activities. Mr. Lind also introduced me to the members.

I also attended the July meeting of the Society of Consumer Affairs Professionals in Business. During the luncheon, Ms. Juanita Mitchell of Volvo and Ms. Trina Mohrbacher of Spiegel, spoke about "How to Improve Productivity in Customer Service". Following the presentations, Ms. Mohrbacher had arranged for a tour of Spiegel's Customer Service Department. This experience was very interesting because it gave me the chance to talk with those in the consumer affairs' area, as well as see the customer service operation of one of the largest catalog retailers.

Observations and Comments

My internship experience at the Better Business Bureau of Chicago and Northern Illinois has been an excellent professional learning activity. I was able to learn and become involved in all facets of the Bureau's services and activities.

I was impressed with all of the community programs that the Bureau is involved in and helps sponsor. The Junior

Achievement Program, the Small Business Conference and Exposition, and the Consumer Education Fair are just a few. Many of these community programs are unique to the Chicago Bureau. They are unique in that the Chicago Bureau is the only one that has a Consumer Division. This division usually sponsors these activities.

The Bureau's Consumer Resource Book and Membership Roster is another unique project. This book gives consumers vital information and list those companies who are members of the Chicago Bureau. This book is free of charge to all consumers and is being updated for all areas of the city.

The staff at the Bureau are professional and experienced. They were very helpful during my internship experience. Without their help and comments, my experiences would not have been so rewarding. Their concern and patience will always be appreciated.

Summary

At the beginning of my internship, I did not know what to expect from the situation. As I learned more about the activities and services the Bureau provides, I better understood what a vital part the Bureau plays in the economy and community. The founders of the Better Business Bureau, the vigilance committees, felt that there was a need for this type of organization. Through my experiences I have realized that this type of organization is needed now, just

as it was needed in 1926. My experiences at the Better Business Bureau have provided me with a unique educational opportunity which will be beneficial in the future.

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APPENDICES

APPENDIX A

WEEKLY REPORTS

INTERNSHIP OF RENATA VIZGIRDA

BETTER BUSINESS BUREAU OF

CHICAGO AND NORTHERN

ILLINOIS

WEEK OF: May 17-23, 1987

ACTIVITIES:

- --Read literature on Lemon Law and 703 cases.
- --Become familiar with office procedures.
- --Learn filing system for pending mediation cases.
- --Learn procedures in handling the Automotive Case Record, Consumer Claim Form, and the 4-part Complaint Form.
- --Complete index cards for new files.
- --Listen to tapes which explained detailed the Auto Line Program.
- --Attend arbitrator's training session and lunch.

--Listen to initial complaint calls.

INTERNSHIP OF RENATA VIZGIRDA

BETTER BUSINESS BUREAU OF

CHICAGO AND NORTHERN

ILLINOIS

WEEK OF: May 24-30, 1987

ACTIVITIES:

--Memorial Day observed.

- --Answer initial complaint calls.
- --Learn how to process incoming mediation mail, incoming Automotive Case Records, and zone office decisions.
- --Process Consumer Claim Forms.
- --Revise filing system for mediation files.
- --Read literature on the General Motors THM200 transmission settlement.

INTERNSHIP OF RENATA VIZGIRDA

BETTER BUSINESS BUREAU OF

CHICAGO AND NORTHERN

ILLINOIS

WEEK OF: May 31-June 6, 1987

ACTIVITIES:

- -- Process mediation mail.
- --Learn how to process arbitration mail.
- --Learn filing system for arbitration cases.
- --Learn how to close mediation cases.
- --Help develop curriculum for new trainees in the Auto Line department.
- --Answer initial Auto Line complaint calls.
- --Answer follow-up calls on mediation cases.
- --Learn procedures of the Inquiry Center.
- --Answer calls in the Inquiry Center.
- --Study computer printouts for Inquiry Center calls.
- --Call consumers about missing information on the Automotive Case Records.

INTERNSHIP OF RENATA VIZGIRDA

BETTER BUSINESS BUREAU OF

CHICAGO AND NORTHERN

ILLINOIS

WEEK OF: June 7-13, 1987

ACTIVITIES:

- --Process mediation mail.
- --Process arbitration mail.
- --Call consumers and arbitrators for confirmation of attendence at arbitration hearings.
- --Take calls in the Inquiry Center.
- --Close out mediation cases.
- --Take initial Auto Line complaint calls.
- --Take follow-up mediation calls.
- --Tally acceptance/rejection letters from consumers.

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INTERNSHIP OF RENATA VIZGIRDA

BETTER BUSINESS BUREAU OF

CHICAGO AND NORTHERN

ILLINOIS

WEEK OF: June 14-20, 1987

ACTIVITIES:

- --Call consumers and arbitrator's for confirmation of attendence of arbitration hearings.
- --Attend Board of Director's luncheon and meeting.
- --Take initial Auto Line complaint calls.
- --Take follow-up mediation calls.
- --Process mediation mail.
- --Take calls in the Inquiry Center.

INTERNSHIP OF RENATA VIZGIRDA

BETTER BUSINESS BUREAU OF

CHICAGO AND NORTHERN

ILLINOIS

WEEK OF: June 21-June 27, 1987

ACTIVITIES:

- --Take initial Auto Line complaint calls.
- --Take follow up Auto Line complaint calls.
- --Take calls in the Inquiry Center.
- --Review all pending mediation cases before audit.
- --Audit of Auto Line cases and files by Council staff.
- --Process mediation mail.
- --Call arbitrators and consumers to confirm attendance at arbitration hearings.

--Take initial Operations Division complaint calls.

INTERNSHIP OF RENATA VIZGIRDA

BETTER BUSINESS BUREAU OF

CHICAGO AND NORTHERN

ILLINOIS

WEEK OF: June 28-July 4, 1987

ACTIVITIES:

--Independence Day observed.

- --Develop and write newsletter for arbitrators.
- --Call consumers and arbitrators for confirmation of attendance of arbitration hearings.
- --Take initial Auto Line complaint calls.
- --Take follow-up mediation calls.
- --Take calls in the Inquiry Center.
- --Learn how arbitration hearings are scheduled.
- --Help in scheduling arbitration hearings.

INTERNSHIP OF RENATA VIZGIRDA

BETTER BUSINESS BUREAU OF

CHICAGO AND NORTHERN

ILLINOIS

WEEK OF: July 5-July 11, 1987

ACTIVITIES:

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- --Take calls in the Inquiry Center.
- -- Process all mediation mail.
- --Keep tally of different types of pending cases.
- --Take initial Auto Line complaint calls.
- --Take follow up Auto Line complaint calls.
- --Type all mediation letters.
- --Send past due cases to manufacturers.
- --Send postcards to complaints who did not send back automotive case records.

INTERNSHIP OF RENATA VIZGIRDA

BETTER BUSINESS BUREAU OF

CHICAGO AND NORTHERN

ILLINOIS

WEEK OF: July 12-July 18, 1987

ACTIVITIES:

-- Process all mediation mail.

- --Send postcards to complainants who did not send back automotive case record.
- --Call arbitrators and consumers to confirm attendance at arbitration hearings.
- --Type all mediation letters.
- --Take initial Auto Line complaint calls.
- --Take follow Auto Line complaint calls.
- --Take calls in the Inquiry Center.

INTERNSHIP OF RENATA VIZGIRDA

BETTER BUSINESS BUREAU OF

CHICAGO AND NORTHERN

ILLINOIS

WEEK OF: July 19-July 25, 1987

ACTIVITIES:

- --SOCAP meeting at Stouffer's in Oakbrook; tour through Spiegel's Customer Service Department.
- --Take initial Auto Line complaint calls.
- --Take follow up Auto Line complaint calls.
- --Take calls in the Inquiry Center.
- --Take initial Operations Division complaint calls.
- --Membership project.
- --Help with scheduling arbitration hearings.
- --Call arbitrators and consumers to confirm attendance at arbitration hearings.

--Staff meeting.

INTERNSHIP OF RENATA VIZGIRDA

BETTER BUSINESS BUREAU OF

CHICAGO AND NORTHERN

ILLINOIS

WEEK OF: July 26-August 1, 1987

ACTIVITIES:

--Write memo for arbitrator recruitment project.

--Meeting with Mr. Baumhart about project.

--Proofread manuscript for new Consumer Resource Book.

--Talk to staff members about recruitment of arbitrators.

--Make list of organizations from telephone book who may help in recruitment.

--Work on press release.

INTERNSHIP OF RENATA VIZGIRDA

BETTER BUSINESS BUREAU OF

CHICAGO AND NORTHERN

ILLINOIS

WEEK OF: August 2-August 8, 1987

ACTIVITIES:

--Work on press release.

--Work on arbitrator fact sheet.

--Call contacts on recruitment project.

--Attend arbitration hearing.

--Write decision and reasons for the decision for the arbitration hearing.

APPENDIX B

AUTO LINE PROGRAM FORMS

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AUTO LINE PROGRAM FORMS

Since its inception, the Bureau's Auto Line Program has undergone rapid and profound changes. Throughout the years new forms, procedures, limitations and exceptions have grown in number. This made the program paper intensive, dynamic, and complex. However, the changes have offered consumers a real benefit.

For employees in the mediation and arbitration departments, it is vital to know all procedures and forms used in the program. These forms are used on a daily basis. If they are not filled out properly, a loss of payment for the Bureau or problems with the manufacturer can result. Currently, all forms must be filled out by hand. The Council of Better Business Bureaus is developing the BBBMIS Auto Line software. This software will streamline forms, procedures, and operations. In this way, the Auto Line Program's efficiency and its worth to the community will be enhanced.

PURPOSE OF FORMS

Auto Line Call Record (page 101)

This form is used to register an initial Auto Line complaint. It is a three-part form which consists of a permanent record of the call, an addressed sheet for mailing forms to the customer, and a follow-up postcard (page 102).

Customer Claim Form (page 103)

This is sent to the consumer to collect the necessary information about the complaint. A letter is sent to the consumer with this form. A "Memorandum to Customer" (page 104,105) is required for possible Specified Component cases, while the "Instructions to the Customer" (page 106) is used for the regular cases.

Automotive Case Record (page 107)

When the Customer Claim Form is received from the customer, the information is transferred to this form. This form is used by the Bureau for its records.

Customer Satisfaction Record (page 108)

This form brings the complaint to the attention of the appropriate zone, dealer, and/or manufacturer. It is a twopart form. Both copies, along with a copy of the Customer Claim Form, are sent to the zone/dealer/manufacturer. When the party has made a response, they retain the top copy and return the second copy to the Bureau.

Reopened Automotive Case Record (page 109)

This form is used when a case must be reopened. It does not have a number on it. The number of the original Automotive Case Record should be placed in the upper right corner. Started Over Automotive Case Record (page 110)

This is used for cases that must be started over. The number of the original Automotive Case Record is also placed on this form. A case can only be started over if it is a true 703 case, an adjustment offer was made and was accepted, the performance occurred but it was unsatisfactory, and the customer decides to continue the case.

The Automotive Arbitration Record (page 111)

After an agreement to arbitrate is received from the customer, this form should be filled out. This form is also used, as the Automotive Case Record, for the Bureau's records.

Correction Form (page 112)

This form is used whenever a change or correction is needed in the information. It may be used for either pending or closed cases. It can be used to change information on an Automotive Case record, a Reopened Automotive Case Record, a Started Over Automotive Case Record, or an Automotive Arbitration Record.

Performance Verification Record (page 113)

703 cases require verification of performance. This form is designed to help with this process. The form is a threepart form. The first copy is sent to the Council if the performance was unverified at the time the case was closed. The second copy is for Bureau files. The third copy is a follow-up postcard to be mailed to the customer (page 114).

Agreement to Arbitrate (page 115,116)

This document is sent to both the manufacturer and the consumer. It sets the limits of what may be included in the hearing, describes the nature of the dispute, and defines an arbitrator's authority.

Notice of Hearing/Inspection (page 117)

This form is sent to the consumer to establish the hearing date. It includes a specific time, date, and place, and the name of the arbitrator who is handling the hearing.

At the hearing, the presiding arbitrator signs this document. Also, at this time, the oath of witness (page 119) is signed by anyone who will be testifying in the case.

Decision (page 120)

This form is used by the arbitrator in presenting his or her decision in the hearing to the Better Business Bureau. Along with this form, the reasons for decisions document (page 121) is also presented to the Bureau. This explains in greater detail why the arbitrator ruled a certain way.

Acceptance or Rejection of Decision (page 122)

After being informed of the arbitrator's decision, the consumer may either accept or reject it. By reading this form, the consumer is made aware of the rules and alternatives that are available. The decision of the consumer is binding upon all parties, but if the consumer wishes to reject he or she may take other measures.

AUTO LINE CALL RECORD

	NIGHT PHONE:			
MAKE:	MODEL:			_ YEAR .
THIS IS PROBABLY:		1 703	SPECIFIED COMPONENT	
Call received: First follow-up: Final follow-up:	اجلیا / لیلیا / لیلیا لبلبا / لیلیا / لیلیا لیلیا / لیلیا / لیلیا	INITIALS: INITIALS: INITIALS:		
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DATE: _____

SOME TIME AGO YOU CONTACTED OUR OFFICE REGARDING AN AUTOMOTIVE COMPLAINT. AT THAT TIME WE SENT YOU A CUSTOMER CLAIM FORM WHICH ASKED FOR ADDITIONAL INFORMATION. TO DATE WE HAVE NOT RECEIVED THIS INFORMATION AND WE CANNOT PROCEED WITH YOUR COMPLAINT WITHOUT IT.

UNLESS YOU RETURN THE COMPLETED CLAIM FORM WITHIN 10 DAYS, WE WILL ASSUME YOUR COMPLAINT HAS BEEN RESOLVED AND WE WILL CLOSE OUR FILES ACCORDINGLY.

PLEASE CALL US IF YOU HAVE ANY QUESTIONS ABOUT YOUR COMPLAINT.

CUSTOMER CLAIM FORM

BBB USE ONLY

ACRE:

CUSTOMER NAME AND ADDRESS

MR_/MRS_/MS_ FIRST MI
STREET ADDRESS
DAY PHONE NIGHT PHONE
NAME VEHICLE REGISTERED IN IF OTHER THAN ABOVE
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VEHICLE INFORMATION
MARE: L
DATE PURCHASED/DELIVERED:
SELLING DEALER'S NAME AND ADDRESS
SERVICING DEALER'S NAME AND ADDRESS
LEASING FIRM'S NAME AND ADDRESS
BRIEF DESCRIPTION OF PROBLEM:
RESOLUTION SOUGHT:
HAVE YOU CONTACTED THE MANUFACTURER ABOUT THIS PROBLEM?
PLEASE RETURN ALL (3) COPIES OF THIS FORM
NO LATER THAN Later / Later
BGHATURE
DATE

71111 0077

MEMORANDUM TO THE CUSTOMER

FROM: BETTER BUSINESS BUREAU

RE: QUALIFYING COMPONENT COMPLAINTS UNDER THE GENERAL MOTORS/ FEDERAL TRADE COMMISSION CONSENT ORDER

You have contacted the Better Business Bureau with a complaint which you believe may be covered under the Consent Order between General Motors and the Federal Trade Commission......

This Consent Order does not authorize any automatic payment for repairs, but does require that all persons who qualify under the Order have an opportunity to present their claims for mediation or arbitration. The Consent Order has some mediation/arbitration provisions which will apply to engine and transmission complaints generally, and some special mediation/arbitration provisions which apply only to complaints about three specific components. We want to determine whether your complaint is the kind eligible for the special provisions. To do this, we need information from you.

IMPORTANT INSTRUCTIONS

The special provisions only apply to eligible complaints about the three components listed further down in this letter. The first requirement for eligibility is that you must have had a problem with one of these components in a GM car or light truck which you owned at the time of the problem. (Note: You do not have to own the car or truck at this time.) You may have paid all or part of the repair costs to fix the problem and you want GM to reimburse you. Or you may still have the problem, and you want GM to arrange to repair it at their expense. In either case, the first step is to determine whether your complaint is about one of these three eligible components:

1. THM 200 Automatic Transmissions, manufactured by General Motors through April 26, 1983.

One good way of identifying this transmission is that it is the only GM transmission with the word "METRIC" stamped on the oil pan. (You can check for this yourself or ask a mechanic to check.) We also know that no THM 200 automatic transmissions were installed into cars or trucks with front wheel drive. Obviously none of these transmissions is in a car or truck with a manual shift. But, if your car or light truck has rear wheel drive and an automatic transmission, it may have a THM 200. Since other types of automatic transmissions were also installed in rear wheel drive cars, it is important to check for the word "METRIC" on the oil pan.

- 2. <u>Camshafts or Lifters</u> in 305 or 350 V-8 cubic-inch displacement (CID) <u>gasoline</u> engines produced through April 26, 1983 in plants operated by the General Motors Chevrolet Division since 1974. No diesel engines fall into this category. Also, no car or truck with a 4- or 6-cylinder engine falls in this category. The best way to find out for sure if you had the right kind of 8-cylinder gasoline engine is through your VIN (Vehicle Identification Number). We describe more about the VIN below.
- 3. <u>Fuel Injection Pumps or Fuel Injectors</u> in 350 CID <u>diesel</u> engines produced through April 26, 1983 in plants operated by the General Motors Oldsmobile Division. Of course, no gasoline engine falls in this category. Also, this component was never put into cars or trucks with 4- or 6-cylinder engines. The best way to determine if your car or light truck has a 350 CID 8-cylinder diesel engine is to check your VIN.

If you believe your problem may involve one or more of the three components above, the next question is how do you submit your claim.

First, you should fill out the Customer Claim Form that is included with this memorandum. Be sure to type or print clearly all of the requested information you possibly can.

The Vehicle Identification Number or VIN, is critical information for surest and fastest processing. (NOTE: the VIN is not your license plate number.) If you still own the car or truck, the best place to find its VIN is on the vehicle itself. For passenger cars it will be on the left side of the dashboard and can only be read from the outside of the car as you look through the front windshield. For light duty trucks, look at the frame of the door on the driver's side. <u>Be sure to double check the number</u> and write it down carefully because it is easy to make a mistake in this 13- or 17-digit number.

Other sources of the VIN are your vehicle title, your current or old state vehicle registration, your installment loan document, and your selling dealer. Other formal documents may also contain the VIN, but any of these sources is subject to potential error in translation, so double check. --

Other information that is important for the quickest processing of your claim includes:

- Evidence that you owned the vehicle at the time of the problem (your vehicle title, registration, installment loan document, insurance policy, etc., can provide this);
- Evidence that you in fact had a repair (or repairs) on the specified component (a repair bill is often the best evidence); and
- 3. Evidence that you paid for it (cancelled check, credit card, receipt, etc.)

After you have completed the Customer Claim Form, please attach two copies of any documents you may have found to support your claim and send it back to us at the Better Business Bureau. (Note: Please retain originals in the event they are later requested.) Some customers may have had multiple repairs on the same component or may have had problems with two of these components in the same vehicle. (No vehicle can have all three components.) If you fall into this category, please send particulars on all of the claims at the same time.

Also, if you have had a past or current problem with a GM car engine or transmission that is not one of the three specified components above, (and is therefore not eligible for the special mediation/arbitration provisions) you may nevertheless submit your claim to us if you still own the car or truck, because it may involve a power-train issue that will be covered by the general mediation/arbitration provisions of the Consent Order, or it may involve issues covered under the regular GM mediation/arbitration program.

As we proceed with your case, we will forward your materials to the appropriate GM office which may be in direct contact with you. If GM turns down your claim for any reason, or if you think GM's offer to settle your claim is not fair, you have a right to recontact the BBB for further assistance and to request an arbitration hearing be scheduled. At such a hearing, the only questions will be whether you can convince a neutral arbitrator about the validity of your claim, using whatever evidence, arguments, or witnesses you think are enough to do so.

We hope this information helped you learn whether you have the kind of complaint which will qualify under the Consent Order and is useful in preparing your claim.

INSTRUCTIONS TO THE CUSTOMER

You have contacted your Better Business Bureau with a complaint which you believe may be pursuable under the rules of the BBB's Auto Line Program.

Please take a few moments to read the enclosed informational brochure "BBB Auto Line." It will answer many of your questions about this free program to consumers. Please note that you must own your car or truck throughout the complaint resolution process. If you sell or otherwise dispose of your vehicle during it, we cannot continue processing your complaint.

Before we can proceed with attempting to resolve your complaint, we need certain basic information,

Enclosed you will find a "Customer Claim Form" for you to fill out. The completed Claim Form will give us the information we need; we cannot proceed with your complaint until you complete it and return it to us.

When filling out the form, please type or print HARD with a ball-point pen (no pencils or felt-tips, please) because you will be making three copies.

On the form, the make, model, year, and VIN (Vehicle Identification Number), together with a brief description of your problem, are critical information and we will not be able to proceed without them.

You will find your car's VIN on the upper dash on the driver's side, looking from outside of the car. If you have a light duty truck, look at the frame on the door of the driver's side. You will also find it on your vehicle's registration and your title. Please note that the VIN is not your tag number or your title number.

Please be sure to let us know what you think would be a fair resolution to your problem.

When you have finished, please return ALL THREE copies of the form to your Better Business Bureau at the address shown at the bottom of the Claim Form.

Also, be sure to include <u>copies</u> of repair bills, cancelled checks, or any other information which will help us process your complaint. Retain the originals of your repair bills and cancelled checks because you may need them later.

If you need help in filling out the form, or need further information before proceeding, please call your BBB's Auto Line department.

Thank you.

BETTER BUSINESS BUREAU AUTOMOTIVE CASE RECORD

1

	(10) B88 CODE:
(20)	FIRST CONTACT:
(40)	CUSTOMER NAME:
,	MR.MRS.MS. FIRST MI
	LAST
	have to be a first stand and should be the should be a first and a first should be the
(50)	CONTACT:
(60)	STREET ADDRESS:
(70)	CITY: Later to the second state of the second
(100)	DAY PHONE: (La La L
(120)	MODEL: [
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(150)	PURCHASED: LICAL (160) CURRENT MILEAGE: LICAL CONTRACT
(170)	PROGRAM CODE: (190) 703: (190) ZONE CODE:
(200)	
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(230)	
(240)	DATE CLAIM FORM RETURNED:
(250)	
(260) (270)	CUSTOMER HAD NOT PREVIOUSLY CONTACTED MFR. ABOUT THIS PROBLEM; CUSTOMER RETURNED FORM INDICATING NO FURTHER ACTION REQUIRED;
(280)	
12001	
(290)	CASE SENT TO: MFR. ON: Land / Land ; DUR ON: Land / Land
(300)	
(310)	MFRJDLR. OFFERED FOLLOWING ADJUSTMENT ON DATE:
(0.0)	
	CASH REIMBURSEMENT IN THE AMOUNT OF \$
	REPAIRS: FULL: PARTIAL:
	REPURCHASE
(320)	ADJUSTMENT: ACCEPTED: H : REJECTED: H : ON DATE
	FOR 703 CASES ONLY WHERE OFFER IS NOT "NONE" AND IS ACCEPTED:
1000	
(350)	PERFORMANCE VERIFIED:
(330)	
	L UNSATISFACTORY
(360)	IF UNSATISFACTORY IS CHECKED ABOVE AND CUSTOMER ELECTS TO CONTINUE THE CASE,
	YOU MUST SUPPLY A STARTED OVER DATE:
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(370)	CASE CLOSED AS NOT PURSUABLE ON:
	CASE TRANSFERRED TO ANOTHER BBB ON:
(390)	MEDIATED CASE CLOSURE WAS DELAYED BECAUSE OF CODE:
	<u> </u>
	NUMBER OF DAYS DELAY FOR EACH CODE:
	· · · · · · · · · · · · · · · · · · ·
(400)	(OO) DATE CUSTOMER CONTACTS BBB ABOUT ARBITRATION:
(410)	ARBITRATION AGREEMENTS SENT TO:
	CUSTOMER ON:
(420)	703 STATUS OF CASE HAS CHANGED SINCE PENDING COPY SENT: 17037 (Y/N):

C253 CCPY

1042631

CUSTOMER SATISFACTION REPORT

BEB USE ONLY						
ACR #: PROGRAM CODE: DATE CASE STARTED:						
THIS CASE APPEARS TO BE:						
MFR. USE ONLY						
ZONE CASE #: ZONE ZONE CITY: C/C: CASE IS: IN WARRANTY; OUT OF WARRANTY; SPEC COMP.: THE FOLLOWING ADJUSTMENT WAS OFFERED ON:/ (CHECK APPROPRIA	CODE #: L					
الله المراجعة الم مراجعة المراجعة المراجعة مراجعة المراجعة المرا مراجعة المراجعة المراج مراجعة المراجعة المراحم						
IF YOUR OFFER WAS REFUSED BY THE CUSTOMER, OR YOU MADE NO OFFER PLEASE PROVIDE US WITH YOUR POSITION AS YOU WANT IT TO APPEAR ON THE AGREEMENT TO ARBITRATE IF THE CUSTOMER ELECTS TO ARBITRATE:						
DECISION SOUGHT						
MFR/BBB USE	No. 1977					
NOTIFICATION OF COMPLIANCE DATES						
IF THIS IS A WARRANTY CASE AND THE COMPLAINT IS NOT SETTLED IN MEDIATION, A HEARING MUST BE HELD NO LATER THAN I						
THIS FORM MUST BE RETURNED TO THE BETTER BUSINESS BUREAU BY : OR AN						
AGREEMENT TO ARBITRATE WILL AUTOMATICALLY BE SENT TO YOU AND THE CUSTOMER						
RETURN THE BBB COPY TO : ZONE REPRESENT						
SIGNED : PRINT NAME :						
DMISION/ZONE :						

MFR. COPY

	BETTER BUSINESS BUREAU
	AUTOMOTIVE CASE RECORD R
(20) (40)	FIRST CONTACT: '' (10) BB8 CODE: '' CUSTOMER NAME: (30) BUREAU CITY: '' MRJMRSJMS. FIRST Mil L L L L L Mil L L L LAST L L
(50) (60) - (70) (100) (120) (140) (150) (170) (200)	CONTACT:
ADMIN	ISTRATIVE RECORD:
(230) (240) (250) (260) (270) (280)	CLAIM FORM NOT RETURNED:
(290) (300) (310)	CASE SENT TO: MFR. ON: L. / L. / L. ; DLR ON: L. / L
(320)	
(330) (340) (350)	FOR 703 CASES ONLY WHERE OFFER IS NOT "NONE" AND IS ACCEPTED: PERFORMANCE DATE:
(360)	I! NOT PERFORMED IF UNSATISFACTORY IS CHECKED ABOVE AND CUSTOMER ELECTS TO CONTINUE THE CASE. YOU MUST SUPPLY A STARTED OVER DATE: '' (THIS CLOSES THIS ACR; PUT THIS DATE IN LINE 250 OF A STARTED OVER ACR TO CONTINUE CASE.)
(370) · -(380)··	CASE CLOSED AS NOT PURSUABLE ON:
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(400) (410)	(OO) DATE CUSTOMER CONTACTS BBB ABOUT ARBITRATION: لينيا / لينيا / لينيا / لينيا / لينيا / لينيا / لينيا معالية معالية معالية معالية
(420)	703 STATUS OF CASE HAS CHANGED SINCE PENDING COPY SENT: 1 ; 7037 (Y/N):

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BETTER BUSINESS BUREAU AUTOMOTIVE CASE RECORD S________

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	(10) BBB CODE:
(20)	FIRST CONTACT:
(40)	CUSTOMER NAME:
	MRJMRSJMS, FIRST MI
	LAST
(50)	CONTACT: 1 CALLER
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(100)	DAY PHONE: () (110) NIGHT PHONE: ()
(120)	MODEL: (130) YEAR:
(140)	
(150)	PURCHASED: 1 1/1 1 (160) CURRENT MILEAGE: 1
(170)	PROGRAM CODE: (180) 703: (190) ZONE CODE:
(200)	SIC CODE: 1 (210) UCC: 1 (220) CIC: 1 (220) CIC: 1
ADMIN	ISTRATIVE RECORD:
DOMIN	
(230)	
(240)	DATE CLAIM FORM RETURNED:
(250)	703 START DATE:
(260)	CUSTOMER HAD NOT PREVIOUSLY CONTACTED MFR. ABOUT THIS PROBLEM:
(270)	
(280)	ADJUSTMENT SOUGHT: REPAIR
	CASH REIMBURSEMENT IN THE AMOUNT OF \$
	L REPURCHASE
(290)	CASE SENT TO: MFR. ON:
(300)	MFRJDLR. RETURNED FORM:
(310)	MFRJDLR. OFFERED FOLLOWING ADJUSTMENT ON DATE:
	CASH REIMBURSEMENT IN THE AMOUNT OF \$ 1
	L_I REPAIRS: FULL: L PARTIAL: L;
(320)	ADJUSTMENT: ACCEPTED:' : REJECTED: ' : ON DATE'
(020)	
-	FOR 703 CASES ONLY WHERE OFFER IS NOT "NONE" AND IS ACCEPTED:
(330)	PERFORMANCE DATE:
(340)	PERFORMANCE VERIFIED:
(350)	PERFORMANCE WAS: 1 SATISFACTORY
	UNSATISFACTORY
	NOT PERFORMED
(360)	IF UNSATISFACTORY IS CHECKED ABOVE AND CUSTOMER ELECTS TO CONTINUE THE CASE.
	YOU MUST SUPPLY A STARTED OVER DATE:
	(THIS CLOSES THIS ACR: PUT THIS DATE IN LINE 250 OF A STARTED OVER ACR TO CONTINUE CASE.)
(370)	CASE CLOSED AS NOT PURSUABLE ON:
(380)	CASE TRANSFERRED TO ANOTHER BBB ON:
(390)	
(220)	MEDIATED CASE CLOSURE WAS DELAYED BECAUSE OF CODE:
	NUMBER OF DAYS DELAY FOR EACH CODE:
(400)	(00) DATE CUSTOMER CONTACTS BEB ABOUT ARBITRATION:
(410)	ARBITRATION AGREEMENTS SENT TO:
	CUSTOMER ON: LILLY CLILL ; MFR. ON: LILLY CLILL ; DLR. ON: LILLY CLILLY
11000	

(420) 703 STATUS OF CASE HAS CHANGED SINCE PENDING COPY SENT: 1.1; 7037 (YIN):

C288 CCPY

	1 BETTER BUSINESS BUREAU AUTOMOTIVE ARBITRATION RECORD
(430)	
(440)	CASE NUMBER:
(450)	
(470) (480)	(QO) DATE CUSTOMER CONTACTS BBB ABOUT ARBITRATION: ليعيا /
(490) (500)	SETTLED AFTER ARBITRATION AGREEMENTS SIGNED BUT BEFORE DECISION ON:
	FOR 703 CASES ONLY WHERE ADJUSTMENT ACCEPTED BEFORE DECISION:
(520)	PERFORMANCE DATE:
(540)	IF UNSATISFACTORY IS CHECKED ABOVE AND CUSTOMER ELECTS TO CONTINUE THE CASE, YOU
	MUST SUPPLY A STARTED OVER DATE:
(550) (560) (570) (580) (590)	CUSTOMER WITHDREW AFTER ARBITRATION AGREEMENTS SIGNED ON: L/ BECAUSE OF CODE: L DATE ORIGINAL HEARING BEGAN: L/ L/ DATE HEARING CLOSED: L/ INSPECTION: L TECHNICAL ADVISOR: L/ DECISION CODE: L/;SENT TO CUSTOMER:/ / L/ INTERIM DECISION: L/ L/ DECISION CODE: L;SENT TO CUSTOMER:/ / L/ FINAL DECISION: L/ L/ L/ DECISION CODE: L;SENT TO CUSTOMER:/ / L/
(600) (610)	
(620)	CUSTOMER WAS AWARDED:
(630)	CUSTOMER ON:
(640)	IF A 703 CASE AND CONSUMER ACCEPTED AWARD OTHER THAN NOTHING,
(650)	PERFORMANCE DATE: Land / Land / Land PERFORMANCE VERIFIED: La
(660)	ARBITRATION CASE WAS DELAYED BECAUSE OF CODE:

C288 COPY

1 BETTER BUSINESS BUREAU CORRECTION FORM

(To be used for changes on the Automotive Case Record, Automotive Arbitration Record, Started Over Cases and Recommed Cases)

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BBB Code 1 1 1 1 1

· Case Number 1 1	ЦΙ.	1. L	-1-	1_1
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Customer Name				

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	11
Additional Information:	

C388 COPY

© Council of Setter Business Bureaus, Inc., 1985 All Rights Reserved

PLEASE TYPE OR PRINT HARD IN BALLPOINT PEN

AUTO LINE PERFORMANCE VERIFICATION RECORD



ACR #:	
PROGRAM CODE	
PERF. DATE:	

CARD NOT RETURNED - PERFORMANCE ASSUMED

ADJUSTMENT NOT PERFORMED

ADJUSTMENT PERFORMED SATISFACTORILY

ADJUSTMENT PERFORMED UNSATISFACTORILY

BUREAU CODE:	INIT.:
--------------	--------

BUREAU CITY: _____ DATE: _____

CBBB COPY

BETTER BUSINESS BUREAU AUTO LINE

FROM	PLACE
	PLACE STAMP HERE
	HERE
	and the second

IT IS IMPORTANT THAT WE HAVE AN ACCURATE RECORD OF THE HANDLING OF YOUR BBB AUTO LINE CASE.

OUR RECORDS SHOW THAT YOU WERE PROMISED AN ADJUSTMENT AS A RESULT OF YOUR 8BB'S EFFORTS.

YOUR COOPERATION IN COMPLETING THE ATTACHED CARD AND RETURNING IT TO THE BBB WILL BE APPRECIATED.

IF YOU HAVE NOT RETURNED THE CARD TO US WITHIN TWO WEEKS, WE WILL ASSUME THAT YOUR CASE HAS BEEN RESOLVED AND WE WILL CLOSE OUR FILES ACCORDINGLY.

PLEASE CALL US AGAIN WHEN YOU FEEL WE MAY BE OF SERVICE TO YOU.

DEAR CUSTOMER:



BETTER BUSINESS BUREAU OF CHICAGO AND NORTHERN ILLINOIS, INC. 211 WEST VACKER DRIVE / ORCAGO, ILLINOS 60606 / (212) 346-3326 / 1-800-372-6072 / (212) 346-3313

AGREEMENT TO ARBITRATE



ARBITRATION NO.: BUSINESS(ES):

This describes the dispute between the parties named above and the resolution they seek. It is intended to set the limits within which an Arbitrator must decide this dispute. Afterwards, the customer will be asked to accept or reject the Arbitrator's decision. Acceptance will make it legally binding on all parties named above.

Scope and Limitations of Arbitration

The business has agreed in advance to arbitrate claims about the repair of its cars and light duty trucks, up to the cash purchase price of the product or repair at issue. Only if specifically identified in this Agreement and agreed to by all parties, may the Arbitrator consider claims that exceed the cash purchase price. Such claims may include incidental damages, such as towing charges and replacement transportation, as well as consequential damages, such as loss of wages, depreciation or diminished value.

Certain claims may never be arbitrated. These include claims for punitive damages, mental anguish, personal injury and claims covered by insurance. Also, the Arbitrator cannot decide that anyone has violated a law or consider any other matter that cannot, under law, be arbitrated.

In making a decision in this case, the Arbitrator may award either party up to the limit of what they request in this Agreement or make a decision,that falls between these limits. In making any decision for reimbursement, repair, or repurchase, the Arbitrator may consider deductions based on such factors as owner usage, mileage, overall vehicle condition and optional equipment.

NATURE OF DISPUTE

(Please read the rest of this Agreement and sign on the reverse.)

© Council of Botter Swetness Bureaus Inc., 1994 All rights reserved. **DECISION SOUGHT**

1 agree to arbitrate the above dispute under the Modified Rules of the Better Business Bureau, a copy of which I have in my possession. 1 further understand that the customer will be asked to accept or reject the Arbitrator's decision and, if so accepted, the decision will be legally binding on me and I will comply with it. Finally, 1 have read this Agreement, and I agree with everything stated in it.

Date: _____

Signed: ____

Print your name: ____

Representing:

Please indicate your priorities (#1, #2, #3) for presenting your case at an oral hearing \square , in writing \square , or by telephone \square .

If you intend to be represented by legal counsel, please provide your lawyer's name and address:

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BETTER BUSINESS BUREAU OF CHICAGO AND NORTHERN ILLINOIS, INC. 211 WEST WACKER DRIVE / CHICAGO, ILLINOIS 60606 / (312) 346-3326 / 1-800-572-6072 / (312) 346-3313

NOTICE OF HEARING/INSPECTION

DATE: CUSTOMER: ARBITRATION NO .: BUSINESS(ES):

ARBITRATOR:

DATE, TIME AND PLACE OF HEARING:

DATE, TIME AND PLACE OF INSPECTION (IF ANY): SAME AS ABOVE. CAR REQUIRED. Any incidental expenses incurred (such as Parking) are the responsibility of the Customer/Company incurring the expenses.

INSTRUCTIONS

1. Notify the BBB at once should you decide to have a lawyer represent you at the hearing or inspection.

2. Notify the BBB at once if you cannot be present at the hearing or inspection. (Please note: Your absence will not stop the Arbitrator from going ahead with the hearing and inspection.) If you miss the inspection, if any, you may at the hearing ask the Arbitrator to describe what happened and you may comment on matters raised there. If you are not at the hearing, it may still be conducted and a decision may be made.

3. Please be on time.

4. Bring all of your witnesses, documents and other evidence to the hearing so it may proceed without delay. You must bring additional copies of any documents you wish to submit as evidence for the Arbitrator and other party(ies).

5. Do not communicate directly with the Arbitrator unless the other side is present or represented. All communications relating to this arbitration must be made to the BBB. Your contact is ______; telephone _____.

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BETTER BUSINESS BUREAU OF CHICAGO AND NORTHERN ILLINOIS, INC. 211 WEST WACKER DRIVE / CHICAGO, ILLINOIS 60606 / (312) 346-3313

ARBITRATOR'S APPOINTMENT AND OATH

BUSINESS(ES):

DATE: CUSTOMER:

ARBITRATION NO.:

You have been selected to serve as Arbitrator in a dispute involving the above parties. Unless you are not able to accept this responsibility or feel you cannot give an impartial decision in this matter, please sign this Arbitrator's Oath. With this form, you should receive a copy of the Agreement to Arbitrate, which describes the dispute and establishes the limits within which you may make your decision. To maintain the integrity of this entire process, please disclose any relationship you may have had with any of the parties named above or with their lawyers (if any). Financial, professional, commercial, competitive, social or family relationships, no matter how remote, should be revealed.

OATH

STATE OF ILLINOIS

S.S.:

I. (Name of Arbitrator), hereby accept appointment as Arbitrator of the dispute concerning the Parties named above. I swear/affirm that I will act faithfully and impartially, to the best of my ability, to hear and examine the issues in dispute, conduct the proceedings, and render a decision pursuant to the Rules of the Better Business Bureau and laws of this state.

Signed: _____

(Arbitrator)

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BETTER BUSINESS BUREAU OF CHICAGO AND NORTHERN ILLINOIS, INC. 211 WEST WACKER DRIVE / CHICAGO, ILLINOIS 60606 / (312) 346-3313

OATH OF WITNESS

DATE: CUSTOMER:

.

ARBITRATION NO.:

BUSINESS(ES):

I do solemnly swear and affirm that the evidence I shall give concerning the dispute at this hearing shall be the truth, the whole truth and nothing but the truth.

Sworn before me this ______day of _______ 19____.

Arbitrator

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BETTER BUSINESS BUREAU OF CHICAGO AND NORTHERN ILLINOIS, INC. 211 VET VACER DAVE/ CHICAGO, ILLINOIS 60606 / (2) 22 346-3326 / 1-800-372-6072 / (2) 12) 346-3313

DECISION

DATE: CUSTOMER: ARBITRATION NO.: BUSINESS(ES):

I, the undersigned Arbitrator, having been selected pursuant to the arbitration rules of the Better Business Bureau and having heard the claims and considered the evidence of the above named Parties to this dispute, do give my decision as follows:

Date ____

Arbitrator's Signature

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Council of Better Business Bureaus Ind., 1988 Ad rate reserved.



BETTER BUSINESS BUREAU OF CHICAGO AND NORTHERN ILLINOIS, INC. 211 WEST WACKEN DRIVE / CHICAGO, BLINOIS 60606 / G122 346-3326 / 1-800-372-6072 / G122 346-3313

REASONS FOR DECISION

DATE: CUSTOMER: ARBITRATION NO.: BUSINESS(ES):

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NOTE TO ARBITRATORS: Please put the reasons for your decision on this form. It may be submitted to the parties if required.

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Arbitrator's Signature

O Council of Better Business Sursous Inc., 1989 Ad rates reserved.



DETTER BUSINESS BUREAU OF CHICAGO AND NORTHERN ILLINOIS, INC. 211 WEST WACKER DRIVE / CHICAGO, ILLINOIS 60606 / (312) 346-3313

ACCEPTANCE OR REJECTION OF DECISION

DATE: CUSTOMER:

ARBITRATION NO.: BUSINESS(ES):

Enclosed is the Arbitrator's decision in your case. We hope you have found the efforts of our Better Business Bureau staff and the volunteer arbitrator(s) to be satisfactory, and we trust that you will find the decision equitable to all concerned.

If you have any questions about the decision or anything else, please call or write the Bureau.

To close this case for everyone, please fill out the form below and send it to us within the next seven days. If we have not received the form within 14 days, we will notify the manufacturer that you have rejected the decision.

PLEASE CHECK YOUR DECISION, SIGN AND RETURN THIS FORM IN SEVEN DAYS TO THE BBB.

I understand that, if I accept this decision:

- 1. The manufacturer and dealer, if a party to the arbitration, will be legally bound to abide by this decision; and
- 2. I, too, will be legally bound, which means I give up my right to sue in court on any part of my claim that falls within the scope of the arbitration hearing, unless 1 am dissatisfied with the eventual performance of the manufacturer or dealer under the decision; then I may bring a civil action to enforce my right, under Subsection 3A of the Illinois New Car Buyer Protection Act.

If I do not accept this decision, I understand that:

- 1. 1 am free to pursue other legal remedies under state and federal law;
- 2. The manufacturer and dealer will not be obligated to perform any part of this decision; and
- 3. This decision may be introduced as evidence by any party in any civil court action relating to any matter considered in the arbitration hearing; and the period of limitation for a civil action to enforce any rights or remedies under Subsection 3A of the New Car Buyer Protection Act, shall be extended for a period equal to the number of days between the date when the BBB received all information necessary for it to investigate my complaint and the date when 1 was notified of the arbitrator's decision is my dispute.

Date ____

I ACCEPT THE ARBITRATION DECISION

Customer's Signature_

(for BBB use) Form not returned in 14 days and presumed rejected

Council of Berrar Business Burneus Inc., 1984

APPENDIX C

RECRUITMENT PROJECT

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RECRUITMENT PROJECT

During my internship, I was asked to start a recruitment campaign for volunteer arbitrators. The project included contacting staff for their ideas, putting together a list of organizations to contact, preparing information which could be sent to any interested persons, and writing a press release to promote the need for arbitrators. Included in this section is a portion of this project.

INTEROFFICE MEMORANDUM

DATE: July 31, 1987

TO: BBB Staff

FROM: Renata R

SUBJECT: Recruitment of Arbitrators

The BBB is starting a recruitment campaign for the arbitration program. New arbitrators are needed to hear the growing number of cases.

If you know of anyone who may be interested in serving as an arbitrator or if you are in contact with an organization which may help in our search, please let me know. Any-other suggestions and ideas would also be greatly appreciated. I will be contacting you Monday, August 3 or Tuesday, August 4 for this information.

cc: James E. Baumhart, Executive Vice-President

FACT SHEET

Better Business Bureaus (BBBs) are business sponsored, non-profit organizations, promoting ethical standards of business practices for the protection of the consuming public, through voluntary self-regulation and monitoring activities.

The 75 year old BBB system has headquarters located in Arlington, Virginia and New York City. The Council of Better Business Bureaus (CBBB) was formed in 1970 through a merger of the National Better Business Bureau and the Association of Better Business Bureaus.

The CBBB implements programs at national and local levels through a network of 189 Better Business Bureaus in the United States and Canada. Programs include a self-regulating mechanism to assure truth and accuracy in advertising; a system for providing prepurchase reliability reports on companies; a mediation/arbitration service. for resolving consumer/business disputes; a philanthropic advisory program which sets standards for charitable organizations; consumer information and education and a program of voluntary industry standards for selling and advertising services and products.

Since its National Consumer Arbitration Program was announced in 1972, Better Business Bureaus have instituted this process in more than 150 major metropolitan areas. Thousands of disputes each year are being arbitrated and more than 15,000 community volunteers serve as arbitrators.

Business recognizes the worth of this dispute resolution system. Large numbers of small and large businesses are pledging to arbitrate consumer disputes through the BBB system. The automotive industry and the construction industry--both involved in disputes that entail large sums of money--are more involved in the process than most, but virtually all types of marketplace disputes are being arbitrated by the BBB's.

Arbitration is a legal process in which two or more people agree to permit a third person to make a final decision in a dispute between them. Consumer arbitration is a procedure set up by Better Business Bureaus to settle consumer-business disputes informally, privately and finally. If all efforts to resolve complaints about products or services fail, the Better Business Bureau may offer this legally binding process to the business and its customer. When both agree to arbitrate the dispute, the BBB will ask them to sign a contract which permits a community volunteer, acceptable to the business and the customer, to conduct a fact-finding hearing and make a final decision in the matter.

The basic principles of BBB arbitration are: --used only when all informal efforts to resolve disputes have failed

--a broad-based pool of trained volunteer arbitrators from the local community

--arbitrators chosen by a mutual selection process

--private hearings with confidential results

--inspection of product or premises if necessary

--hearings held at convenience of all

--informal procedures with no formal rules of evidence so everyone can present his own case

-- consistent with state law

Thousands of volunteers from all walks of life serve the BBB as arbitrators. They include professionals, educators, retirees, lawyers, housewives, and others. Most of these volunteers have gone through a special training program. Arbitrators are not paid for their services; they perform their duties as a public service and are not employed by the BBB. All arbitrators are required to disclose, as a condition of hearing a case, any financial, commercial, professional, social or familial relationship-no matter how remote--with any of the parties or their counsel.

Volunteers are trained to get all the facts from both sides to a dispute. When all the facts are before the arbitrator, they are weighed carefully and the arbitrator then decides on the basis of what is fair. It is simply what that arbitrator considers fair, and this may vary from person to person.

HOW WOULD YOU LIKE TO BE A JUDGE FOR A DAY?

The Better Business Bureau of Chicago and Northern Illinois needs people from all walks of life who are willing to serve as volunteer arbitrators. The arbitration program is a community service offering consumers with marketplace disputes, a free, informal, fair and speedy alternative to court. BBB arbitration cases are conducted under state law and the FTC's procedures established under the Federal Warranty Act. Under this program, all decisions of a volunteer arbitrator are binding upon the manufacturer. The consumer may reject a decision and still go to court.

In order to participate as an arbitrator, you must be a resident of Illinois, old enough to vote and willing to attend an 8 hour training session. Those who successfully complete the training become members of the National Consumer Arbitration Panel and receive a certificate from the Council of Better Business Bureaus. A BBB arbitration training class will be held ______. If you are intersted in attending the training seminar, please call the Better Business Bureau at 346-3325 between 9:00am - 5:00pm.

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APPENDIX D

ARBITRATION HEARING PROJECT

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ARBITRATION HEARING PROJECT

I was able to attend an arbitration hearing during my time at the Better Business Bureau. I was allowed to listen and take notes, but could not participate during the hearing by asking questions or offering any comments or observations. Included in this appendix is my decision in the hearing and the reasons for the decision. The names of the manufacturer and consumer have been changed to protect the confidentiality of both parties.

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DECISION

Date: August 3, 1987Arbitration No.: 1111111Customer: Mrs. A. SmithBusiness(es): Motorcar Corp.

I, the undersigned Arbitrator, having been selected pursuant to the arbitration rules of the Better Business Bureau and having heard the claims and considered the evidence of the above named Parties to this dispute, do give my decision as follows:

Motorcar Corp. shall repurchase Mrs. A. Smith's 1985 Motorcar Special for \$11,200 within 30 days of their receipt of her acceptance. Mrs. Smith will be responsible for turning over the car with clear title. The vehicle should be in a similar condition as it was at the time of the hearing. The manufacturer should contact Mrs. Smith to arrange a place where the transaction should occur.

Date

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Arbitrator's Signature

REASONS FOR DECISION

Date:	Aug	ust 3,	19	987	Arbitration No	.:	111111	L1
Custom	er:	Mrs.	Α.	Smith	Business(es):	Мо	torcar	Corp.

Although some of the problems occurred out of warranty, they appear to have originated at an early point in the car's life. If these problems had been corrected at first, no justification for repurchase would have existed. These problems have been persistent and prolonged. Therefore, I do not believe that the automobile can be fixed. I derived the \$11,200 by deducting 15 cents per mileage for the first 20,000 miles.

Date _____

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Arbitrator's Signature

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RENATA R. VIZGIRDA 1081 Trask Road Aurora, Illinois 60505 (312)898-2115

CAREER

OBJECTIVE: Consumer Affairs and Relations

EDUCATION: Oklahoma State University Stillwater, Oklahoma 74078 Master of Science December 1987 Emphasis: Consumer Studies

> Western Illinois University Macomb, Illinois 61455 Bachelor of Science, Cum Laude May 1986 Major: Merchandising and Retailing Minor: Marketing

WORK

EXPERIENCE: Oklahoma State University Housing, Interior Design, and Consumer Studies Stillwater, Oklahoma 74078 <u>Research Assistant</u> October 1986-December 1987

> Better Business Bureau of Chicago and Northern Illinois 211 West Wacker Drive Chicago, Illinois 60101 <u>Master's Internship Position</u> May 1987-August 1987

Marshall Field and Company 1 Fox Valley Center Aurora, Illinois 60505 <u>Internship Position and Sales</u> January 1986-August 1986 Summer 1984, 1985

ACTIVITIES AND HONORS:

5: Phi Kappa Phi Honor Society Kappa Omincron Phi Home Economics Honor Society President's Honor Roll American Home Economics Association American Council on Consumer Interests Search and Screening Committee for Dean of Home Economics

REFERENCES: Available upon request.