



INSTRUCTIONS FOR COMPLETING
THE NEW CAR LEMON LAW
REQUEST FOR ARBITRATION FORM

To participate in the New York State New Car Lemon Law Arbitration Program, you must complete the attached form. Be as accurate and complete as possible. Please attach **copies** of all relevant documents (including your purchase or lease agreement, all service or work orders relating to the problem for which you seek this arbitration, and any correspondence between you and the manufacturer or its authorized dealer relating to such problem). **DO NOT SEND ORIGINAL DOCUMENTS.** Sign and return the completed form, together with your documents, to:

**New York State Attorney General's Office
120 Broadway --3rd floor
New York, NY 10271
Attention: NEW CAR LEMON LAW ARBITRATION UNIT.**

The Attorney General's Office will review your form and advise you whether your claim is accepted in the arbitration program. If the form is accepted, you will be notified by the Attorney General's Office which will then forward your form and documents to the **New York State Dispute Resolution Association (NYSdra)**, the Program Administrator. NYSDRA will then notify you to send it the required \$250 filing fee. Upon receipt of the filing fee, NYSDRA will begin processing your claim. If your form is rejected by the Attorney General's Office, it will be returned to you with a statement indicating the reason for its rejection.

DO NOT SEND FILING FEE UNTIL YOU ARE REQUESTED TO BY NYSDRA.

Please remember to sign and date the form. **Failure to complete any question or submit documents may result in a rejection of the form.**

NOTICE:

THE ARBITRATOR'S DECISION UNDER THIS PROGRAM IS BINDING ON BOTH PARTIES, SUBJECT TO A LIMITED RIGHT OF APPEAL TO COURT BY EITHER PARTY. YOU MAY WISH TO CONSULT AN ATTORNEY BEFORE PARTICIPATING IN THIS PROGRAM. PLEASE READ "NEW YORK'S NEW CAR LEMON LAW: A GUIDE FOR CONSUMERS" CAREFULLY BEFORE COMPLETING THIS FORM.

Office Use Only:

Case No. _____

Referred To NYSDRA _____

Filing Date _____

**NEW YORK STATE ATTORNEY GENERAL'S OFFICE
ELIOT SPITZER, ATTORNEY GENERAL**

**NEW YORK NEW CAR LEMON LAW ARBITRATION PROGRAM
REQUEST FOR ARBITRATION FORM**

CONSUMER INFORMATION

1. Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: Home (_____)_____-_____ Work:(_____)_____-_____

VEHICLE INFORMATION (Attach Copy of Your Bill of Sale or Lease)

2. Manufacturer: _____
(GM, Ford, Chrysler, Toyota, Winnebago, etc.)
3. Year: _____ Make: _____ Model: _____
(ex. Chevrolet, Dodge) (ex. Cavalier, Caravan)
4. Vehicle Identification Number (VIN): _____
5. Date of delivery? _____ Mileage at delivery: _____ Current Mileage: _____
6. Did you purchase or lease your vehicle in New York? Yes[] No[]
[] I purchased my vehicle. [] I leased my vehicle.
7. Is your vehicle registered in New York?..... Yes[] No[]
8. Is your vehicle primarily used for personal, family or
household purposes? Yes[] No[]
9. Do you still own or lease your vehicle? Yes[] No[]

DEALER INFORMATION

10. Name: _____
Address: _____
City: _____ State: _____ Zip: _____

BANK OR FINANCING INSTITUTION (if financed):

11. Name: _____
Address: _____
City: _____ State: _____ Zip: _____

LEASING COMPANY (if leased):

12. Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Lease Acct #: _____

VEHICLE'S PROBLEM(S)

13. Briefly describe the problem(s) for which you seek a refund or a replacement vehicle:

14. Does the problem(s) for which you seek relief substantially impair the value of the vehicle to you? Yes [] No []

15. On what date and at what mileage did you **first** report this problem(s) to the dealer or the manufacturer? Date: _____ Mileage: _____

16. Does the problem(s) involve a dealer installed option? Yes [] No []
Specify: _____

BASIS FOR RELIEF SOUGHT: You must complete at least one of the following three questions (17, 18 or 19). If you have a Motor Home, you must also answer # 20.

17. Unsuccessful Repair Attempts

- A. How many repair attempts for the **same** problem were made within the first 18,000 miles or 24 months, whichever is earlier? _____
- B. Give the date, mileage and work order number for each of the repair attempts by an authorized dealer for the **same** problem.

Problem 1 (Specify) _____

	<u>Date</u>	<u>Mileage</u>	<u>Work Order #</u>
(1)	_____	_____	_____
(2)	_____	_____	_____
(3)	_____	_____	_____
(4)	_____	_____	_____

Problem 2 (Specify) _____

	<u>Date</u>	<u>Mileage</u>	<u>Work Order #</u>
(1)	_____	_____	_____
(2)	_____	_____	_____
(3)	_____	_____	_____
(4)	_____	_____	_____

- C. Do you have copies of all relevant work orders?..... Yes [] No []
(If yes, attach copies of them. Otherwise, once accepted into the Program, you may request copies from the manufacturer, with the arbitrator's approval, by writing to the Administrator pursuant to Regulation §300.9.)
- D. Did the problem continue to exist at the end of the fourth attempt? Yes [] No []

18. **Days in Shop for Repairs**

A. How many days was the vehicle out of service due to repairs within the first 18,000 miles or 24 months, whichever is earlier? _____ days.

B. List the dates, mileage, and repair order numbers for those repairs:

From:_____ To:_____ Days out:_____ Mileage:_____ Work Order #_____

From:_____ To:_____ Days out:_____ Mileage:_____ Work Order #_____

From:_____ To:_____ Days out:_____ Mileage:_____ Work Order #_____

From:_____ To:_____ Days out:_____ Mileage:_____ Work Order #_____

C. Do you have copies of all relevant work orders?..... Yes [] No []
(If yes, attach copies of them. Otherwise, once accepted into the Program, you may request copies from the manufacturer, with the arbitrator's approval, by writing to the Administrator pursuant to Regulation §300.9.)

19. **Refusal to Repair (Note: This question should only be completed if the dealer and the manufacturer refuse to commence repairs.)**

A. Did you first notify the **dealer** of the problem for which you are seeking this arbitration? Yes [] No []

B. If yes, what problem(s)? _____

C. What was the date of notification to the dealer? _____

D. Did the dealer refuse to inspect the vehicle and make whatever repairs were necessary within 7 days of receiving your initial notice of the problem?.. Yes [] No []

E. If yes, did you notify the **manufacturer** by certified mail, return receipt requested, of such refusal? (Attach copy of notification with proof of mailing.) Yes [] No []

F. Did the manufacturer fail to make repairs within 20 days of receiving your written notice of the dealer's refusal to repair?..... Yes [] No []

20. **If Your Complaint Involves a Motor Home:**

- A. Did the dealer or manufacturer provide you with a written copy of the special lemon law notification requirements? Yes [] No []
- B. If the answer to (A) is yes, prior to this application for arbitration, did you notify the dealer or the manufacturer, by certified mail, return receipt requested, of a defect or condition that was subject to repair at least **2** times, or that the motor home has been out of service by reason of repair for **21** days, whichever occurs first? (If yes, attach copy of the notification with proof of mailing.) Yes [] No []
- C. If the answer to both (A) and (B) is yes, was the motor home out of service for a total of at least 30 days (the last 9 days **after** the notice is given to the manufacturer), or was the motor home in the shop for repairs 3 or more times (the 3rd repair attempt **after** the notice is given to the manufacturer) for the same problem?..... Yes [] No []

HEARING LOCATION

21. Please indicate where you want the arbitration hearing to be held:

- | | | |
|--------------------------------------|------------------------------------------|-------------------------------------------|
| <input type="checkbox"/> Albany | <input type="checkbox"/> Hempstead | <input type="checkbox"/> Oneida |
| <input type="checkbox"/> Amsterdam | <input type="checkbox"/> Highland | <input type="checkbox"/> Oneonta |
| <input type="checkbox"/> Auburn | <input type="checkbox"/> Hudson | <input type="checkbox"/> Oswego |
| <input type="checkbox"/> Batavia | <input type="checkbox"/> Ilion | <input type="checkbox"/> Penn Yan |
| <input type="checkbox"/> Binghamton | <input type="checkbox"/> Ithaca | <input type="checkbox"/> Plattsburgh |
| <input type="checkbox"/> Bronx | <input type="checkbox"/> Jamaica | <input type="checkbox"/> Poughkeepsie |
| <input type="checkbox"/> Brooklyn | <input type="checkbox"/> Jamestown | <input type="checkbox"/> Rochester |
| <input type="checkbox"/> Buffalo | <input type="checkbox"/> Johnstown | <input type="checkbox"/> Saratoga Springs |
| <input type="checkbox"/> Canandaigua | <input type="checkbox"/> Lake Placid | <input type="checkbox"/> Schenectady |
| <input type="checkbox"/> Carmel | <input type="checkbox"/> Lower Manhattan | <input type="checkbox"/> Smithtown |
| <input type="checkbox"/> Catskill | <input type="checkbox"/> Lowville | <input type="checkbox"/> Speculator |
| <input type="checkbox"/> Cobleskill | <input type="checkbox"/> Lyons | <input type="checkbox"/> Staten Island |
| <input type="checkbox"/> Corning | <input type="checkbox"/> Malone | <input type="checkbox"/> Syracuse |
| <input type="checkbox"/> Cortland | <input type="checkbox"/> Monticello | <input type="checkbox"/> Troy |
| <input type="checkbox"/> Delhi | <input type="checkbox"/> Montour Falls | <input type="checkbox"/> Upper Manhattan |
| <input type="checkbox"/> Elmira | <input type="checkbox"/> New City | <input type="checkbox"/> Utica |
| <input type="checkbox"/> Fort Edward | <input type="checkbox"/> Niagara Falls | <input type="checkbox"/> Waterloo |
| <input type="checkbox"/> Geneseo | <input type="checkbox"/> Norwich | <input type="checkbox"/> Watertown |
| <input type="checkbox"/> Glens Falls | <input type="checkbox"/> Ogdensburg | <input type="checkbox"/> Yonkers |
| <input type="checkbox"/> Goshen | <input type="checkbox"/> Olean | |

