

- | Has the trader got money to pay what the Court may award? It's **not worth** suing a person or limited company if they have gone bust.

If you have lost money on a faulty car repair or service, don't waste more money on a case you cannot win.



Once you have decided what your rights are, you will need to take a series of steps to solve your problem. It may seem a long procedure, but it does work.

- If a problem arises with the car after repair or serviceing, check that there really is a fault - read the owner's manual if you have one.
- If the problem appears to be a major fault, **stop using the car at once**.
- Collect together all the documents, including any invoice you were given when the car was repaired or serviced.

You will now need to contact the trader straight away and report the problem.

- Either visit, phone or write to the trader. If you visit, take your documents with you. If you write, briefly set out the problem and ask the trader to get in touch with you.
- You may need to speak to the service manager, the general manager and/or the owner. Explain your problem, keep calm but be firm. Make it clear whether you want a **refund**, a **repair** or **compensation**. Remember you may be entitled to a refund or repair **plus** compensation. You may **still** be entitled to a refund when a repair turns out to be unsatisfactory. Don't **demand** something you're not entitled to and remember most car faults can be repaired.

Your problem may well be solved at this stage. **WELL DONE!** Put the pack away for future use.

- If your problem is not solved after a number of attempts or if the trader refuses to offer reasonable help, ask if the firm is a member of a trade association as they may help sort out your complaint.
- If the problem still remains you **must** write to the trader. See the sample letter enclosed. If the garage is part of a group and you know the head office address, send them a **copy** of your letter as well. Send your letter by **Recorded Delivery**. (You must go to the Post Office for this). **Keep a copy** of each letter.
- If the trader replies and asks for more information, be as helpful as you can. This may help the trader solve your problem. If the trader asks for receipts or other documents send **copies**, not the originals. **Keep a copy** of any reply you send.
- If you get no reply to your letter, send the trader a **reminder**. See the sample letter enclosed and send a **copy** of your last letter. Remember to **keep a copy** of both letters. Send your reminder letter by **Recorded Delivery**.
- The trader will most likely ask you to return the car for further investigation or repairs. Make sure you understand what the trader proposes to do. **You** have to decide how many attempts you wish to give the trader to repair a fault.

- If the trader offers to do something, but not what you have asked for, you can either accept the offer or **negotiate** for a better offer. Be reasonable in what you are prepared to accept. Sometimes it can be better to compromise. Only **you** can decide this. (**Keep a copy** of every letter you write).

Most problems should be solved by this stage. If yours isn't and you still feel you have a valid claim -**PRESS AHEAD**.

- If the trader doesn't reply to your letters, refuses to do anything, or makes a **final** offer you are not prepared to accept, you will have to think about going to Court. **Only a Court** can **order** a trader to sort out your problem. Most claims can be settled by an informal procedure in the Small Claims Court. This doesn't need to involve an advocate. You can pick up further leaflets that explain fully the procedure from the Court.
- If you decide to take the trader to Court you will have to prove what the fault is and that the trader is responsible. See the other green leaflet **IDENTIFYING THE FAULT**.

Remember, Court is a last resort.

- Before you go to Court, **think carefully**.

Ask yourself:

- | Will I be able to find the trader?
It is **your** job to find him/her.
- | Have I got **evidence**?
It is **your** job to prove your case.