Faulty replacement harness and the $18,000 valuation (December 2023)

Email text reproduced verbatim from the original messages; quoted history, signatures and personal details (addresses, phone numbers, staff names other than the respondent's representative named in the decision, rego) removed.

Date	Thursday, December 7, 2023 9:08:43 AM
From	Bernard De Riviere, Guest experience manager, Brian Hilton Motor Group
To	Ellen Gallo (written by Nick Pratley); NCAT Newcastle registry
Subject	Update on Ellen Gallo NCAT Case MV23/44832

Good Morning Ellen.

As discussed this Morning The New wiring harness has been fitted to your Kia Sportage Upon installation Found Unit to be faulty, Kia AUSTRALIA Has been Contacted

As Per Kia Motors Guidelines a Rental vehicle will be Provided By Kia Motors Whilst Kia Source a New Wiring Harness.

I will arrange with Kia And Wyong when the rental Vehicle will be available, Brian Hilton & Kia apologise for any inconvenience caused to You, and will Provide updates

With the New Harness ETA.

Regards,

Bernard De Riviere

Guest experience manager

Brian Hilton Motor Group North Gosford

Date	Monday 18 December 2023, 2:09 pm
From	Nick Pratley
To	Bernard De Riviere, Guest experience manager, Brian Hilton Motor Group
Subject	Re: Update on Repairs

Hi Bernard,

Last week you promised to call me back on Friday with your buyback price – which was not done. As I noted in our call we were going to trade this vehicle in last week but cannot as it has been broken and is not drivable anymore - which is not fair on us. We wont get that trade in price when we can take it back in a couple of months now (if you actually can fix it….) – so you have costed us even more money in not being able to replace this vehicle as it'll lose more of it's value.

You also assured Elle and NCAT that the issue would be solved with the new wiring harness which you said you had in stock and didn't need to wait on any parts. You signed an order stating that would be the case – and you said you had the part in stock and it was good to go – it was clearly not. Was it even tested at the factory before it was sent??) When you called them (which I don't believe that you did) – did you tell them that it's the 7th time you've tried to repair the vehicle and made it worse and undrivable, and will have it for another 3 months?

How is this reasonable? How can we be sure that the second replacement cable won't be faulty or have the same fault on the cable show up after a small bit of usage? Every single thing Kia has provided to date has not worked, or has caused other issues. How many more times and chances do you want to fix this car? What is a "reasonable" amount of time to deal with this problem? Clearly they aren't going to test the next cable – so what will go wrong after the next one?

Brian said the other day that "the cable wiggles and comes loose after time and usage" – so this is going to happen again in another 2 years once the cable has been replaced, when the car no longer has warranty? Too bad so sad? It seems like you are just kicking the can down the road for someone else to deal with.

I need a reasonable buy back price from you today or tomorrow. If you are unwilling to buy this back with a respectable and reasonable offer knowing all the shit this gone through both caused by Kia and Brian Hilton or do not return a repaired vehicle by the 31st December we will see you back in NCAT where we will be pressing for a full refund of the vehicle under the ACL – which again, *clearly* states that a minor problem becomes major when you cannot fix it in a reasonable time. 16 months of not broken use of a new car in it's 5 year life is not reasonable. Your whispers, comments and smirks to Brian at the end of the NCAT sit down with the conciliator make me think you know Brian Hilton is screwed if we push hard enough at NCAT – so hey – let's just do the right thing now before I have to convince NCAT you've done the wrong thing here and they tell you the same thing I am telling you. Kia has probably already spent the same $ that it'd have costed to replace / refund the vehicle already, so you will just lose more the longer you try and hold out from taking it back.

Remember – it's not JUST the radio – you'd all know that if you read any of the documents / emails we sent 😉 . It's also costed us both in time and missed work having to deal with the constant trips to your dealership – you're lucky we aren't pressing for compensation for that, too.

Do we need to go to the media for this, and show people how competent Kia are at repairs when things go

wrong? Will that get someone to start actually caring about this from the consumer point of view?

Warm Regards,
Nick

Date Monday 18 December 2023, 2:32 pm
From Bernard De Riviere, Guest experience manager, Brian Hilton Motor Group
To Nick Pratley
Subject Re: Update on Repairs

Good afternoon Nick.

Happy for you to contact NCAT yourself to have another meeting to challenge there ruling on this Matter.

I did not make these orders they did no one could be held responsible for the faulty parts at brian hilton kia.

Making assumptions I didn't call them has no merit, and if this is the way we are going about this,happy for you to call Newcastle and ask them of my conversation which I might add don't need to be challenged on.

As far as communication read the email I sent Ellen clearly stating I will call you early this week.

The valuation we be provided tomorrow afternoon.

Date Monday 18 December 2023, 3:58 pm
From Nick Pratley
To Bernard De Riviere, Guest experience manager, Brian Hilton Motor Group
Subject Re: Update on Repairs

HI Bernard,

The NCAT ruling as agreed was that the vehicle is to be repaired by the 31st December 2023, which after another failed attempted repair clearly wont be happening. Going back to NCAT will not be to "challenge their ruling". By consent, the parties are granted leave to renew these proceedings in the event that there are difficulties in complying with these orders. You are now saying the vehicle cannot be repaired by this date.

Please escalate this to your manager or CEO – the way this is being handled by Brian Hilton and yourself is beyond a joke, I have raised multiple concerns about the wiring harness and you haven't taken the time to read or respond to any of them in my previous email or show any care whatsoever.

Warm Regards,
Nick

Date	Tuesday 19 December 2023, 3:17 pm
From	Bernard De Riviere, Guest experience manager, Brian Hilton Motor Group
To	Ellen Gallo (written by Nick Pratley); Nick Pratley
Subject	Valuation On Kia Sportage 2018 Model Registration Number [rego].

Good Afternoon Ellen.

As you are the Registered owner of the Kia Sportage Our valuation Team have Valued Your vehicle at $18,000, I will also Provide a date for You on the arrival of the New Wiring harness
Due mid/late January once Kia Australia update Brian Hilton.

I do appreciate this is a stressful Time for You Ellen, Please stay in the Kia Loan Vehicle until repairs are Completed, I have been assured that the Wiring harness should fix your Concerns
Brian or myself will update you with the Progress on the Wiring harness around the 15th January.

Regards,

Bernard De Riviere
Guest experience manager

Brian Hilton Motor Group North Gosford

Date	Tuesday 19 December 2023, 3:36 pm
From	Ellen Gallo (written by Nick Pratley)
To	Bernard De Riviere, Guest experience manager, Brian Hilton Motor Group
Subject	Re: Valuation On Kia Sportage 2018 Model Registration Number [rego].

Hi Bernard,

1. That value/offer is an absolute joke. I'm not looking for a trade in price - I was sold an almost $50k vehicle that I got not even 18 months out of before it started having issues and you want to offer me $18k for it? Why can't you just admit that there's a major problem and do the right thing instead of trying to rip me off?
2. You've been assured that the wiring harness SHOULD fix my concerns - not that it will, that it should?! I'm not waiting another month for something that SHOULD fix it.
3. this email does not override Nick's email from yesterday that you've chosen to ignore. This has gone on for way to long and I'm done, and the fact that no one at Brian Hilton sees this as a major issue is disgusting. This issue needs to be escalated now as per Nick's email.

Ellen

Date	Tuesday 19 December 2023, 3:49 pm
From	Bernard De Riviere, Guest experience manager, Brian Hilton Motor Group
To	Ellen Gallo (written by Nick Pratley); Nick Pratley
Subject	Valuation On Kia Sportage 2018 Model Registration Number [rego].

As Mentioned in the NCAT Hearing Brian Hilton to Provide Internal valuation which we have Done, ((((NCAT has Not Ruled This is a Major Failure)))
And we are doing our Upmost to have you back on the Road with a Urgent Request for the wiring harness for January arrival.

I have attached Kia head office customer care Number 131 542 to voice your concerns.

Regards,

Bernard De Riviere
Guest experience manager

Brian Hilton Motor Group North Gosford

Date	Tuesday 19 December 2023, 3:56 pm
From	Ellen Gallo (written by Nick Pratley)
To	Bernard De Riviere, Guest experience manager, Brian Hilton Motor Group
Subject	Re: Valuation On Kia Sportage 2018 Model Registration Number [rego].

NCAT hasn’t ruled it as a major failure YET as we didn’t go past conciliation - which we will now be doing in the new year.
You're not doing your upmost you're doing the absolute bare minimum. You're ignoring everything that's being asked or said. You can't even guarantee that it will be fixed!
I didn’t ask for Kia’s number I asked for it to be escalated as per Nick’s email which is to your manager or CEO.