

# California Lemon Law and Auto Dealer Fraud FAQ

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## Frequently Asked Questions About Lemon Law and Dealer Fraud

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The retail purchase of a motor vehicle in California is strongly regulated by two laws to protect you from warranty breaches and any automotive dealer that commits fraud. The California Lemon Law, California Civil Code § 1793.2 et seq., **is in place to protect vehicle buyers by enforcing the manufacturer warranty, extended warranty and/or dealer warranty.** The Consumer Legal Remedies Act (CLRA), California Civil Code §§ 1750 et seq., **protects auto consumers from fraud committed by a vehicle manufacturer or car dealer.**

Contact **James Johnson** and his team of **Lemon Law Advocates** for your ***FREE case review*** if you have purchased a vehicle including ***watercraft, motorhome or ATV*** in the state of California ***with existing defects*** that ***violate the warranty***, or if you were ***misled about the vehicle's condition***. The manufacturer or dealer ***is liable*** under powerful laws set in place to protect you. Here are the most common Lemon Law or Auto Dealer Fraud FAQ:

### What is California's Lemon Law?

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Any vehicle sold with a factory warranty in the state of California is covered by the Lemon Law. This consumer protection also known as the **Song-Beverly Consumer Warranty Act (CWA)** covers vehicle buyers of new, leased and certified pre-owned vehicles. Buyers are entitled to

receive a replacement vehicle, reimbursement for repair costs or the cancellation (rescission) of the sales contract. The California Lemon Law covers the following:

- **A Defect that Cannot be Repaired** - If your vehicle cannot be repaired within a 'reasonable number of attempts', defined by the Lemon Law as four or more times or two or more times if the defect(s) are likely to cause injury or death.
- **An Inoperable Vehicle** - If your vehicle is inoperable for at least thirty-days, within one year's time due to a defect that is covered in the factory warranty.
- **A Vehicle that Poses a Safety Hazard** - You may qualify for protection under the Lemon Law if your vehicle is faulty with defects or other factors that may pose a safety hazard to the operator or others.

## What is Auto Dealer Fraud?

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California Auto Dealer Fraud is defined as the ***deceptive and unlawful practice of a car dealer***, at any time during the buying process, used to take advantage of or mislead the buyer. Forms of Auto Dealer Fraud include the following improper practices:

- **Deceptive Advertising**
- **Representing a Reconditioned Vehicle as New**
- **Aggressive "Bait and Switch"**
- **False Representation for Unnecessary Repairs**
- **Deceptive Price Inflation**
- **Falsely Representing a Vehicle's Source**
- **Failure to Disclose Vehicle Information**
- **Odometer or Mileage Rollback**
- **Failure to Disclose Certain Sales Conditions**
- **False Representation of a Sales Person's Authority**

If you feel you were ***taken advantage of during your vehicle purchase***, the seller is financially (civilly) and/or criminally liable under California law. The experienced **California Lemon Law Attorneys** offer ***hands-on legal expertise to recover the maximum settlement you deserve***.

## How Can I File a Lemon Law Claim in California, and Win?

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Dealing with the hassle of a defective vehicle and the typical frustration from trying to recover compensation from the vehicle manufacturer can be overwhelming. **Attorney James Johnson** and his **Lemon Law Advocates** typically ***resolve lemon cases within 2-6 months***. Under the California Lemon Law and related statutes, the ***liable manufacturer is responsible for paying attorney's fees*** as a part of the judgement or settlement. You can expect to be compensated for the following if applicable to you case:

- **A New or Substantially Identical Replacement Vehicle** may be awarded to replace your defective vehicle if the manufacturer or dealer is unable to repair yours. The seller will also be responsible for all collateral charges associated with your new vehicle.

- **Reimbursement for Collateral Charges** associated with your faulty vehicle may include license fees, sales tax and registration fees.
- **Incidental Damages** may also be awarded for reasonable repair costs, rental car reimbursement, towing, repayment of prepayment penalties, early contract-termination charges, past/present or future earned finance charges and any other reasonable charges that were incurred as a result of your '*Lemon*'.
- **The Seller's Repurchase of an Owned Vehicle** will essentially refund the actual purchase price of your vehicle. Typically, the seller will attempt to deduct charges for vehicle use, your Lemon Law Advocates will minimize or fully eliminate this offset at arbitration or during your case.
- **The Seller's Repurchase of a Leased Vehicle** will *provide you with compensation for the pay-off amount of your car*, minus the security deposit and any refund due for insurance. This may include other deductions listed in the lease agreement or from a term of service contract that has not expired.
- **Attorney's Fees** will be the responsibility of the liable dealer or manufacturer as a part of your judgement or settlement.

Our expert Lemon Law Advocates will typically resolve a Lemon Law case within a two to six-month timeframe. The **California Lemon Attorneys** are proud to offer our clients a **no cost contingency** so you will never pay any out of pocket expenses during your Lemon Law Case.

## What Should I Do If Have Been a Victim of Auto Dealer Fraud?

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Do not hesitate to contact an experience Auto Dealer Fraud Attorney if you suspect you have been duped by improper or deceitful sales tactics. We have extensive CLRA knowledge and have the resources to help you prove if you were a victim of unlawful business practices to **recover the maximum amount of damages, including:**

- **Restitution of Property**
- **Punitive Damages**
- **Court Costs**
- **Attorney's Fees**
- **Class Action Award**
- **Any Other Relief, As Deemed By the Court**

## Contact an Experienced Dealer Fraud and Lemon Law Attorney in California

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To quickly resolve your claim with the best possible outcome, contact an experienced California Lemon Law Attorney help you move forward in a vehicle that is safe to drive. We have **successfully recovered millions of dollars** for our Lemon Law clients in California and have the **experience and resources available to help you file a Lemon Law claim or Auto Dealer Fraud Claim and win**. Give us a call at 800-558-1087 for your **free** case review to see how we can help.

