

Tips on Spotting a Flood-Damaged Car

consumer *brief*

The purchase of a new or used vehicle can be a high-cost consumer transaction. Vehicles damaged by floods have often ended up in the marketplace being sold to unsuspecting consumers. They can be hard to spot and often develop serious problems down the road. It is an unlawful advertising practice for a New Jersey dealership to fail to disclose in its advertisements that a motor vehicle has been previously damaged when such damage exceeds \$1,000 and is known or should have been known by the dealer. The dealer can also be subject to additional penalties for violations under the New Jersey Consumer Fraud Act and the Used Car Lemon Law for misrepresentations and omissions relating to the vehicle's condition prior to sale. The Division of Consumer Affairs has prepared this Consumer Brief to help you spot a flood-damaged vehicle before you buy it.

WHAT TO LOOK FOR:

If you cannot have a qualified mechanic examine the car for you prior to your purchase, listed here are some things you should do.

- Inspect the full interior of the vehicle for any watermarks or grit.



- Look for evidence of water damage on the upholstery and the carpet. Be sure to check under the floor mats. Feel around for damp spots, especially in the seat padding which takes longer to dry.
- Search for rusting on screws, seat springs and other metal areas where water would not normally be expected to intrude.
- Check inside the trunk for water stains. If your spare tire is in the trunk, check underneath it for signs of rust on the rim as well as the metal parts that hold the tire in place.
- Grab a flashlight and check the underside of the dashboard and the seats for dried mud. It is also recommended that you inspect the door panels and in any tiny crevices that might have been missed in a clean-up effort.

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- Be alert to any mold or musty odors as well as smells of excessive shampooing, strong air-fresheners or sanitizers throughout the vehicle.
- Test all of the lights, gauges and electronic systems to see if they are operational.
- Lift the hood and inspect the engine compartment for dirt, sand or residue.
- Look for fog or condensation in the headlights, taillights and instrument panel.
- Always test-drive the car as part of your inspection. Keep the windows up to make it easier to detect suspicious odors.

If you continue to have doubts about the vehicle, don't be afraid to WALK AWAY.

VEHICLE HISTORY REPORT

The Division strongly recommends that you obtain a vehicle history report from the dealer or get one on your own **before you make your purchase**. Many dealerships will offer them at no charge. Make sure the Vehicle Identification Number (VIN) on the report matches the VIN on the vehicle you are thinking of buying. The vehicle history report may disclose that the vehicle's title has received a "Flood" brand (as well as reveal any prior accidents or odometer discrepancies).

IF YOU HAVE A COMPLAINT

Failure of a New Jersey dealer to disclose prior flood damage to a consumer is a deceptive practice handled by the Division's Office of Consumer Protection. (Please note that vehicle problems that arise due to flood damage **DO NOT** fall under the New Jersey Lemon Law. The Lemon Law covers *defective* parts of a vehicle, not *damaged* parts due to water immersion). If you suspect that you unknowingly purchased a flood damaged car from a licensed New Jersey dealer, please contact the Division of Consumer Affairs using the information below.

New Jersey Office of the Attorney General **DIVISION OF CONSUMER AFFAIRS**

Consumer Service Center

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