

**Carol (Cally) Houck**  
**Mother of Raechel and Jacqueline Houck**  
**Ojai, California**  
**February 16, 2016**

Federal Trade Commission  
Office of the Secretary  
Room CC-5610 (Annex D)  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

**Re: General Motors LLC,- Consent Agreement, File No. 152-3101;  
Jim Koons Management Company - Consent Agreement, File No. 152-3104; and  
Lithia Motors, Inc.,- Consent Agreement, File No. 152-3102**

Dear Commissioners of the U.S. Federal Trade Commission:

My name is Cally Houck. I am a resident of Ojai, California. My beautiful, precious daughters Raechel and Jacqueline were just 24 and 20 years old when they were killed by a recalled Chrysler PT Cruiser that had not been repaired before they were handed the keys. It had a defective steering hose that made the car prone to catching on fire. When the car erupted into flames, they lost steering and collided with an 18-wheeler.

After five years of litigation, their father and I won a unanimous jury verdict under existing state laws that are common in all 50 states, and were awarded \$15 million in compensatory damages. The conduct of the company that put my daughters into that recalled car was illegal, under existing state laws.

Last year, the U.S. Congress passed the Raechel and Jacqueline Houck Safe Rental Car Act, named in their memories, to prohibit rental car companies, including auto dealers, with 35 vehicles or more in their rental / loaner fleets, from renting, loaning, or selling unsafe recalled cars. President Obama signed the bill into law on December 4, 2015.

I oppose the FTC's proposed settlements with GM, Lithia and Koons. Allowing dealers to sell "certified" used cars with "disclosure" would make it "open season" on car buyers and their families, by legalizing the deceptive sales of deathtrap cars.

Make no mistake. Allowing the sales of recalled used cars with "disclosure" would protect car dealers, not consumers. Not only are such practices illegal, but they are totally irresponsible and reckless, and show an utter disregard for human life.

The FTC should not allow dealers to sell unsafe recalled used cars under any circumstances, let alone when the dealer advertises that their cars have passed a “rigorous inspection” and qualified to be sold as so-called “certified” cars. That would only result in shifting the liability to the consumer, and in cases involving injury or death, could effectively limit the rights of victims and survivors to judicial redress – even if the defect injures or kills them as they drive home from the dealership.

The Dealers need to sell safe cars, not cars under an open recall, notwithstanding their sales pitch of “certified” cars that passed a “rigorous inspection.”

If the FTC's proposed settlements had been in effect when my daughters were buying a car, they would not have saved my daughters. Had they even noticed and read a “disclosure” about the recall, my girls, in their early 20's, with no engineering or mechanical experience, and no awareness of other fatalities associated with that defect, would not have been equipped to accurately assess the risk involved. If they had been told verbally that the defect did not pose a serious hazard, in all likelihood they would have believed it. And after their deaths, there would have been no way to prove what they were told.

Recently, Don Hall, the President and CEO of the Virginia Automobile Dealers Association, told the *Daily Press* in Richmond that “the vast majority of recalls are for minor things.” Unfortunately, that is not only untrue, but also exactly the type of misleading statement that could mislead someone into buying a car with a lethal safety defect – creating the mistaken impression that it is not dangerous.

Car dealers are not safety experts. They also have a blatant conflict of interest in selling cars as rapidly as possible, to maximize their profits. They should not be allowed to put consumers in the position of trying to second-guess the National Highway Traffic Safety Administration and the auto manufacturers who have issued the safety recalls.

Please do not settle unless it is on terms where the dealers cannot advertise that a car is “certified,” or any similar terminology, when it has an unrepaired safety recall. All recalled used cars should be safe from the moment they leave the car dealer's lot.

Lives are at stake. Thank you.

Sincerely,  
Carol (“Cally”) Houck