

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION

COMMISSIONERS: Edith Ramirez, Chairwoman
Julie Brill
Maureen K. Ohlhausen
Joshua D. Wright

_____)
In the Matter of)
)
GANLEY FORD WEST, Inc.,) DOCKET NO. C-4428
a corporation)
_____)

COMPLAINT

The Federal Trade Commission, having reason to believe that Ganley Ford West, Inc., a corporation (“respondent”), has violated provisions of the Federal Trade Commission Act (“FTC Act”), and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Ganley Ford West, Inc. is an Ohio corporation with its principal office or place of business at 16100 Lorain Avenue, Cleveland, OH 44111. Respondent offers motor vehicles for sale or lease.
2. The acts or practices of respondent alleged in this complaint have been in or affecting commerce, as “commerce” is defined in Section 4 of the FTC Act, 15 U.S.C. § 44.
3. Since at least August 4, 2012, respondent has disseminated, or has caused to be disseminated, advertisements promoting the purchase, financing, and leasing of its motor vehicles.
4. Respondent’s advertisements include, but are not necessarily limited to, advertisements posted on the website www.ganleyfordwest.com, copies of which are attached as Exhibits A and B. These advertisements list specific discounts from the manufacturer’s suggested retail price (“MSRP”) for Ford models. These advertisements include the following statements:

A. NEW 2013 FORD
F-150
\$12,000
OFF MSRP!

(Exhibit A).

B. NEW 2012 FORD
F-150
\$10,000 OFF
MSRP

(Exhibit B).

5. In fact, in numerous instances when consumers have tried to obtain advertised discounts, they have learned that the discounts are only available for a particular version of the vehicle, often one of the more expensive versions. For example, in many instances when the promotion in Exhibit A was offered, the only 2013 Ford F-150 available for \$12,000 off the MSRP was the Ford F-150 Lariat, with an MSRP of \$47,000. In those instances, the discount was not available on any other versions of the F-150, including the base model, which has an MSRP of \$23,670.

VIOLATIONS OF THE FEDERAL TRADE COMMISSION ACT

6. Through the means described in Paragraph 4, including but not necessarily limited to Exhibits A and B, respondent has represented expressly or by implication that particular Ford models are available at a specific dealer discount.
7. Respondent has failed to disclose that these specific dealer discounts are only available for some, but not all, of the Ford models advertised. This fact would be material to consumers in their purchase of the motor vehicles offered for sale in the advertisements. In light of the representations made, the failure to disclose this fact was, and is, a deceptive practice.
8. The acts and practices of respondent as alleged in this complaint constitute deceptive acts or practices, in or affecting commerce, in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

THEREFORE, the Federal Trade Commission, this twenty-eighth day of January, 2014, has issued this complaint against respondent.

By the Commission.

Donald S. Clark
Secretary

SEAL: