



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Office of the Secretary

July 2, 2015

Parker Lichtenstein
State of Florida

Re: *In the Matter of TT of Longwood, Inc., also doing business as Cory Fairbanks Mazda, File No. 1523047, Docket No. C-4531*

Dear Mr. Lichtenstein:

Thank you for your comment on the Federal Trade Commission's consent agreement in the above-entitled proceeding. The Commission has placed your comment on the public record pursuant to rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you highlight concerns that many car dealerships in your area, including Cory Fairbanks Mazda, have deceptively advertised large print sale prices that are disclaimed with fine print statements at the bottom of the advertisement. Your comment further suggests that all business advertisements should be required to print only one sale price that includes all applicable fees and charges, and that fine print disclaimers should not be permitted.

We appreciate your comment and believe that the proposed order should help to address your concerns. The order prohibits Cory Fairbanks Mazda from misrepresenting the cost of purchasing, financing or leasing a vehicle, or misrepresenting any other material fact about the price, sale, financing, or leasing of any vehicle. Additionally, the dealership will be subject to the Commission's final order for twenty years and liable for civil penalties of up to \$16,000 per violation should it violate that order, pursuant to Section 5(l) of the FTC Act, 15 U.S.C. § 45(l).

Further, under the Federal Trade Commission Act, advertisements must be truthful and not deceptive. A disclosure may only qualify or limit a claim to avoid a misleading impression. It cannot cure a false claim. If a disclosure provides information that contradicts a material claim, the disclosure will not be sufficient to prevent an advertisement from being deceptive. For additional information on this topic, please see our informational booklet, ".Dot Com Disclosures: How to Make Effective Disclosures in Digital Advertising," which is available at <https://www.ftc.gov/tips-advice/business-center/guidance/com-disclosures-how-make-effective-disclosures-digital> on our website. The guidance in this booklet applies to all advertisers regardless of whether an advertisement appears in print, on radio or TV, or on the Internet.

Should you encounter advertisements or practices that you suspect are deceptive, please file a complaint at www.FTCcomplaintassistant.gov or call 1-877-FTC-HELP. While the FTC does not resolve individual consumer complaints, your complaint may help us detect patterns of wrongdoing that may be used by our agency or any of the over 2,000 civil and criminal law enforcement authorities who access Consumer Sentinel, our complaint database. You could also considering filing a complaint with your state Attorney General or local Better Business Bureau.

After considering your comment, along with other public comments received in this matter, the Commission has determined that the relief set forth in the proposed order is appropriate and sufficient to remedy the violations alleged in the proposed complaint, and that it is in the public interest to issue the Decision and Order in final form. The final Decision and Order will be available on the Commission's website at www.ftc.gov. Thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



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July 2, 2015

Steve Perkins
State of Florida

Re: *In the Matter of TT of Longwood, Inc., also doing business as Cory Fairbanks Mazda, File No. 1523047, Docket No. C-4531*

Dear Mr. Perkins:

Thank you for your letter commenting on the Federal Trade Commission's consent agreement in the above referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe an experience with Cory Fairbanks Mazda in which the dealer did not permit you to purchase a vehicle for the price advertised on the Internet. According to your comment, you were told that you did not qualify for the advertised price and that you should have read the disclaimers. You characterize the dealership as dishonest and state that the dealership should be shut down.

We appreciate your comment and believe that the proposed order should help to address your concerns. The proposed order prohibits Cory Fairbanks from advertising a price or discount for a vehicle unless the price or discount is available to all consumers, or the representation clearly and conspicuously discloses all qualifications or restrictions relating to the price or discount. The order also prohibits the dealership from misrepresenting the cost of purchasing, financing or leasing a vehicle, or misrepresenting any other material fact about the price, sale, financing, or leasing of any vehicle. Additionally, the dealership will be subject to the Commission's final order for twenty years and liable for civil penalties of up to \$16,000 per violation should it violate that order, pursuant to Section 5(l) of the FTC Act, 15 U.S.C. § 45(l).

While the FTC does not resolve individual consumer complaints, your complaint may help us to detect patterns of wrongdoing that may be used by our agency or any of the over 2,000 civil and criminal law enforcement authorities that access Consumer Sentinel, our complaint database. Should you encounter other advertisements or practices that you suspect are deceptive, please file a complaint at www.FTCcomplaintassistant.gov or call 1-877-FTC-HELP. You could also considering filing a complaint with your state Attorney General or local Better Business Bureau.

After considering your comment, along with other public comments received in this matter, the Commission has determined that the relief set forth in the proposed order is appropriate and sufficient to remedy the violations alleged in the proposed complaint, and that it is in the public interest to issue the Decision and Order in final form. The final Decision and Order will be available on the Commission's website at www.ftc.gov. Thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



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July 2, 2015

Smith
State of Texas

Re: *In the Matter of TT of Longwood, Inc., also doing business as Cory Fairbanks Mazda, File No. 1523047, Docket No. C-4531*

Thank you for your letter commenting on the Federal Trade Commission's consent agreement in the above referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you express concern that the proposed order does not provide a monetary judgment against the dealership. The Commission has determined that in this case, the conduct relief obtained by the order will serve to remedy the alleged violations of the FTC Act and the Consumer Leasing Act by Cory Fairbanks Mazda and deter future violations. Additionally, the dealership will be subject to the Commission's final order for twenty years and liable for civil penalties of up to \$16,000 per violation should it violate that order, pursuant to Section 5(l) of the FTC Act, 15 U.S.C. § 45(l).

After considering your comment, along with other public comments received in this matter, the Commission has determined that the relief set forth in the proposed order is appropriate and sufficient to remedy the violations alleged in the proposed complaint, and that it is in the public interest to issue the Decision and Order in final form. The final Decision and Order will be available on the Commission's website at www.ftc.gov. Thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



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July 2, 2015

Daniel Wilson
State of Florida

Re: *In the Matter of TT of Longwood, Inc., also doing business as Cory Fairbanks Mazda, File No. 1523047, Docket No. C-4531*

Dear Mr. Wilson:

Thank you for your letter commenting on the Federal Trade Commission's consent agreement in the above referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe an experience with Cory Fairbanks Mazda in which the dealer told you that a particular vehicle that you were interested in would be much more expensive than the advertised price. Your comment proposes that the company should be required to honor prices for the consumers that visited the dealership as a result of the lower-priced advertisements.

We appreciate your comment and believe that the proposed order should help to address your concerns. The order prohibits Cory Fairbanks Mazda from misrepresenting the cost of financing or leasing a vehicle, or misrepresenting any other material fact about the price, sale, financing, or leasing of any vehicle. Further, the dealership will be subject to the Commission's final order for twenty years and liable for civil penalties of up to \$16,000 per violation should it violate that order, pursuant to Section 5(l) of the FTC Act, 15 U.S.C. § 45(l).

Additionally, should you encounter advertisements for prices that are not honored or other practices that you suspect are deceptive, please file a complaint at www.FTCcomplaintassistant.gov or call 1-877-FTC-HELP. While the FTC does not resolve individual consumer complaints, your complaint may help identify patterns of wrongdoing that may be used by our agency or any of the over 2,000 civil and criminal law enforcement authorities who access Consumer Sentinel, our complaint database. You also may consider filing a complaint with your state Attorney General or local Better Business Bureau.

After considering your comment, along with other public comments received in this matter, the Commission has determined that the public interest would best be served by issuing the Decisions and Orders in final form. The final Decision and Order and other relevant materials are available from the Commission's website at <http://www.ftc.gov>. Thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary