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## **Pushing the Compliance Button Too Hard**

*by By Gil Van Over*

Several dealers have reported within the past month that a certain product provider is “alerting” the dealers that the menus in use in the F&I Offices are not compliant. And of course, if the dealer starts selling a certain vehicle service contract, the product provider will make a compliant menu available. After hearing the reason why the existing menus are not compliant, it appears this product provider has pushed the compliance button too hard.

Rest assured, I am ultra conservative when it comes to compliant practices and policies. I see how dealers are being sued in seemingly frivolous lawsuits and regulatory inquiries. But a compliance program has to be balanced against the need to sell cars and make a fair profit. Building a wall around your dealership will only serve to keep customers out—like the Berlin Wall, the Great Wall of China or the soon to be built wall at our Mexican border.

But...this product provider is apparently telling dealers that using a label such as “Platinum” or “Preferred” or “Super-Duper” for the menu column that contains all the products available to the consumer is a potentially deceptive practice. This company’s theory is that by stating that a suite of products is the best, an unknowing consumer may unwittingly purchase products that he may not really need.

I suppose that if a dealer can be sued for promising “Nothing But Great Service” on a We-Owe, an enterprising, shady plaintiff’s attorney can file a lawsuit alleging a deceptive practice for labeling the various columns with descending values.

So, according to this product provider, we should avoid labeling the columns ‘A’, ‘B’, ‘C’ and ‘D’. After all, I’d prefer my son bring home A’s on his report card.

Likewise, ‘1’, ‘2’, ‘3’, and ‘4’ won’t work either as I want my favorite sports teams end up number one, not number four.

Please, give us a break and push the compliance button when it needs to be pushed to protect a dealer’s pocketbook and reputation, not to push a product.

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