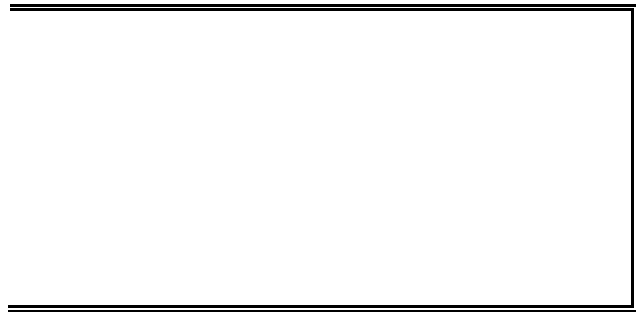


**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION**

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



DOCKET NO. _____

COMPLAINT

The Federal Trade Commission, having reason to believe that Nissan of South Atlanta, LLC, also doing business as Nissan South (“respondent”), has violated provisions of the Federal Trade Commission Act (“FTC Act”), the Truth in Lending Act (“TILA”), and its implementing Regulation Z, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent is a Georgia corporation with its principal office or place of business at 6889 Jonesboro Road, Morrow, Georgia, 30260-2902. Respondent offers automobiles for sale or lease to consumers.

2. The acts or practices of respondent alleged in this complaint have been in or affecting

- a. The top portion of the advertisement attached as Exhibit A includes the following representation in large, bold font:

\$0 DOWN \$99/MO

- b. The middle portion of the advertisement depicts several vehicles, most of which contain the representation:

\$0 DOWN • \$99/MO

- c. The bottom portion of the advertisement includes the following representation in small text:

\$0 DOWN AT 5.499% APR FOR 84 MONTHS WITH APPROVED CREDIT. SEE DEALER FOR DETAILS. DEALER RETAINS ALL REBATES. \$99/MO IS FOR 1ST 2 MONTHS. CANNOT EXCEED TOTAL VALUE OF \$800. NOT APPLICABLE WITH ANY OTHER OFFER

6. Respondent's advertisements fail to state clearly and conspicuously that consumers will pay \$99 per month for only the first two months of an 84-month period. The advertisements also fail to state the amount of each payment beyond the first two months of financing.

FEDERAL TRADE COMMISSION (3A) 1-16-14 (2) (1) 2012 (1) 2.5 (1) 628 jlm (1) 3 (1) 6 (1) 6

VIOLATIONS OF THE TRUTH IN LENDING ACT AND REGULATION Z

- 10. Under Section 144 of the TILA and Section 226.24(d) of Regulation Z, as amended, advertisements promoting closed-end credit in consumer credit transactions are required to make certain disclosures (“additional terms”) if they state any of several terms, such as the monthly payment (“TILA triggering terms”).
- 11. Respondent’s advertisements promoting closed-end credit, including but not necessarily limited to those described in Paragraph 5, are subject to the requirements of the TILA and Regulation Z.

Count II

Failure to Disclose or Disclose Clearly and Conspicuously Required Credit Information

- 1
2
b 12. Respondent’s advertisements promoting closed-end credit, including but not necessarily limited to those described in Paragraph 5, have included TILA triggering terms, but have failed to disclose or disclose clearly and conspicuously, additional terms required by the TILA and Regulation Z, including one or more of the following:
 - a. The amount or percentage of the downpayment.
 - b. The terms of repayment, including any balloon payment.
 - c.