

**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION**

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

**In the Matter of**

**TC Dealership, L.P.**  
**a Nevada Limited Partnership,**  
**d/b/a PLANET HYUNDAI.**

6. Respondent has placed numerous advertisements promoting consumer leases and purchases of motor vehicles, or promoting credit sold

a lease and the number of scheduled payments. Respondent's advertisements fail to include other required information, such as the total amount due at signing and whether or not a security deposit is required.

“\$0 DOWN AVAILABLE”

11. Respondent's advertisements, including but not limited to the advertisement attached as Exhibit A, deceptively promote offers for motor vehicles with a prominent “\$0 DOWN AVAILABLE” statement:

(from Exhibit A, print advertisement, *Las Vegas Review-Journal* ((Nov. 2014))

12. In fact, consumers seeking to obtain the vehicles shown in the advertisements for “\$0 DOWN” must turn in a qualifying vehicle with a trade-in value of at least \$2,500. Thus, “\$0 DOWN” is not available to consumers who do not trade in a qualifying vehicle.

13. Additionally, Respondent's advertisements state certain terms, such as the amount down, but only disclose in miniscule print that

15. In the block of text near the bottom of the full-page newspaper advertisement, the following statement appears in miniscule print:

\*\*0% APR for 72 months on select models subject to credit approval through HMF.

16. Respondent's advertisements fail to include other required information, such as the terms of repayment.

## **FEDERAL TRADE COMMISSION ACT VIOLATIONS**

### **Count I**

#### **Misrepresentation of Vehicle Purchase Prices**

17. Through the means described in Paragraphs 6 through 9, Respondent has represented, directly or indirectly, expressly or by implication, that consumers can purchase vehicles for the prominently advertised "50% OFF" prices.

18. In fact, vehicles are not generally available for purchase at the prominently advertised "50% OFF" prices. Therefore, the representation set forth in Paragraph 17



## **VIOLATIONS OF THE TRUTH IN LENDING ACT AND REGULATION Z**

30. 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 number of payments or period of repayment (“TILA triggering terms”).

31. Respondent’s advertisements promoting closed-end credit, including but not necessarily limited to those described in Paragraphs 6 and 14 through 16, are subject to the requirements of the TILA and Regulation Z.

### **Count V**

#### **Failure to Disclose or Disclose Clearly and Conspicuously Required Credit Information**

32. Respondent’s advertisements promoting closed-end credit, including but not necessarily limited to those described in Paragraphs 6 and 14 through 16, 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 down payment.
- b. The terms of repayment, including any balloon payment.
- c. The “annual percentage rate,” using that term, and, if the rate may be increased after consummation, that fact.

33. Therefore, the practices set forth in Paragraph 32 have violated Section 144 of the TILA, 15 U.S.C. § 1664, and Section 226.24(d) of Regulation Z, 12 C.F.R. § 226.24(d), as amended.

**THEREFORE**, the Federal Trade Commission, this thirteenth day of August, 2015, has issued this complaint against Respondent.

By the Commission.

Donald S. Clark  
Secretary

SEAL: