

In March of this year, American Car Center (d/b/a RAC Dealership, LLC) closed its Charlotte dealership and all of its forty locations across the nation, and filed Chapter 7 Bankruptcy on March 14, 2023. If you purchased a vehicle from the company and believe that you have a valid claim against it, you (as an individual consumer and potential creditor of ACC) may communicate with the Bankruptcy Trustee about any rights you may have or submit filings directly to the Bankruptcy Court. The Court may also require that certain filings be submitted by a specific deadline.

The italicized statement below was provided by the Bankruptcy Trustee's office on April 13, 2023:

A Bankruptcy Court hearing was held on April 12, 2023, on several matters, including a motion seeking authority to enter into a servicing agreement with Westlake Portfolio Management Company ("Westlake"). The Bankruptcy Court entered the attached order authorizing the Trustee to enter into a servicing agreement with Westlake. This means that Westlake (www.wpmservicing.com / 877-854-5688) is now the servicer for all of RAC Dealership/American Car Center's leases and loans. As part of the service agreement, Westlake will make best efforts in addressing any open tag, title, and registration issues.

Given the size and complexity of the Debtors' businesses, the extraordinary number of customers, and the voluminous documents associated with operating dealerships in numerous States, processing the paperwork for leases, loans, tags & titles will take time. The process for a company such as RAC / ACC to work through Chapter 7 Bankruptcy is complex and requires months to navigate. Also, in most cases, a trustee requires Bankruptcy Court approval before taking certain actions. Please know that Westlake, the Trustee, and others involved are working as quickly as possible.

*Office of Chapter 7 Bankruptcy Trustee David W. Carickhoff, Esq.
300 Delaware Avenue, Suite 1100
Wilmington, DE 19801
Phone: 302-777-4350
Fax: 302-777-4352
dwctrustee@gmail.com*

General Questions

For general questions, consumers may contact Westlake at 877-854-5688 or wpmcustomercare@wpmservicing.com. The Westlake website can be found at <https://www.wpmservicing.co>.

Warranty Coverage

According to the Trustee, the warranty coverage provided by ACC may no longer be valid. According to the Trustee, consumers affected by this warranty voidance and other issues related to ACC's closure may file a Proof of Claim with the Bankruptcy Court (instructions below).

Filing a Proof of Claim

Instructions for filing proofs of claim can be found on the Bankruptcy Court's website at <https://www.deb.uscourts.gov/claims-information>. The bankruptcy case number for ACC/ RAC Dealership, LLC is 22-50228. Consumers who are filing a Proof of Claim are considered a "creditor" and ACC is the "debtor." You may need to select the circle for the "Creditor not listed" field to add yourself.

Credit Inquiries

For credit inquiries associated with Westlake reporting, consumers may contact creditbureaus@wpmservicing.com. Westlake is currently not reporting ACC accounts to the credit reporting agencies.

Titling, Registration, and Tags

Some consumers facing difficulty titling or registering their vehicles may be able to file a claim against ACC's surety, Travelers Insurance. For surety bond inquiries, consumers may contact Dan Vacca with Travelers Insurance at dvacca@travelers.com. However, please note that, according to Travelers, leased vehicles are not covered by the surety bond issued by Travelers.

If you purchased a vehicle from the company in North Carolina and have concerns related to your ability to get your tags, you should file a complaint with the North Carolina Division of Motor Vehicles License and Theft Bureau here: <https://www.ncdot.gov/dmv/programs/fraud-theft/Portal/Pages/default.aspx>

Financing Inquiries

If you financed your purchase, you or your attorney may wish to also contact your finance company to see what assistance it may afford you.

Discussing your situation further with a private attorney may help further clarify your options. If you do not have an attorney, you may wish to contact the North Carolina Bar Association for a referral, via 919-677-8574 or <https://www.ncbar.org/public-resources/find-an-nc-lawyer/>.

Used Car Buying Tips

If you're buying a used car, here are some tips to consider:

- **Make sure you're paying a fair price.** Check resources at your local library or visit Web sites like www.nadaguides.com or www.edmunds.com to find out the market value of the make and model you are considering.
- **Read the terms of the contract.** If the deal is being financed by the auto dealership or a lender solicited by the dealer, make sure the contract states the interest rate, also known as the annual percentage rate (APR). It should also contain everything you and the dealer have agreed upon.
- **Take a test drive.** Drive the car under many different conditions, such as on hills, highways and in stop-and-go-traffic.
- **Inspect the car thoroughly.** Consider taking the car to a mechanic that you trust for a pre-purchase inspection prior to signing any sale documents.
- **Ask whether the car has ever been in an accident.** Get the answer in writing. Find out as much as possible about the car's prior history and examine its maintenance record.
- **Check on defects and recalls.** Visit the [National Highway Safety Administration](http://www.nhtsa.gov) online or call 1-888-DASH-2-DOT to see if the vehicle has had problems or recalls reported.

Visit our website for more used car buying tips, and call our office at 877-5-NO-SCAM if you have concerns about a car dealer.