

Woman Asking \$142,000 In Suit Against Used Car Dealer

by Sanford Schmidt
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EDWARDSVILLE - A woman has filed suit against a used car company, claiming one of the company's dealerships sold her a car with "minor" defects, when, in fact, it had several major defects.

In the complaint against Insta-Credit Auto Mart, the plaintiff's attorney claimed that, instead of needing only a wheel alignment, the car needed new shock absorbers, new front and rear struts, new breaks, repair of front windows - which would not roll up and

down without repeated effort - replacement of right, rear trailing arm, and replacement of the steering assembly.

Plaintiff Christina Messey has named Donald S. Birger, registered agent, of the first block of Country Club Drive, Edwardsville, as well as the “person in charge” of Insta-Credit in Collinsville, Enterprise Bank & Trust Foundation, the defendant. She paid \$12,598 for the car on June 14, 2019. The installment loan was made by Enterprise Bank.

The suit claims that when the plaintiff bought a 2013 Dodge Avenger, she took a test drive, and the car was shaking. The salesperson said the car needed only a wheel alignment, which the firm would fix after the purchase.

The plaintiff said she repeatedly contacted the auto sales firm about the “minor” repairs but was repeatedly told the shop was full and to come back later, the suit alleges.

When she bought the car, she was not told she would be required to get the repairs made within 30 days of purchase, the suit alleges; however, she was told that after 30 days of the purchase the business was not obliged to make the repairs.

The suit states Messey then paid more than \$9,000 to make the car driveable. She is asking the court for that amount, as well as \$1,800 for time spent attempting to get the car fixed, plus \$609 for a rental car, because the Dodge Avenger was “broken down and was unsafe,” plus \$2,600 for lost wages, plus more than \$30,000 in attorneys fees. The suit claims the car was worth nothing when the plaintiff bought it.

The suit is filed under the Illinois Consumer Fraud Act. In addition to costs, Messey is asking for \$100,000 in punitive damages. A person at the dealership in Collinsville declined to comment. Messey is represented by David M. Duree of O’Fallon.