

<b>COMPLAINT NUMBER</b>	21/566
<b>ADVERTISER</b>	Miles Toyota
<b>ADVERTISEMENT</b>	Miles Toyota, Facebook
<b>DATE OF MEETING</b>	31 January 2021
<b>OUTCOME</b>	Settled

**Advertisement:** The sponsored advertisement for Miles Toyota on Facebook promotes pre-owned Toyota Corolla GX hatches from \$19,950. The advertisement includes a caption about the model and an image showing the vehicle in different colours, stating "2017 Pre-Owned COROLLA GX Hatch From \$19,950 Driveaway", "All that's left to do is decide what colour". Beneath the image, there is another caption and a button which takes the user to the Advertiser's website. The caption states, "Pre-owned Corolla GX From \$19,950 Driveaway" and "Travelled 40,000km - 50,000kms" in smaller print.

**The Chair ruled the Complaint was Settled.**

**Complaint:** At time advertisement was displayed the lowest priced 2017 or 2018 Corolla GX model on their website was \$22,950, which is considerably higher than the \$19,950 advertised.

This was viewed 16:00, 16/01/2022 as a sponsored advertisement on Facebook.

**The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b))**

**The Chair** noted the Complainant was concerned the advertisement was misleading in relation to the price of the Toyota Corolla GX Hatch Car.

The Chair accepted the complaint to go before the Complaints Board to consider whether the Advertising Standards Code had been breached. As part of the self-regulatory process, Advertisers have the option of amending or removing their advertising to comply with the Advertising Codes.

Upon receipt of the complaint, the Advertiser replied:

"My understanding of this concern is as follows:

1. The ad was created to show a number of used Corolla GX stock that we have available "from \$19,950". At the time the ad went live there were in the region of five Corolla GX vehicles listed on the website, with the cheapest at \$19,950 and the most expensive at \$23,950.

2. On 16 January, Sunday 3:59pm a Facebook user commented on the ad to say the cheapest we had was \$22,950. On 17th January, Monday when we returned to the office to check our Facebook comments, we read this comment, checked the listings, and confirmed that the cheapest model listed was indeed \$22,950 as the \$19,950 models had been sold and removed from the website without our advertising team's knowledge. A team member replied to the user at 7:46am on Monday morning to thank the user for letting us know and to say we would update the 'from' price on the ad to reflect this.

3. At that time we informed our Used Sales Manager, Stuart Reid, who responded to say that we do have Corolla GX models for \$19,950 but these had not yet been listed online. He then confirmed at least one would be going online later that day - Monday. This did indeed go live on 17th January and to this day displays on the link of the ad, showing that we do still have vehicles available from \$19,950. Another listing went live on 21st January. These vehicles can be found on the destination link of the ad, which is this<<https://www.toyota.co.nz/used-vehicles/corolla-hatch/?dealerid=35066&bodyshape=hatch&model=893&dealerfilter=35066&modelfilter=19&location=DealerLocation&minyear=2017&maxyear=2018&sorting=6>>. Actions I have taken following this complaint via ASA:

The ad was incorrect at the time of the comment. It was resolved within one working day as soon as we were made aware.

While this ad is currently correct and so as of right now no amendment would be required, I have stopped this Facebook ad that shows used Corolla "from \$19,950".

In future we will include a disclaimer with regards to used vehicle pricing being subject to availability, and we will take reasonable measures to ensure if we have a 'from' price on a used vehicle that it is reasonably available for sale throughout the lifetime of the ad."

Given the Advertiser's co-operative engagement with the process and the self-regulatory action of removing the advertisement, the Chair said that it would serve no further purpose to place the matter before the Complaints Board.

The Chair ruled that the matter was Settled.

**Chair's Ruling:** Complaint **Settled**

#### **APPEAL INFORMATION**

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website [www.asa.co.nz](http://www.asa.co.nz). Appeals must be made in writing with notification of the intent to appeal lodged within 14 calendar days of receipt of the written decision. The substantive appeal application must be lodged with the ASA within 21 calendar days of receipt of the written decision.