GEORGIA INDEPENDENT

AUTO DEALER

The official publication of the Georgia Independent Automobile Dealers Association

JAN/FEB 2023

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Happy New Year, Dealers!



GIADA PRESIDENT Jack Carter **Turn & Burn Motors**

I hope all of you are as excited about 2023 as I am. I'm predicting, as inventory levels rise, the car business will begin to return to what it once was. We're hearing buzz concerning deep subprime loans defaulting and we all know that will result in more repos at the auctions. That could mean more opportunities and a softening of pricing. Keep your fingers crossed!

The Federal Trade Commission has also announced it will be extending the deadline for dealers to comply with changes the agency has implemented to secure the personal information of our customers. The new deadline is June 9, 2023. Requirements include: Develop a written risk assessment, encrypt all sensitive information, train security personnel, develop an incident response plan, develop multi-factor authentication of an individual accessing customer information, and more. It sounds scary, for sure. Not

only do we have to carefully navigate the future planning and direction of our dealerships, but now further compliance in an area we are not experts in. There could be heavy fines to follow for those who don't comply and this should worry us all.

In addition to the new safeguard rules, we also need to be looking into safeguarding our company from theft and potential loss from within. It is an age old problem that my father has warned me about for years. His advice: Watch the folks who handle your money! We've been working with our CPA to develop safeguards against internal theft. If anyone would like that information shared, just reach out to me!

Good luck, dealers and happy bidding in the New Year!

Jack.turnandburnmotors@gmail.com





FTC SAFEGUARDS **DEADLINE EXTENDED TO JUNE 9, 2023**

The Safeguards Rule requires non-banking financial institutions, such as mortgage brokers, motor vehicle dealers, and payday lenders, to develop, implement, and maintain a comprehensive security program to keep their customers' information safe.

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Unconventional 2023



GIADA EXECUTIVE DIRECTOR, **Amy Bennett**

2022 was a wild year! Who would have guessed that dealers would hit record profits during the COVID pandemic? Or anticipate the chain effect of the microchip shortage and other supply issues? I think car buyers have been in shock this past year. The first shock is to see dealerships with a fraction of the number of vehicles they usually stock and then to learn how long consumers are waiting for vehicle delivery and paying above sticker price for new vehicles. I look at many dealer advertisements in utter disbelief! To say the least, it has been challenging for independent dealers to buy affordable vehicles. Congratulations to those of you that were able to hang in there and remain successful!

SCHOOL ZONE INFRACTIONS

For many months now, there has been a thorn in my side! It is the School Zone Infractions law that has been on the books for many years, but just recently enforced by the Georgia Department of Revenue. It is affecting dealers of all sizes. If you are not involved in the GIADA Board Meetings, please know that we have been fighting very hard to resolve this issue! Even before the elections in November, the GIADA lobbyist went to Governor Kemp's office to make him aware of the burden this has caused dealers across the state. He made several phone calls, but because of the way the law was written, the DOR cannot budge. We are not going to forget this issue going into 2023 and we have already

come up with new legislation to get the law changed! It is very unfair to make Georgia dealers pay those infractions before they can register a vehicle to their new buyer. I am gathering additional information about this subject, so if this has impacted your company, please call or email me with your details.

MEMBERSHIP SUCCESS!

I am so very proud to say that GIADA is still the largest Independent Dealers Association in the country! We have slightly over 3000 members and work our hardest to maintain them all. Please make sure that

the dealers you meet and greet throughout the day are GIADA members, as well. Our 2023 convention will be at Stone Mountain again this year. The dates are July 13-15, so please mark your calendars!

Thank you again to all our members who continue to support GIADA! We honestly do appreciate you!

I hope 2023 brings you happiness and continued success!



Used Car Sales Gain Shares

By NIADA Dashboard

Used car financing gained in its market share in the third quarter of 2022, growing to 61.68 percent.

The figure was up from 59.66 percent for the same quarter of 2021, according to Experian's State of the Automotive Finance Market report recently.

Opportunity open for independent dealers

The report showed a slight decrease in the sales for independent dealers to 47.46 percent from 47.67 percent in 2021.

"It shouldn't come as a surprise to see that the independent dealer volume dipped slightly in the latest data," said NIADA Vice President Jeremy Beck. "Our dealers have been fighting diligently in the lanes, online and in marketing to get inventory against deeper pockets of the franchise dealers. What's encouraging is that overall used loans continue to increase as percentage of market share.

"As inventory levels come back online and interest rates continue to rise, it's a great time to be an independent dealer. Consumers will be driven to our dealer lots by quality vehicles, a robust Certified Pre-Owned program that provides value and confidence to the consumer, and payments they can afford." -Jeremy Beck, NIADA VP

> Rates, prices continue to rise in third quarter

For independent dealers, 37.97 percent of loans were by BHPH dealers, with 24.76 percent of financing being provided by finance companies, 21.53 percent by credit unions and 15.43 percent from banks.

The used car loan amounts continued to grow, jumping 9.34 percent from last year to \$28,506. For the third quarter of 2021, the average finance amount was \$26,251 and \$21,629 for the same time period in 2020.

The average monthly payment topped \$525 - an increase of \$53 from 2021. The average loan rate was 9.34 percent, up from 8.12 percent in the third quarter of 2021. The average loan term also grew from 66.97 months to 68.08.

The numbers were down from the first and second quarters of 2022. The average loan amount decreased by \$104 or 0.37 percent from last quarter.

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bercrime in Automotive: hat You Need to Know

BY BRAD HOLTON FOUNDER, PROTON DEALERSHIP IT

Think about all the consumer data your dealership collects... names, numbers, addresses, work details, salary, social security numbers; financial details about their vehicle purchase; and even credit card information from service. The list goes on and on. This is what makes dealerships a prime target for cyberattacks. Let's break down cybercrime in automotive.

HOW ARE DEALERSHIPS BEING **ATTACKED**?

- Ransomware is the most common form of attack in automotive.
- Email is the number one method for gaining access to a dealership's network.

So what exactly is ransomware? It's a type of malicious software that gets into the dealership's network, encrypts and often steals data, and then demands a ransom payment in order to get it back.

Think about it: your sales people are answering online inquiries daily. They get an email and they respond without questioning it. That is their job, after all. Your business office folks communicate with various lenders and vendors, receiving and making payments. Fixed Ops is no exception.

That's what makes email such an easy and successful method. So how do hackers do it?

Hackers have become so sophisticated, they are actually able to get inside your network and monitor what's going on. They identify a contact whom you email frequently, maybe you receive an invoice or report from them weekly. After months of monitoring from the inside, they will send you a message disguised as the typical email you get. It might have an attachment that looks like the invoice or report you typically receive, but as soon as you click it, a malicious download begins in the background. Having the appropriate cybersecurity measures and employee training in place will determine how far into your network these hackers can get. Let's assume you have very basic protection, and they are able to officially ransom your data... what are the consequences?

REAL WORLD CONSEQUENCES TO **AUTOMOTIVE CYBERCRIME**

- The average ransomware remediation costs are \$1,400,000.1
- Business are down after a ransomware attack for an average of 21 days.2
- 84% of consumers would not buy another vehicle from a dealership after their data had been compromised.3

You arrive at your dealership on a beautiful Thursday morning. It's month end, and you're excited because you have a truck full of inventory coming today - it's the first time in weeks. But, you aren't able to log in. You start receiving phone calls from employees who either can't log in or have a strange message on their screens. Your entire dealership is down. You can't sell or service cars. You can't close deals. You can't pay bills or accept payments.

The cost of this event could be days with no operations at all and lost customers who go to another store for a vehicle purchase or service work, or angry customers whose vehicles are in for service, but they now can't get them for days. Then once you finally do get back up and running, it's a slow process, getting computers back online, getting your data off the back-ups (that are hopefully current), and making sure everything is accurate.

Once the dust has settled, you can finally start to think about your reputation and the impact this will have on future business. Think of the customers you'll have to notify, and the friends with whom they'll share this news. You might now be wondering, "How do I ensure this doesn't happen?"

PROTECTING YOUR DEALERSHIP FROM CYBERCRIME

- 30% of dealerships are not up-to-date on their security software.4
- Only 21% of security professionals think their current security controls are adequate.5

The right cybersecurity program could be the make-or-break element in an event like this. It all starts with a strong perimeter firewall to protect your network. Then, if something manages to get through your firewall, the next layer of protection is advanced email security that is able to identify and filter out suspicious emails. Additionally, if something does get through to email, a comprehensive system should alert the monitoring team so they can step in and take action if needed.

Taking it a step further, endpoint detection and response will protect each of the individual computers and mobile devices your team uses every day. To cap it all off, your employees should be trained to look for suspicious email triggers. They are your first line of defense.

Consider your dealership, the legacy that has either been passed down for generations or that you plan to one day pass down yourself. One cyberattack could change all of that. Protect your dealership, protect your legacy, before it's too late. ■

- 1 Sophos, The State of Ransomware 2022 2 Coveware report, Bizjournals.com, Buckle up - automotive dealerships unprepared for cvbercrime
- 3 Total Dealer Compliance
- 4 Total Dealer Compliance
- 5 Forrester Research, 2020

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Used-Vehicle Values Skyrocket

BY NANCY DUNHAM

As inventory shortages drag on for some automakers, many dealers are counting on used-car acquisitions to maintain their profitability.

And a recent iSeeCars study shows that might not be as difficult as predicted. For the first time in recent history, a number of cars have appreciated in value or at least depreciated much less than expected. iSeeCars credits high demand and low vehicle supply with turning some vehicles into appreciating assets or resulting in slower-than-usual depreciation.

"This is unprecedented in used-vehicle pricing," says Karl Brauer, executive analyst at iSeeCars. "Finding multiple three-year-old used models worth more than their new MSRP is something we've not seen before."

That's welcome news for dealers. Dealership respondents to a recent Wards Intelligence survey appear hungry for profitable used-car sales. Almost half (42.5%) of all respondents expect used-vehicle sales to increase their dealerships' revenues in the next 12 months. That compares with 34.4% who expect new-car sales to increase revenue.

The majority (58.8%) of survey respondents report inventory shortages had the greatest negative impact on their businesses in the past 12 months. More than half (53.2%) believe inventory shortages will have the greatest negative impact for their stores in the next 12 months.

It's doubtful that acquiring the specific models that have risen in value or marginally depreciated will overhaul a store's lack of inventory, but it may well make up for some profits lost by shortages. Still, dealers can expect sizable profits from sales of vehicles that appreciate.

And Brauer says depreciation may slow even more, opening new opportunities for profitable acquisitions.

"As we get further and further into a postpandemic world where prices are very high for both new and used, we're going to see dropping depreciation," Brauer tells Wards. "Depreciation after three years is normally about 35%. Last year, it was 23%. This year it's 16.9%. That's a huge drop again. So what's really surprising is that there are cars that are worth more when they are three years old than they were new."

That's especially welcome news considering the recent Manheim Market Report (MMR) indicates larger-than-normal declines in its Three-Year-Old Index that measures pricing trends in the used car market. Adding to dealers' used-vehicle quandaries is the challenge of forecasting the market price and the expense of reconditioning.

Yet there are plentiful positives in the used-car market beyond the appreciating models. MMR reports used-vehicle prices have not seen significant declines and retail demand is stable.

The iSeeCars report shows three of the models that increased in value over sticker price are the same as the top three models with the lowest five-year depreciation: the Porsche 911, Jeep Wrangler and Jeep Wrangler Unlimited. The other models include another Porsche model, the Porsche 718 Cayman, as well as the Toyota RAV4 Hybrid.

"What we're saying to dealers is that if you can acquire any of these cars for a decent price, you're probably going to do quite well when you resell them," says Brauer. "Plus, there are opportunities for F&I, parts and even accessories that will add to (dealerships') profits." ■

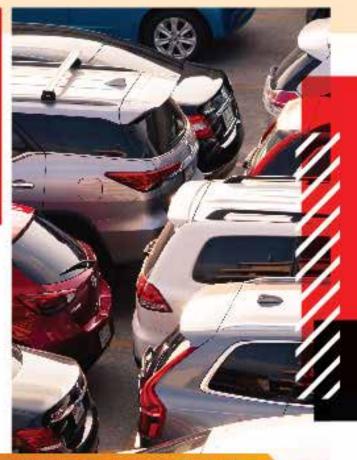




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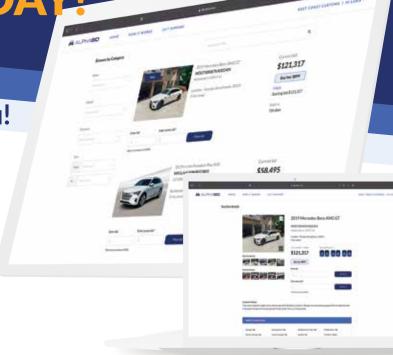
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The automotive industry experienced a tsunami of disruption over the last two years. But with this disruption came opportunities for innovation and advancement, says Kristin Thompson, director of sales for Autotrader.

She divides the disruptions into three buckets: the COVID-19 pandemic, the global shortage of semiconductor chips, and tightened inventory constraints. "With the changes came opportunities for innovation and advancement," she says. "These three things catapulted the industry ahead. The automotive industry is now moving ahead at a much faster pace."

DISRUPTION DRIVERS

COVID-19 represents the top disruptor in the market, according to Thompson. The government did not immediately categorize retail automotive as essential, so automotive dealers found their dealerships closed along with the rest of the country. This shift required dealerships to pivot from in-person operations to virtual just to stay in business.

"COVID pushed everything online because a lot of dealer showrooms were closed," she says. "This scenario rapidly advanced industry products like digital retailing, where dealerships met the customer online and took the deal from there."

The lockdowns led to a critical chip shortage, which also drove change within the market. As automotive factories and plants hit the pause button, they stopped placing orders for chips. The electronics industry scooped up these additional chips and when the auto industry reopened, manufacturers found chips in short supply.

"The chip shortage will not go away soon because of the logistics issues in the world today," Thompson adds. The chip shortage has tightened production and led to critical inventory shortages within automotive retailing. This has driven up demand and set record prices for new vehicles.

"The chip shortage took the industry from a buyer's market to a seller's market," she says. "With a lot of inventory, a buyer can choose what they want. But the chip shortage transitioned the retail market into a seller's market, driving prices up. It's still competitive, however. Whoever has or can get the inventory captures market share."

The chip shortage drove pipeline issues, she adds. "How do they get inventory? How do they buy inventory at the right price? Dealers must buy vehicles at the right price to make money. The shortage also pushed the wholesale market into the digital realm. In-person vehicle auctions transitioned to online auctions and heightened competition for vehicles.

Thompson expects inventory levels will remain low on car lots because "OEMs and dealers are finding they don't have to have 600 vehicles on a lot to sell cars. Consumers are adjusting to ordering vehicles and waiting 8-10 weeks to get them, which was once unheard of," she says.

Consumers, she says, are also adjusting to paying higher prices for these vehicles. According to J.D. Power research, June 2022 represented the eighth consecutive month that retail inventory closed below 900,000 units. Meanwhile, new vehicle prices continued to set records with the average transaction price hitting \$45,844, a 14.5% increase over the previous year.

CONSUMER CHANGE

The disruptors in the marketplace also

changed consumer buying behavior, adds Thompson, who hosted a panel titled "Consumer Buying Behavior: Insights and Trends" at the 2022 NIADA Convention & Expo in Las Vegas.

"Consumer satisfaction has grown along with the ability to purchase a vehicle online," she says. "It used to be unheard of to buy a car online."

She cites the Cox Automotive Car Buyer Financing Journey Study to support her comments. This research revealed buyers who completed key financing steps online saved time and were more satisfied with their time at the dealership than buyers who completed the same steps in person.

"Consumers like being able to buy a car online because it makes the process more efficient and shortens the time they spend in the dealership," she says.

Digital retailing became the norm during the pandemic, she says, and "consumers demand that it stay that way. Consumers want to see that process move forward so they can buy a car completely online. There are dealerships where you can do this already. But consumers want this to be the norm rather than the exception."

BE DIFFERENT

Today's consumer buying behavior presents an opportunity for dealers to differentiate their dealerships to stay top of mind and win market share, Thompson adds.

"Ask, 'What can I do to win that customer? Because they are going to buy. It's just a matter of whether they will buy from you."

"Dealers need to ask themselves: What can I do to differentiate my dealership? What can I do to stay top of mind? What can I do to win market share?" she says. "These three things are what a dealership needs to succeed."

This begins with understanding today's car buyer, who spends less time in the market and the purchase process. Today's consumer spends just 83 days in the new car market versus 101 days in 2019. The purchase process declined to 92 days in 2021. And used car buyers traveled 88 miles from home to buy a car versus 98 in

The number of miles consumers will drive to buy a car indicates customers are using digital retailing tools to start deals online, Thompson stresses. Dealers once advertised within a 25-50-mile radius. Now it's critical to expand the advertising footprint and get vehicles in front of customers 100, 200 or 300 miles away, she

"The dealer who has the best and most information in front of the consumer the fastest is the one who will differentiate itself with customers," she adds, noting it is essential to be different in the digital

"With consumers shopping online, you want photos, videos of the vehicle and custom comments online," she says. "You want to tell customers what differentiates this car and your dealership and provide this knowledge in a digital environment." She stresses, "The dealership with the most information and the best information will win market share."

Consistent messaging and consistent pricing are also important, she adds. Third party sites still get more traffic than dealership sites. KBB and Autotrader remain in the Top 3 Most Visited Sites and Cox Automotive has seen an increase of 17% in traffic relating to the car buyer journey. And Kelley Blue Book is the most used trade-in tool.

"Consumers will hop from site to site, whether that be Kelley Blue Book or Autotrader or some other site, to look at the fair market range for that vehicle," she says. "Then they will look at whether the vehicle you are selling matches up to that price. Consistent messaging and pricing across all platforms is vital. It differentiates a dealer by building trust with the consumer."

She adds, "Consumers want to have confidence and trust in the information that you are giving to them. Here, consistency of messaging is important because it builds consumer trust and keeps the dealership top of mind."

It's also essential to partner with third parties to "get your vehicles out there and expand your digital footprint," she stresses. Retargeting with consistent messaging also expands a dealership's footprint and helps build trust, she adds. Retargeting is an online marketing strategy that involves serving customers who previously visited a dealership website with relevant ads as they browse external websites. To do this, dealers must place retargeting pixels on their websites to capture customer browsing information, which is held in user profiles kept by ad networks and tracked with cookies.

"When you retarget, the message follows the consumer, so they see it in other places," she says. "This way your message always stays in front of the consumer."

She adds, "Some people say, 'Well, automotive is a different type of purchase.' But it really isn't. We are all searching and shopping for everything online. So, using retargeting like other industries do will really help you win market share."

To win in auto retailing, one must gain market share. "Dealers must ask what they can do to win market share and be proactive and conscious about their efforts to do so," she says. "There are only so many shoppers in the market that are going to buy a vehicle. Are they going to buy it from you or someone else?"

Another step to differentiating a dealership is to enhance customer service. "This is where you stay proactive and establish your customer service as something that sets yourself apart," she says. "Ask, 'What can I do to win that customer? Because they are going to buy. It's just a matter of whether they will buy from you." ■

The CARLAWYER®

By Eric Johnson, Partner in the law firm of Hudson Cook, LLP, Editor in Chief of CounselorLibrary.com's Spot Delivery*



Here's our monthly article on selected legal developments we think might interest the auto sales, finance, and leasing world. This month, the developments involve the Federal Trade Commission, the Consumer Financial Protection Bureau and the Federal Communications Commission. As usual, our article features the "Case(s) of the Month" and our "Compliance Tip." Note that this column does not offer legal advice. Always check with your lawyer to learn how what we report might apply to you or if you have questions.

FEDERAL DEVELOPMENTS

On November 8, the Federal Trade Commission issued an advance notice of proposed rulemaking seeking comment on deceptive and unfair uses of reviews and endorsements. The FTC does not propose to cover every issue in its Guides Concerning the Use of Endorsements and Testimonials in Advertising, but it proposes to address the following practices: (1) reviews or endorsements by people who do not exist, who did not actually use or test the product or service, or who are misrepresenting their experience with it; (2) review hijacking, where a seller steals or repurposes reviews of another product; (3) marketers offering compensation or other incentives in exchange for, or conditioned on, the writing of positive or negative consumer reviews; (4) owners, officers, or managers of a company: (a) writing reviews or testimonials of their own products or services, or publishing testimonials by their employees or family members, that fail to provide clear and conspicuous disclosures of those relationships, or (b) soliciting reviews from employees or relatives without instructing them to disclose their relationships; (5) the creation or operation of websites, organizations, or entities that purportedly provide independent reviews or opinions of products or services but are, in fact, created and controlled by the companies offering the products or services; (6) misrepresenting that the consumer reviews displayed represent most or all of the reviews submitted when, in fact, reviews are being suppressed based upon their negativity; (7) the suppression of customer reviews by physical threat or unjustified legal threat; and (8) selling, distributing, or buying followers, subscribers, views, and other indicators of social media influence. Comments on the ANPR are due by January 9, 2023.

On November 8, the Federal Trade Commission issued an advanced notice of proposed rulemaking exploring a rule to crack down on "junk fees" that it claims are mushrooming throughout the country. The FTC's advance notice of proposed rulemaking is soliciting written comment, data, and argument regarding the need for a rulemaking to prevent persons, entities, and organizations from imposing junk fees on consumers. The ANPR also solicits public comment on 21 specific questions. The FTC defines "junk fees" as unfair or deceptive fees that are charged for goods or services that have little or no added value to the consumer, including goods or services that consumers would reasonably assume to be included within the overall advertised price. The FTC stated the term also encompasses "hidden fees," which are fees for goods or services that are deceptive or unfair, including because they are disclosed only at a later stage in the consumer's purchasing process or not at all, whether or not the fees are described as corresponding to goods or services that have independent value to the consumer. The FTC believes that a junk fee can be a hidden fee, but not all junk fees are hidden fees. Finally, the FTC thinks that these junk fees are bundled as "ancillary products" in connection with loans and auto financing that end up on the final bill without the consumer's awareness or express and informed consent. Comments on the ANPR are due by January 9, 2023.

On November 10, the Consumer Financial Protection Bureau issued a circular concerning consumer reporting agencies' and furnishers' obligations under the Fair Credit Reporting Act to investigate consumer disputes of credit report information. The circular addresses two questions: (1) Are consumer reporting agencies and the entities that furnish information to them permitted under the FCRA to impose obstacles that deter submission of disputes? (2) Do consumer reporting agencies need to forward to furnishers consumer-provided documents attached to a dispute? The Bureau answered "no" to the first question, stating that "[c] onsumer reporting agencies and furnishers are liable under the FCRA if they fail to investigate any dispute that meets the statutory and regulatory requirements, as described in more detail [in the circular]. Enforcers may bring claims if consumer reporting agencies and furnishers limit consumers' dispute rights by requiring any specific format or requiring any specific attachment such as a copy of a police report or consumer report beyond what the statute and regulations permit." The Bureau answered "[i]t depends" to the second question, stating that "[e]nforcers may bring a claim if a consumer reporting agency fails to promptly provide to the furnisher 'all relevant information' regarding the dispute that the consumer reporting agency receives from the consumer. While there is not an affirmative requirement to specifically provide original copies of documentation submitted by consumers, it would be difficult for a consumer reporting agency to prove [it] provided all relevant information if [it] fail[s] to forward even an electronic image of documents that constitute a primary source of evidence." On November 15, the Federal Trade Commission announced a 6-month

extension of the deadline for compliance with revised provisions of its Safeguards Rule until June 9, 2023.

November 16, the Consumer Financial Protection Bureau issued its Fall 2022 issue of Supervisory Highlights, which summarizes violations of federal consumer financial protection laws identified by the Bureau during its supervisory examinations completed between January and June 2022. The report highlights, among other things, alleged violations of the Fair Credit Reporting Act by consumer reporting agencies and furnishers for failing to promptly address and update inaccurate information on credit reports. It also highlights alleged unfair and deceptive acts or practices by servicers of vehicle financing contracts, including failing to provide refunds for unearned fees related to addon products, loan modifications, double billing consumers for collateral protection insurance, use of electronic devices that interfere with driving, and debt collection practices. The Bureau also notes in the report that it is increasing its focus on repeat offenders, particularly those who violate agency or court orders, by creating a Repeat Offender Unit. The Repeat Offender Unit is focused on reviewing and monitoring the activities of repeat offenders, identifying the root cause of recurring violations, pursuing and recommending solutions and remedies that hold entities accountable for failing to consistently comply with federal consumer financial protection laws, and designing a model for order review and monitoring that reduces the occurrences of repeat offenders.

On November 17, noting that public data on the auto loan market is relatively sparse in comparison to data on mortgages, credit cards, and student loans, the Consumer Financial Protection Bureau released a blog post announcing "an effort to work with industry and other agencies to develop a new data set to better monitor the auto loan market." The Bureau will be accepting public comment on the initiative until December 19, 2022.

On November 21, the **Federal** Communications Commission issued Declaratory Ruling and Order

finding that the Telephone Consumer Protection Act regulates "direct drop" or "ringless" voicemails as telephone calls. The petitioner argued that, as a technical matter, ringless voicemails are not telephone calls: the sender does not dial the recipient's phone number, and the recipient's phone does not ring. Rather, the recipient simply gets a notification of a new voicemail. The FCC concluded that the arguments for regulating ringless voicemails as telephone calls overwhelmed the petitioner's technical argument. The FCC emphasized the point that, from the consumer's perspective, there isn't much difference between ringless voicemails and other telephone calls: in all cases, unwanted contacts invade consumers' privacy. The FCC also noted that the public comments in this proceeding clearly articulated the point that consumers are just as bothered by this type of contact as by any other on their phones. Because case law has also taken this position, companies have likely already been reluctant to treat ringless voicemails as outside the scope of the TCPA. With the FCC's Declaratory Ruling and Order, companies should now apply their TCPA policies and procedures to this technology, if they haven't already. This means, among other things, applying the TCPA's consent and content requirements applicable to

prerecorded messages as well as the TCPA's do-not-call and telemarketing standards, when the ringless voicemail is used for marketing.

CASE(S) OF THE MONTH

Dealership Was Entitled to Summary Judgment on Individual's Telephone **Consumer Protection Act Claims Arising** Out of Prerecorded Ringless Voicemails to Her Phone Where Dealership Had Prior Express Written Consent to Call Her: An individual called a dealership to inquire about buying a vehicle. That same day, she made an inquiry about buying a vehicle on a website that provided information to the dealership. While online, she provided personal information, including her phone number. She also clicked a box next to the language "I agree to Terms of Service, Privacy Policy, and Privacy Notice." This language hyperlinked to, among other things, privacy and marketing agreements. Later, on three separate occasions, the individual received prerecorded telemarketing voicemails from the dealership. She filed a putative class action against the dealership under the Telephone Consumer Protection Act. The dealership moved for summary judgment, arguing that prerecorded ringless Continued on page 16



Continued from page 15

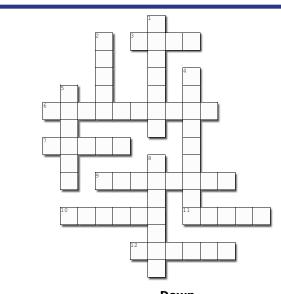
voicemails are not "calls" under the TCPA, the intangible harms that the individual alleged are not concrete injuries sufficient to support Article III standing, and, even if ringless voicemails are calls and the individual has standing, she provided prior express written consent to be contacted.

The U.S. District Court for the Eastern District of North Carolina granted the dealership's motion. First, the court concluded that ringless voicemails are "calls" under the TCPA. Second, the court concluded that the individual had standing to assert her TCPA claim. The court found that receiving a ringless voicemail supports standing under Article III for a TCPA claim if there is a connection to a traditional common law injury. The individual sufficiently alleged a concrete injury by alleging that the ringless voicemails caused "invasion of privacy, aggravation, annoyance, intrusion upon seclusion, trespass, and conversion," all traditional common law injuries. She also alleged that she had to "stop what she was doing and listen to the pre-recorded messages" and that the dealership's "calls occupied [her] telephone lines and rendered the

devices unavailable for the receipt of other calls." Third, despite finding that ringless voicemails are calls under the TCPA and that the individual had standing under the Act, the court concluded that she provided prior express written consent to be contacted at the phone number she provided online. Therefore, the individual's TCPA claim failed. She clicked on the "I agree to Terms of Service, Privacy Policy, and Privacy Notice" box. The words "Terms of Service," "Privacy Policy," and "Privacy Notice" appeared in a light red color to indicate hyperlinking, and the other words in the statement appeared in black. Before anyone could proceed to the next page, the person had to check the box. The court found that the individual had checked the box. The hyperlinked agreements contained provisions notifying her that her information could be used "for our marketing purposes" and "for our affiliates to market to you." The court noted that the Fourth Circuit has not addressed the issue of consent in the context of online disclosures like the ones in this case. However, the court relied on other decisions to find that when links to disclosures such as terms of service or privacy agreements are clearly shown and not hidden at the bottom of the page or in fine print, those prominent links satisfy disclosure requirements. See Beard v. John Hiester Chevrolet, LLC, 2022 U.S. Dist. LEXIS 204379 (E.D.N.C. November 9, 2022)

COMPLIANCE TIP

Our Case of the Month highlights the Federal Development above that the Telephone Consumer Protection Act regulates "direct drop" or "ringless" voicemails as telephone calls under the TCPA. It also addresses the importance of ensuring that if you have a telemarketing campaign that you get the consumer's prior express written consent to be contacted at the phone number they provide to your dealership. The dealer in this case had the consumer agree to certain terms of service, a privacy policy and privacy notice which included provisions that her information could be used for marketing purposes. The agreements were also clearly shown and not hidden at the bottom of a webpage or in the fine print. If you have a telemarketing campaign, what prior written approvals from your customers are you capturing? How are you displaying the disclosures or agreement to the customers? You'll want to talk to a knowledgeable attorney about these issues.



Across

- 3. 'Built _ tough'
- **6.** This German company uses their initials in their logo. Models include the Beetle and Atlas
- 7. An American brand of automobiles and a division of Stellantis based in Michigan
- 9. This manufacturer was founded in the 1920's. Models include the Sebring and 300.
- 10. In 2022, this Japanese company was the 10th largest auto maker in the world. They make the Z car.
- 11. This electric car company was founded in 2003. The first model, the Roadster, began production in 2009
- 12. English automaker that uses a large cat on the hood

- 1. Discontinued in 2010, this GM product line include the GTO and the Grand Prix
- 2. A General Motors vehicle still produced. Models include the Verano and Regal
- 4. This iconic automaker began in 1911 and the classic bowtie logo is recognized all over the world
- 5. This multinational manufacturer was the first motor company to produce over 10 million cars in one year.
- 8. This South Korean automaker was founded in 1967. Their vehicles are sold in over 193 countries

TYPES OF VEHICLES CROSSWORD PUZZLE



	12. Jaguar
	11. Tesla
8. Hyundai	10. Nissan
5. Toyota	9. Chrysler
4. Chevrolet	7. Dodge
2. Buick	6. Volkswagen
1.Pontiac	3. Ford
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ANGIE AYCOCK

770-654-3290 angie@oakwoodaaa.com



MONDAY

Atlanta East Auto Auction

2790 Hwy 78 Loganville, Ga 30052 470-552-1032 info@aeautoauction.com aeautoauction.com 6:00pm Dealer Sale

IAA MACON

2200 Trade Dr. Macon, GA 31217 478-314-0031 9:00am Mondays iaai.com

IAA TIFTON

368 Oak Ridge Church Road Tifton, GA 31794 229-386-2640 9:30am Mondays iaai.com

TUESDAY

America's Auto Auction -Atlanta

444 Joe Frank Harris Pkwy Cartersville, GA 30120 770-382-1010 6:00pm Dealer Only Sale americasautoauction.com

America's Auto Auction -Jacksonville

11982 New Kings Rd Jacksonville, FL 32219 904-764-7653 5:00pm Dealer Only Sale americasautoauction.com

Athens Auto Auction

5050 Atlanta Hwy Bogart, GA 30622 770-725-7676 6:30pm Dealer & Public Sale athensautoauctionga.com

Hwy 515 Auto Auction

107 Whitepath Rd Ellijav, GA 30540 706-635-1500 6:00pm Dealer Sale hwy515autoauction.com

IAA ATLANTA NORTH

6242 Blackacre Trail NW Acworth, GA 30101 770-975-1107 9:00am Tuesdays iaai.com

Manheim Atlanta

4900 Buffington Rd. College Park, GA 30349 404-761-9211 / 800-856-6107 Every Tuesday 12:30pm manheim.com

Manheim Georgia

7205 Campbellton Rd Atlanta, GA 30331 404-349-5555 / 888-766-7144 GM | GM Financial Closed Sale Tuesdays – Bi-Weekly at 12:30pm Open Sale, 9:30am manheim.com

Rawls Auto Auction

2818 Pond Branch Rd Leesville, SC 29070 803-657-5111 10:00am Dealer Sale GSA Sale Public & Dealers Call for Details; 8:30am Salvage Sale rawlsautoauction.com

Vemo Auto Auctions, LLC

441 Dunbar Rd. Warner Robbins, GA 31093 478-449-3232 4:00pm vemoauctions.com

WEDNESDAY ADESA Atlanta

5055 Oakley Industrial Blvd Fairburn, GA 30213 770-357-2277 10:00am Dealer Sale adesa.com

America's Auto Auction -Greenville

2415 Hwy 101 Greer, SC 29651 864-801-1199 3rd Wed RV & Marine Sale, 9:00am americasautoauction.com

Augusta Auto Auction

1200 E. Buena Vista Ave N. Augusta, SC 29841 800-536-3234 9:15am Dealer Sale 9:30am Last Wed of Month INOP augustaautoauction.com

America's Auto Auction-Savannah

1712 Dean Forest Rd Savannah, GA 31408 912-965-9901 9:00amDealer Only southeasternaa.com

Carolina Auto Auction

140 Webb Rd Williamston, SC 29697 864-231-7000 10:00am Dealer Sale 9:00am Salvage Sale carolinaautoauction.com

Greater Atlanta Auto Auction

849 Jackson Trail Rd. Winder, GA 30680 470-275-0422 greateratlantaaa.com 10:00am Wednesdays

Houston Auto Auction

4599 Pio Nono Ave Macon, GA 31206 478-788-6947 Wednesday 11:30am - Dealer Sale; Wednesday & Saturday 6:00pm – Dealer/Public Sale haamacon.com

IAA ATLANTA SOUTH

1930 Rex Rd Lake City, GA 30260 404-366-2298 9:00am Wednesdays iaai.com

Manheim Atlanta

4900 Buffington Rd College Park, GA 30349 404-762-9211 / 800-856-6107 **Exotic Highline Event** 4th Wednesday at 9:30am manheim.com

Manheim Georgia

7205 Campbellton Rd. Atlanta, GA 30331 404-349-5555 / 888-766-7144 Fiat Chrysler Automobiles Closed Sale Bi-Weekly 10:00am manheim.com

New Calhoun Auto Auction

417 Lovers Lane Rd. Calhoun, GA 30701 706-624-1944 7:00pm Dealer & Public Sale newcalhounautoauction.com

Dealers Auto Auction Atlanta

4600 Browns Bridge Rd. Cumming, GA 30041 678-889-7776 2:00pm Dealer Sale myvipauctions.com

THURSDAY

Albany Auto Auction

1421 Liberty Expressway SE Albany, GA 31705 229-435-7708 3:00pm Dealer Sale albanyautoauction.net

Augusta Auto Auction

1200 E. Buena Vista Ave. N. Augusta, SC 29841 800-536-3234 Dealer & Public Sale, Thursday, 6:30PM

augustaautoauction.com

AutoNation Auto Auction Atlanta

2491 Old Anvil Block Road Ellenwood, GA 30294 855-907-2622 Thurs. 2:00pm

autonationautoauction.com

Dealers Auto Auction of Chattanooga

2120 Stein Dr. Chattanooga, TN 37421 423-499-0015 9:00am Dealer Sale dealersauto.com

IAA ATLANTA EAST

1045 Atlanta Hwy SE Winder, GA 30680 877-868-4544 9:00am Thursdays iaai.com

Manheim Atlanta

4900 Buffington Rd. College Park, GA 30349 404-762-9211 / 800-856-6107 9:30am Dealer Sale Every Thursday 9:30am Salvage Sale manheim.com

Manheim Georgia

7205 Campbellton Rd. Atlanta, GA 30331 404-349-5555 / 888-766-7144 Closed Ford Factory Sale Every Other Thursday, 10:00am Call for Toyota & Nissan sale manheim.com

Oakwood's Arrow Auto Auction

4712 Flat Creek Rd Oakwood, GA 30566 770-532-4624 4:00pm Dealer oakwoodaaa.com

Rebel Auction Company

1175 Bell Telephone Rd Hazelhurst, GA 31539 912-375-3491 / 800-533-0673 2nd Thursday of Each Month 9:00am Dealer & Public Sale rebelauction.net

South Georgia Auto Auction

1407 Silica Rd Albany, GA 31705 229-439-0005 11:00am Dealer Sale sgaauction.com

FRIDAY

America's Auto Auction - Atlanta

444 Joe Frank Harris Pkwy Cartersville, GA 30120 770-382-1010 9:00am Dealer Sale, INOP 2nd & 4th Fri 8:00am americasautoauction.com

America's Auto Auction -

Greenville

2415 Hwy 101 South Greer, SC 29651 864-801-1199 / 800-859-3393 10:00am Car Sale americasautoauction.com

Charleston Auto Auction

651 Precast Lane Moncks Corner, SC 29461 843-719-1900 10:00am Dealer Sale charlestonautoauction.com

Copart Auto Auction

2568 Old Alabama Rd. Austell, GA 30168 770-941-9775 9:00am Dealer & Public Sale copart.com

Georgia-Carolina Auto Auction

884 East Ridgeway Rd. Commerce, GA 30529 706-335-5300 Dealer only Wed, 3:30pm gcautoauction.com

IAA ATLANTA

125 Old Hwy 138 Loganville, GA 30052 770-784-5767 8:30am Fridays iaai.com

IAA SAVANNAH

348 Commerce Drive Savannah, GA 31326 912-826-1219 9:30am Fridays iaai.com

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Rome Auto Auction powered by Manheim

3824 Hwy 411 Kingston, GA 30145 2:00pm Fridays 470-339-2255 manheim.com

Tallahassee Auto Auction

5249 Capital Circle SW Tallahassee, FL 32305 850-878-6200 10:00am Dealer Sale bscamerica.com

SATURDAY

Houston Auto Auction

4599 Pio Nono Ave. Macon, GA 31206 478-788-6947 Wednesday 11:30am - Dealer Sale; Wednesday & Saturday 6:00pm - Dealer/Public Sale haamacon.com

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800-553-4070 acvautions.com

Auctions Unlimited, Inc

404-226-8638 auctionsunlimitedonline.com

CarMax Auctions

888-804-6604 Dealers Only Auctions -For Locations, Dates & Times carmaxauctions.com

Copart Auto Auction

6089 Hwy 20 Loganville, GA 30052 770-554-6366 copart.com

Eblock

212 Battery St Ste 3 Burlington, VT 05401 833-817-7247 eblock.com/en-us

Gleaton's, Inc

100 Clover Green Peachtree City, GA 30269 678-489-4928 gleatons.com

IJ Kane Auctioneers, Inc.

678-840-4914 See web for sale dates jikane.com

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TAC Auction Services

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Turn Automotive

866-887-6227 turnautomotive.com

Weeks Auction Group, Inc.

2186 Sylvester Hwy. Moultrie, GA 31768 229-890-2437 Check website for dates and times weeksauctiongroup.com

Four Tips for Getting the Most From Your Life's Work

BY PEACHTREE PLANNING

Your business is your baby, but the baby's grown up. It's served you and your employees well. Your business has helped turn your passion and talents into income for you and your family, as well as your employees and their families. But have you considered what comes next?

Has the thought of selling your business ever crossed your mind? Maybe you've thought of starting a new business, or a new chapter in your life. Even if you're not 100% sure you actually want to sell your business, there are a few basic strategies to put in place now to help ensure you get full value.

1. CONSIDER TRANSFERRING BUSINESS INCOME TO YOUR PERSONAL BALANCE SHEET OVER TIME.

This cash flow strategy helps in two ways: It builds your personal balance sheet, and may alleviate some of the pressure you may feel to get "top dollar" for your business.

2. THINK LOCAL.

According to the IBBA, for businesses valued up to \$1 million, 51% of buyers come from a 50-mile radius; in 32% of these cases, buyers are found within 20 miles. For companies valued at \$5

million and up, the net is a bit wider; buyers come from more than 100 miles away in 77% of cases.¹

3. DO SOME SOUL-SEARCHING.

Many owners believe they will sell their business to the first person who offers the right price. But once potential buyers start calling, sellers usually realize that they want more than money. For instance, if you have spent 30 years building a business, you may not be happy to sell it to someone who wants to rebrand it and put his or her name on the signs.

4. BE REALISTIC.

Many sellers know that being too optimistic about pricing can stall a deal, but they still make this critical mistake. In fact, it's the top error made by sellers, according to IBBA's survey, cited by 39% of business sale advisors. Again, consider a cash flow strategy for your business now that strengthens your personal balance sheet. It could relieve the pressure to get every last dollar, should you ever decide to sell your business. ■

1. https://www.forbes.com/sites/ groupthink/2014/04/24/threeways-to-sell-your-business-for-topdollar/?sh=3322e2c453a3

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2021-117225 exp. 2.23

PRE-LICENSE CALENDAR

All classes held at
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Galleria, Atlanta GA
unless otherwise noted.

Monday, January 9 9:45 am - 2:00 pm

Thursday, January 19 5:45 pm - 10:00 pm

Monday, January 23 5:45 pm - 10:00 pm

Wednesday, January 25 9:45 am - 2:00 pm Anderson Conference Center 5171 Eisenhower Pkwy, Macon, GA

Saturday, January 28 9:45 am - 2:00 pm

Monday, February 6 5:45 pm - 10:00 pm

Monday, February 13 9:45 am - 2:00 pm

Thursday, February 16 5:45 pm - 10:00 pm

Wednesday, February 22 9:45 am - 2:00 pm Anderson Conference Center 5171 Eisenhower Pkwy, Macon, GA

> Saturday, February 25 9:45 am - 2:00 pm

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470-795-9683

autolyticsolutions.com

Our service includes a comprehensive consultation to help identify gaps and opportunities, a comprehensive analysis of your business that includes a comprehensive plan with timelines and goals, a cost analysis, and a schedule. We also offer a variety of proven products that will help you get there guickly and smoothly. That's how we ensure success.

Dealer Consultants

404-740-0330

Dealer Consultants prides itself in the services we provide. We are built on the foundational basis of helping our dealer partners develop innovative strategies of increasing dealer profits and enhancing compliance.

CREDIT CARD PROCESSING SERVICE



100Group

470-632-4181

100Group.com

100Group is the Automotive Dealer Payment Processor offering integrated software, technology platforms, exclusive cost savings and luxury experience.

Electronic Merchant Systems

800-726-2117

emscorporate.com/atlanta-ga-merchant-

If you are business owner in the greater Atlanta area in need of a reliable credit card processing company, Electronic Merchant Systems is the company for you.

PayHawk

770-729-4295

payhawk.com

CREDIT SOLUTIONS

ScoreNavigator Inc.

866-944-8845

scorenavigator.com

CRM SOFTWARE

AutoRaptor

401-421-6533

autoraptor.com

Powerful and easy-to-use, AutoRaptor CRM delivers intuitive solutions for independent and BHPH dealers who want to stop missing opportunities and grow their business. Our software helps dealers organize leads, automate the sales process, market by email & text, track ROI, and maintain accountability



MOTOix

214-934-6964

CYBERSECURITY



Iceberg Cyber

888-207-9745x701

icebergcyber.com

Iceberg Cyber makes dealership cybersecurity simple. While your IT team keeps the systems running, you need clear cut assurance your digital assets are secure. Iceberg's monthly Cyber Briefs are no-fluff cyber risk reports made for Execs. Stop fearing hackers. Amplify the power of your IT team by pinpointing exactly where they need to secure. Get the intel you need to lead your dealership. Cybersecurity made simple.

GIADA members get \$100 off their first month with Iceberg Cyber.

DEALER GROUPS, ASSOCIATIONS, & RESOURCES

99 Drive

704-458-5555

99drive.com

Online Marketplace for buying vehicles

Alphabid

404-259-5528 alphabid.com



Autotrader

866-288-6872

autotrader.com

Our mission at Autotrader is to be your ultimate online solution for buying and selling new, certified and used cars. Our site is designed to give you more control of the buying process and make finding a vehicle easier than ever before.

carbly

Carbly

800-996-4028

getcarbly.com

Carbly is a modern solution for modern car dealerships. Combining fast and reliable appraisal tools with affordable pricing and helpful customer support, Carbly can help you increase profits immediately.



Confidence Comes Standard."

Cars.com

888-780-1286

cars.com

Cars.com is a leading digital marketplace and solutions provider for the automotive industry that connects car shoppers with sellers.



ClassicCars.com

480-285-1600

classiccars.com

ClassicCars.com brings buyers and sellers together to easily and safely buy, sell and enjoy classic and collector vehicles. It is a vibrant marketplace built on a technology platform that continues to evolve to meet the needs of all generations of car lovers with innovative solutions, state of the art technology, first-class customer service and a passion for automobiles that powers the company toward continued growth.



Lotvision

678-634-1776

mymanheim.com/lotvision

Quickly find inventory to preview or pickup. It's free and easy to use. Lotvision is live in select Manheim locations. Lotvision also has over 7,000 (DTCs) diagnostic trouble codes both on-site and online. See codes in minutes!

SA Recycling

706-681-1118

sarecycling.com

SA Recycling is a full-service ferrous and non-ferrous metal recycler and processor. Recognized as an industry leader in metal recycling, we operate over 70 recycling facilities conveniently located throughout California, Texas, Arizona, Nevada, Georgia, Alabama and Tennessee

DEALER LEADS PROVIDER

RUECar

TrueCar

512-735-5347

truecar.com

Dealer Lead

DEALER MGMT SYSTEMS / WEBSITE PROVIDERS



ABCOA/Deal Pack

800-526-5832

dealpack.com

Deal Pack, a turn-key software product of ABCoA, contains features vital to the successful operation of a dealership, related finance company, finance company or service and parts operation, handling buy here pay here, retail, external and internal leasing, floor planning, and wholesale deals in real-time accounting 20% discount off our one-time fee to **GIADA** members



All-American Capital Resources LLC 404-694-3452

All-American is a Resource Partner to our dealers. We provide consulting, training, compliance resources, software and funding to generate alternate/secondary revenue streams for BHPH dealers using their existing work force and space. We use a proven system and bring strategic partners to the relationship that gives our collaboration the best opportunity to build more business, keep existing customers in the family and earn more income.

ComSoft

Dealership Management & Marketing Software Solutions

Comsoft

800-849-3838

comsoft.com

Comsoft specializes in Dealership Management & Marketing Software Solutions. We offer Deal Paperwork Processing, Inventory Control, Prospect Management, BHPH, LHPH Management Reports, in addition to third party Integrations including Quick Books and others. Integrated websites available with data feeds to multiple online advertisers. Call for a free test drive!

DealerCenter

888-669-2669

dealercenter.net

Web-based Dealer Management Software



Frazer Computing Inc.

888-963-5369

frazer.biz

Computer Software

LotLinx

800-625-5469

lotlinx.com

LotLinx is a VIN management platform that enables precision automotive reatiling via Al technologies that improves dealership profitability.

Pulse the Profit Builder LLC

972-854-8057

pulse-profit.com



vAuto

877-828-8614

vauto.com

vAuto's dealership management software offers both new and used car dealers the power of a live market view to drive better decisions, every day.



Wayne Reaves Computer Systems, Inc. 800-701-8082 or 478-474-8779

waynereaves.com

Wayne Reaves Software has been a leading provider of dealer management software since 1987. The DMS provides an easy-to-use experience for dealers of all types and sizes with multi-location and online hosting capability. The software is always up to date and backups are secured. Wayne Reaves Software also provides the latest technology for dealers who enjoy using responsive website platforms for attracting new buyers. As the most trusted name in the digital space, dealers rely on Wayne Reaves Software to sell more cars, make more money, save time and increase productivity. No other digital partner provides dealers with the depth and breadth of experience in the dealer industry.

DMS & DEALER INVENTORY MANAGEMENT

AutoQuotor

800-630-8045

quoteprosolutions.com

QuotePro offers a robust platform for auto dealerships that are looking to automate their sales and increase their performance. QuotePro offers a combination of solutions that can be used as stand-alone services for your customers or as a comprehensive platform that will take your dealership to the next step.



Dealerslink

844-340-2522

public.dealerslink.com

New and Used auto dealership management software

Magiloop

316-393-0463

magiloop.com

MagiLoop is a process driven digital & paperless ecosystem designed for Buy Here Pay Here Dealers by Buy Here Pay Here Dealers. The MagiLoop ecosystem handles all front-end elements of the digital shopping experience.

E-SIGNATURE COMPANY



Dealer Sign

561-631-9177

dealersign.net

E-Signatures for car dealerships. Sign from anywhere.

EMISSIONS

Georgia's Clean Air Force

800-449-2471

cleanairforce.com

Your resource for Georgia's Vehicle **Emissions Inspection & Maintenance** Program

FINANCE COMPANIES

ABC Loan Company

706-860-3279

We are a 17-year old company that offers point of sale and a cash flow program. We may be a good fit tor you!



Automobile Acceptance Corporation

678-284-5326

autoacceptance.com

Financing needs for your customers

Car Capital

844-350-4455

carcapital.com

Car Capital, a wholly owned subsidiary of Car Capital Technologies, Inc., was founded to provide dealers with capital and advanced technology to help all consumers buy the cars they need.



Car Financial Services

877-570-8857

carfinancial.com

Bulk Purchase, Payment Streams, Account Servicing for BHPH / Floor planning for BHPH dealers with NO audit fees



Independent Dealers Advantage, LLC 678-720-0555

idallc.com

Providing Sub-prime Financing when others cannot



International Credit, Inc.

678-325-5154

international creditinc.com

Working with Car Dealers for their Customer's Financing Needs



Nicholas Financial

678-503-0833

nicholasfinancial.com

Nicholas Financial, Inc. is staffed with a team of experienced professionals committed to serving the needs of franchised and independent automobile dealers. Nicholas allows the dealer to increase sales and maximize profits through financing programs tailored to both the customer and dealer.

Ottomoto

770-406-8598



Peoples Financial Corp.

770-422-2735

peoplesfinancial.net

Auto Loans, Direct or Indirect, Secondary

Peoples Financial Hiram

770-948-6110

peoplesfinancial.net

Auto Loans, Direct or Indirect, Secondary

Peoples Financial Valdosta

229-242-6620

peoplesfinancial.net

Auto Loans, Direct or Indirect, Secondary



Professional Financial Services

(470) 345-6715

pfs-corp.net

Learn how Professional Financial Services (PFS) can provide your customers Common Sense Loans At Uncommon Speed[®]. We have local branches, local buyers, and provide fast funding. Our team is on hand to walk through the PFS program and how we're the perfect partner for your dealership and more importantly ... your next customer! Ready to talk finance? Call Brandon at 470-345-6715 or visit pfs-corp.net.

Road Auto Finance

912-667-4628

roadautofinance.com

Quality & professional lending. We provide automotive financing to consumers through our trusted dealer partners.

TexCap Financial, LLC

214-396-4104

texcapfinancial.com



TRG Auto Finance, LLC

904-476-1374

trgautofinance.com

TRG Auto Finance, LLC offers several receivable purchase programs including Payment Share and Payment Interval Advance programs with and without servicing options. No aging required! All programs are available day 1 of the contract. We are able to service both English and Spanish speaking customers and we offer servicing as a standalone product to assist you in growing your business by outsourcing your collections. In addition to purchasing your receivables, we offer floor plan options for well qualified dealers.



US Auto Credit Corp

904-380-4288

usautocreditcorp.com

Westlake Financial

404-670-0564

westlakefinancial.com

FINANCIAL PLANNING



Mutual of America Financial Group

770-396-9795

mutualofamerica.com

Mutual of America provides retirement plan services nationwide to organizations and their employees. For more than 75 years, our proven approach to simplifying retirement saving has helped plan participants build the assets they need to support the life they want. A complimentary, no-obligation retirement plan analysis.



Peachtree Planning Auto Dealers Services

404-384-4140

ihelpindependentautodealers.com

We help independent dealers protect their assets from litigation & creditors. Do you know if your family and business are protected? What happens if something happens to you?

Mention GIADA for exclusive discounts

FLOOR PLAN COMPANIES

Autobank Floorplan

864-269-3322

autobankfp.com

It is our goal at AutoBank Floor Plan to provide our customers with a financing program dedicated to helping them succeed. Our company will provide automotive dealers the capital and buying power necessary to compete in today's challenging but growing used car sales market. We desire to build relationships with our dealers by comitting to help them grow their business



Automotive Finance Corp.

770-805-4155 afcdealer.com Floor Planning



Auction Credit

770-336-7880

auctioncredit.com

Increase Inventory using Flexible Credit Lines



Carbucks

864-234-9696 cbfloorplan.com



City Auto Finance, LLC

615-224-2005

cityautofinance.com

City Auto Finance is a dedicated automotive finance provider headquartered in Franklin, TN with offices in Memphis, TN; Mobile, AL; Huntsville, AL; Murfreesboro, TN; Chattanooga, TN; and Atlanta, GA. Each branch is staffed with experienced professionals who truly understand their local market and the automotive industry.

DEALER#FINANCE

Dealers Finance, Inc.

678-739-2059

dealersfinance.com

Dealers Finance provides financial support to hundreds of independent used car dealers in the southeast US. We provide flexible credit lines from \$50,000 to \$1,000,000 and offer a variety of floorplan financing programs specifically geared to the needs of the independent used car dealer.

Dealer Financial

864-385-7302

dealerfinancial.com

Floor plans designed to support your business with a stable, reliable and easy to use source of funds. Reasonable fees that allow you to purchase the right inventory. Your vehicle for success.

Funding Branch LLC

770-485-5283

fundingbranch.com

Funding Branch is a new alternative to traditional floor plan lenders who have been driving up costs and fees in our industry for decades. Our model starts with a clear understanding of the challenges dealers are facing, today, and resolving them from the bottom up with simple, clear and transparent solutions.



Kinetic Advantage LLC

317-428-7037

kineticadvantage.com

Kinetic Advantage is a dynamic independent floorplan company led by trusted industry veterans. Our core focus is helping our Independent Dealer partners and team members succeed while providing them with an exceptional and engaging user experience.

NEXT@EAR

NextGear Capital, Inc.

888-969-3721

nextgearcapital.com

NextGear Capital is the industry's leading comprehensive provider of lending products, providing flexible lines of credit for dealers to purchase new and used inventory at over 1,000 auto and specialty auctions and other inventory sources throughout the United States, Canada, United Kingdom and Ireland.



PrimaLend Capital

972-239-6668

primalend.com

PrimaLend provides the capital you need to finance auto auction purchases, customer trades, and other types of vehicle acquisitions. Apply for an inventory Floor Plan today to access liquidity and grow your business.

GPS TRACKING - PAYMENT PROTECTION DEVICES



Advantage GPS by Procon Analytics 949-422-7103

advantagegps.com

Advantage GPS is a GPS automotive analytics company on a mission to replace outdated technology. The company's artificial-intelligence driven analytical dashboard along with its wire-free REVOlutionary family of three, GPS devices with flexible tracking modes provides auto lenders with a progressive, next generation set of risk mitigation tools.



ARA GPS

ARA GPS Systems

770-871-0051

aragps.com

All trackers locate, but ours is the ONLY GPS SYSTEM available that can help you find your collateral even if your customer has tampered with the device! Compatible with any internet enabled device and VOTED BEST SMARTPHONE APP! Find out how much more SVR Tracking can do for you beyond basic locate. Call or text Larry Carter at 770-871-0051. Email aragps@mailga.net or visit us at www.aragps.com

Buy one GPS device, Get one Free! Eligible for first time GIADA Members & new ARA GPS Customers.



Ituran USA

866-543-5433

ituranusa.com

Since 1995, ITURAN has been recognized as the global leader in vehicle GPS tracking and as asset protection, recovery and personalized customer service. Our comprehensive suite of products and services cover the full range for automobiles, fleet management, BHPH and vehicle finance companies.



Passtime

877-727-7846

passtimegps.com

Vehicle Tracking



Sarekon GPS 888-726-3511 sarekon.com

GoldStar

Spireon, Inc

866-655-8825

spireon.com

We are North America's largest deviceindependent telematics company providing visibility and insight from connected vehicles to help businesses run smarter, people drive safer, and the world stay connected.



Stars GPS

336-476-7828

stars-gps.com

INSURANCE/SURETY BONDS



Absolute Surety LLC

407-674-7940

absolutesurety.com

We offer dealer & title surety bonds as well as garage liability insurance. A+ Rated with BBB



All American Bonds & Insurance

844-321-2663

quickerbonds.com

All American Bonds and Insurance is a family owned insurance agency, focusing primarily on the insurance and bond needs of used car dealers. We pride ourselves on having the best rates and top notch customer service. Don't waste your time shopping around. Let us do that for you!

10% off bond price for GIADA members



American Risk Services

678-366-7279

americanriskservices.com

Customized Collateral Insurance for **BHPH Dealers & Finance**

The Brothers Insurance Group LLC

706-403-2999

thebrothersinsurance.com

The Brothers Insurance Group is here to help dealers and their customers. We offer personal, auto as well as garage and garage keepers for dealers. We also offer a CPI product for buy here, pay here dealers.



CP Insurance Associates

800-366-0036 cpiai.com



Compton Global Enterprises, Inc.

770-679-2499

kornerstoneagencies.com

Used car dealers garage liability insurance, bonds, and workers compensation. Personal auto inssurance for your clients (no prior insurance, tickets/accidents, claims - no problem)



Cornerstone Insurance Group 800-257-9999

dealergarageinsurance.com

Attention: Used Auto Dealers! We offer liability and bond coverages for start-up used auto dealers and brokers, as well as those who have been in business for many years. We offer competitive pricing and have an in-depth understanding of State requirements to ensure you have the coverages you need.



FSB America

888-786-2663

fsbamerica.com

We have been successful in contract, bid, performance, payment, maintenance, license, permit and many other bonds by listening to each client, providing fast service and competitive rates and negotiating the largest possible bond programs.

The Fincher Group

770-313-1033

thefinchergroup.com



The Golden Rooster LLC - El Gallo De Oro (678) 450-8003

elgalloins.com

We are an insurance agency that specializes in start-ups used auto dealers and brokers. We provide garage liability and bonds with several carriers. We have over 10 years of experience in this industry. Habla Espanol.



Griffin Agency

912-384-1003

griffinagency.com

Auto Dealers; Garage Insurance; and **Dealer Bonds**



Georgia Insurance Associates, Inc.

678-985-0944

georgiains.com

Bonds, Garage Liability, Dealers Open Lot, Workers Compensation, Property, Home, Auto



LST Insurance Agency

706-277-0971

lstins.com

In 1998, we established LST Insurance Agency to serve the needs of Truckers, Loggers and Saw Millers. Since then, we have expanded to other areas such as Garage, Personal, Auto and Homes. We have several A+ rated companies to approach for your garage related insurance needs. Some of the coverages we offer are Liability, Dealer Bonds, DOL, Title Bonds, and Dealer's Errors & Omissions. Please call our main number 706-277-0971 to discuss your coverage needs.

Pacific Surety.

Pacific Surety Insurance Agency, Inc.

925-932-1866

pacificsurety.com

Surety Bonds for Auto Dealers Pacific Surety Insurance Agency, Inc. (Pacific Surety) has been serving surety bond market since 1997. Known for its exceptional customer service and competitive rates, Pacific Surety offers a wide range of surety bonds to meet the needs of small and large business owners including motor vehicle dealers across the United States.



Reeves Insurance Associates, Inc.

770-949-0025

reeves-ins.com

Reeves Insurance Associates has been a member of the GIADA since 2000. We have in-depth knowledge and understanding of the used car dealer industry and are able to provide the proper insurance coverage to meet the used car dealers' needs. We quote coverage with multiple insurance companies to ensure our dealers have the most competitive coverage and premium available. Whether you're a new or existing dealer, auto broker, retail lot, wholesaler, large or small, we have a carrier for you.



SURETY

RLI Insurance Company

800-645-2402

rlicorp.com

RLI Insurance Company is an A+ rated specialty insurer that offers a diverse portfolio of insurance coverages and surety bonds through our exclusive agency base. We have a passion for doing what it takes to help our customers be successful.



Ron E. Widener & Associates

770-941-0293

ronwidener.com

Bonds, Garage Liability, DOL, WC, **Property & Rental Car Insurance**



Surety Bond Girls

678-694-1967

suretybondgirls.com

Surety Bond Girls, LLC is a full service licensed, P&C Agency specializing in all aspects of compliance. We offer a streamlined approach to surety bonding, permit expediting and licensing. With over 21 years in the surety bond and compliance industry, we have seen the need for our unique specialized services offered in a convenient mobile atmosphere. We like to think of ourselves as your one-stop mobile shop for all your professional license needs.

Free NMVTIS report with a Title Bond



Williams and Stazzone Insurance Agency, Inc.

800-868-1235

wsins.com

We are garage liability specialists and are proud members of the GIADA. In business for nearly 30 years, our programs represent stability for your dealership. We have exclusive garage liability markets. We are also daily rental and leasing specialists. Our start up daily rental program has been helping dealers add daily rentals for decades. Find out what a specialized agency can do for you.

WoodmenLife

678-447-1161

woodmenlife.org/reps/JulieDermer

WoodmenLife offers Life Insurance, Investments, Employee Benefits, Buy Sell Insurance, Key Person Insurance, Health, Dental, Vision, 401Ks, Roths and Annuities. We are a Not-for-Profit Fraternal Insurance company with a mission to provide members with financial security while making a difference in your community.

LEAD GENERATION TOOLS



Visitor Chat 585-510-4359

Visitor.Chat

Visitor Chat provides a 24/7 Managed Live Chat solutions developed Specifically with the needs of independent auto dealers in mind, Visitor Chat has an A+ Rating with the Better Business Bureau. Live Chat is now the preferred method of contact for customers to inquire about a vehicle, second only to phone calls - providing an uplift in dealer sales by as much as 20% month over month.

LEGAL



Dunlap Gardiner, LLP

770-489-5122 x104

dunlapgardiner.com

Our firm represents many auto dealers and auto finance companies throughout the state of Georgia. We have over a decade of experience in the auto industry and handle a wide rang of matters including collections, bankruptcy representation, and insurance claims and disputes. We have filed hundred of writs of possession on behalf of clients and defend clients against claims filed against them. We also often advise clients on compliance issues, including contracting issues and interactions with customers.



Gregory Law, LLC

770-217-5524

cardealerattorneys.com

A practicing attorney who knows the car business from the inside out and has the ability to look at client's dealerships from an attorney's perspective with a dealer principal's experience

Discounts available through GIADA Legal Resources



Lefkoff Law, LLC

404-482-2228

lefkofflaw.com

Lefkoff Law is a general practice law firm that specializes in the representation of GIADA dealers and associated finance companies in fair business practices act litigation, insurance disputes, government investigations, employment, and much more. Lefkoff Law - Integrity. Solutions. Results.



Lefkoff, Rubin, Gleason, Russo & Williams, P.C.

404-869-6900

LRGlaw.com

LRGRW is a premier creditors' rights law firm. LRGRW represents a wide variety of clients including commercial banks, mortgage lenders, finance companies, loan servicing agents, institutional lenders, automobile dealership and credit unions.

Rountree & Leitman

404-584-1229

randllaw.com

Rountree Leitman & Klein, LLC is a full service commercial law firm specializing in business and personal bankruptcy, loan workouts and debt restructuring, commercial litigation, collections, landlord/tenant, foreclosures, evictions, lien law and business disputes.

ONLINE MARKETING

Pay Here Marketing

770-203-1699

payheremarketing.com

Target and grow your own buy here pay here opportunities. Digital marketing solutions for BHPH dealers.

PAINT & BODY

Auto Doctor, Inc.

770-479-9339

autodoctorstore.com

Canton, GA - We are a collision center. We work on all makes & models. Restorations of cars & trucks. Free Estimates.

Courson's Paint & Body Shop, Inc. 912-367-4226

Body Shop

PARTS & SERVICE

Associated Fuel Systems Inc.

404-361-1361

associatedfuelsystems.com

Full service truck repair shop. We can diagnose all your minor & major diesel repair needs down to the most difficult troubleshooting issues.

Utility Trailer Sales Comp of GA, LLC 404-363-4383

utilityofgeorgia.com

South's finest full service Trailer Dealership. Our Primary objective is to provide the transportation industry with quality trailers, excellent service and aftermarket parts from our leading manufacturers.

PAYMENT PROCESSING



BlytzPay

801-658-2212

blytzpay.com

BlytzPay reaches customers instantly, no matter where they are. They can view and pay an invoice within minutes. It's a simple, yet innovative solution to bill payments that is less stressful for you and your customers. All it takes is a smartphone.

AR**PAY**

Carpay

877-388-4265 carpay.com

REPAY

Repay

470-582-9696 repay.com

PRINTING

Document Strategies Inc.

770-921-6764

dsiatlanta.com



Lewis Color, Inc.

800-346-0371

lewiscolor.com

Printing, Promotional & Marketing Needs RLewis@LewisColor.com

PROMOTIONAL & MARKETING



Glo3D

416-575-4448

glo3d.com

Glo3D offers an affordable mobile-based 360 photography software to help auto dealers capture professional virtual tours of their cars and automatically upload them to their website and inventory management in under 10 minutes. \$350 integration fee will be waived for **GIADA** members!

CarDoozy

855-745-3669 cardoozy.com

Meeting Street Graphics

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Personalized Drive-Out Tags

PROPERTY MANAGEMENT & LEASING

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Serving the unique office space needs of entrepreneurs and small businesses in the Atlanta market, including affordable spaces for auto brokers.

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404-436-0392

Independent Business Suites

Independent Business Suites

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Need properly zoned auto broker office space? We have affordable professional office space located in several locations around Atlanta to serve your needs. Lithonia - Marietta - Monroe - Gainesville - Riverdale

RADIO STATION

PMB Broadcasting

706-327-1217

pmbsites.com

PMB Broadcasting, LLC. is a locallyowned, locally-operated family of radio stations. Columbus is our home and we take pride in not only broadcasting to the community, but from the community.

RECONDITIONING & ACCESSORIES

YEAGER'S



Accessory Distributing by KALLOREN 770-745-8446

kallorenpro.com

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GIADA members receive 10% off your first order. Call us today!

Advance Chemical Products

770-424-8300

acpcarwash.com

Detail Supplies

Usedcarsupplies.com

770-448-6982

usedcarsupplies.com

REINSURANCE



Buckeye Dealership Consulting

330-726-9030

buckeyereinsurance.com

Buckeye Dealership Consulting serves BHPH and retail dealers as well as independent finance companies with their reinsurance needs. We work with you to customize a reinsurance program to control risk, improve cash flow, and increase the bottom line.



DealerRE

804-824-9533

dealerre.com

DealerRE is the expert at establishing and managing dealer owned reinsurance companies which allow dealers to provide their own limited warranties, service contracts and ancillary products. We also help BHPH dealers provide debt cancellation, collateral protection insurance (CPI) and GAP.



National Lenders General Agency

817-767-9200

nationallenders.com

National Lenders is a national risk management firm for independent auto dealers and lenders in the BHPH, LHPH and POS markets. We help auto dealers and lenders build wealth faster.

RENTAL CAR BUSINESS

Associated Car Rental Systems

770-948-1731

ronwidener.com

Rent-A-Car Training & Insurance

RENTAL CAR COMPANIES

Avis Rent A Car Systems, Inc.

404-763-6331

avis.com

Avis Car Rental and its subsidiaries operate one of the world's best-known car rental brands with approximately 5,500 locations in more than 165 countries. Avis has a long history of innovation in the car rental industry and is one of the world's top brands for customer loyalty. Avis is owned by Avis Budget Group, Inc. (NASDAQ: CAR), which operates and licenses the brand throughout the world.

Penske Truck Leasing

610-775-6099

pensketruckleasing.com

Truck rental

REPOSSESSIONS & COLLECTIONS

Hill & Associates

770-499-1801 Collections and Recovery

SATELLITE RADIO

((SiriusXM))

SiriusXM Radio

866-635-5027

siriusxm.com

Satellite Radio & Online Radio Service

SERVICE CONTRACT PROVIDERS, WARRANTY

American Guardian Warranty Services Inc.

630-386-4257

agws.com

American Guardian Warranty Services, Inc. (AGWS) is the premier provider of administration services for Agents and Dealers, offering a full suite of F&I products in the automotive, RV, powersports, marine, and commercial trucking markets. We provide unrivaled service to our customers and a trusted partnership with our Agents and Dealers. AGWS is part of the American Guardian Group of Companies.



ASC Warranty

800-442-7116

ascwarranty.com

Helping Dealers Sell More Cars for Over 30 Years



GWC Warranty

800-482-7357

gwcwarranty.com

GWC Warranty is the automotive industry's best-in-class provider of used vehicle service contracts. We help our dealers sell more cars by giving car shoppers the confidence to become car buyers. Since 1995, GWC has worked with our dealer partners to protect more than 1.5 million customers.



Integrity Warranty LLC

423-910-9490

integritywarranty.com

Industry-leading service contract options, for an industry-leading selection of vehicles. We help you provide value to every car buyer. Backed by an A.M. Best A-rated insurance company, our service contracts provide "Peace of Mind Nationwide."

\$50 off first service contract with a term of 12 months or longer. Applicable to new dealers only. Limit one per contract.



NVP Warranty

888-270-5835

nvpwarranty.com

NVP Dealer Benefits include: Increase transaction profitability; Provide customers with a quality service contract program; Simple pricing matrix to share with customers; Easy to Understand Coverage Programs; Solid underwriting and insurance backing and much more!



Peak Performance Team

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USED-CAR PHOTOS:

Documenting Imperfection as a Best Practice

BY LOUIS NORMAN III

Because new vehicles are in short supply, used or reconditioned vehicles have seen increased demand since December 2019, with prices rising by 42% during that time, according to the U.S. Bureau of Labor Statistics. As this demand is expected to continue into 2023, one practice that many dealers do not realize, which greatly influences the consumer buying decision, is showing the blemishes that come with these vehicles, especially in today's growing online retailing landscape.

Whether the reconditioned vehicle has scrapes, dents and scratches on the exterior, or even wear and tear with the interior, it's important for dealership photographer vendors to be transparent and offer to display features of these blemishes on the dealership's online vehicle detail page (VDP) to ultimately help the customer make an informed buying decision.

While it's obvious that reconditioned vehicles aren't going to look as perfect as new vehicles, dealership photographer vendors can give a dealership complete transparency with customers by photographing all imperfections on the reconditioned vehicle.

This can be done through an image viewer and an imperfections tab offered by leading dealership photography vendor applications.

Just by showing reconditioned vehicle blemishes, the dealership not only protects its reputation but also increases customer loyalty. Despite these blemishes most likely lowering the vehicle's value, the tradeoff is that the dealer gains the customer's trust as they make their buying decision.

Even though dealers have asked about "Photoshopping" or "retouching" the

vehicle blemishes before reconditioning occurs, this ultimately screams false advertising to the customer. Instead, photographing all reconditioned vehicle blemishes provides complete transparency.

With 78% of consumers expressing satisfaction when buying a vehicle online, according to an industry survey conducted earlier this year from Progressive Corp., an insurance company, showing the blemishes of the reconditioned vehicles helps the consumer feel more comfortable throughout the entire browsing experience. By being able to see any imperfections of the vehicle, the customer feels reassured that the dealership isn't trying to hide the blemishes if they come to see the vehicle in person.

The major strategy dealership photographers should use when shooting reconditioned vehicles is taking the blemish photos from multiple angles to show the vehicle's overall condition. Consistent imaging across the VDP is a large factor when looking into customers' buying decisions and ultimately will help increase the customer's trust in the dealership.

For example, if a photographer is going to take multiple shots of a scratch on the driver-side door, it is best to show the whole length of the door versus only the part where the scratch may appear.

Photographs showing how the vehicle being offered appears in person gives the savvy car buyer peace of mind, knowing the dealership doesn't have a problem with baiting and switching.

Louis Norman III is the director of operations of Dealer Image Pro (dealerimagepro.com), a professional photo, video and 360 software company based in California.

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Keep the Spark with Curb Appeal

WHEN INVENTORY LEVELS IMPROVE, THE DEALERSHIPS THAT LOST THE SPARK OF WHAT MAKES BUYING A CAR EXCITING ARE GOING TO SUFFER.

BY HARRY SISKIND, DIRECTOR OF MARKETING FOR AUTOSPIN USA

It is no secret that acquiring inventory has a been a problem for dealers across the country over the last couple of years. Dealership lots where a sea of new vehicles used to reside are now mostly empty and home to a scattering of preowned cars and trucks. Some dealers strategically park their service vehicles to hide the fact that the lot is mostly empty. Who are they fooling? Mismatched dirty vehicles poorly parked are not doing the trick.

Car shoppers are aware of the inventory issues facing dealers but are still skeptical about the price increases and wait times for new vehicles. New stresses have entered the car-buying process. The fun car-buying environment that dealerships are so good at producing is suffering right now. How can dealerships spice up the experience for car shoppers at the dealership?

It starts with curb appeal. When people drive by your store does it look depressing? Can they be sure that you are still in business? Are there more weeds than units available for sale on your lot? Take a look at your store and think back to the days of 20,000 pieces of direct mail, balloons across the front line and free hotdogs on a hot Saturday afternoon. Is the spark gone? Bring it back. Pull the weeds, line up the vehicles you do have across the front. Space the lines and the vehicles in them more to make the lot look fuller.

Also, do you have a strong attentiongrabbing centerpiece, something that people can see from down the street as the approach? This can take several forms. If you have ramps to display vehicles, get them out front. There are ramps that will raise and spin vehicles 25 feet in the air. How about a giant lit up spinning billboard letting people know that you are open for business and have vehicles to sell?



Inventory levels are inching back up and before you know it dealers will have more cars than customers again. The dealerships that lost the spark of what makes buying a car exciting are going to suffer. There are many salespeople who have only sold cars in this environment of scarcity. They are going to be in big trouble when the time comes to chase customers again.

The dealerships that have kept it fun and exciting are poised to win into the future. It is important that every day in your dealership is a day you are having a huge sale. If your salespeople don't know it, neither will your customers. Creating this environment starts with you. Start with curb appeal so car shoppers know that you are ready to help them, and your sales team is proud to work in your store. Put up balloons, get a ramp to spin cars in the air, get a DJ on Saturdays ... do what you must to keep the spark in your business and you will succeed now and into whatever comes next.

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