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NEWS

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5 STEPS FOR SMALL DEALERS | PAGE 18 |



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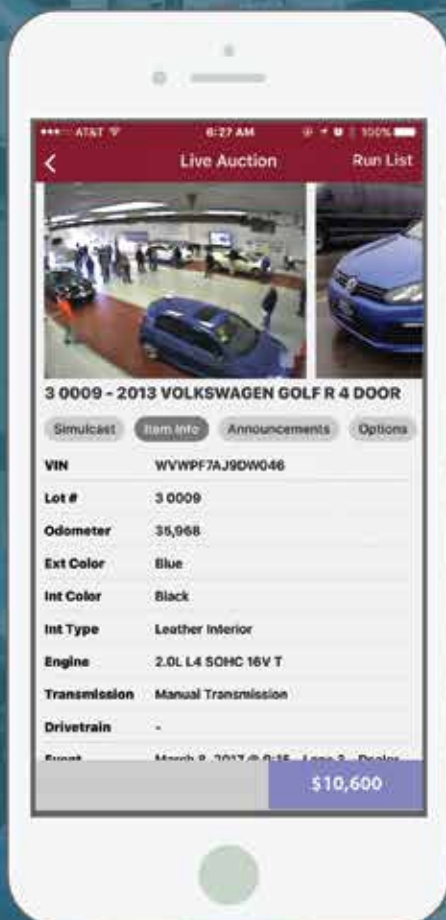
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WHAT'S NEW

National Policy Conference Online

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OIADA TRIP TO THE HILL

Team Ohio Joins NIADA in Washington, D.C.

Team Ohio joined NIADA, along with dealers and industry leaders from across the country, for the National Policy Conference in Washington, D.C. in September.

Representatives from OIADA had seven scheduled meetings with Ohio lawmakers and dropped in on a couple others as well. Tariffs, recalls, and tax reform were just a few of the topics we discussed in our meetings.

Making sure lawmakers know our struggles and concerns helps them vote accordingly when legislation affects our future.

Please join us next year! Spending the day on Capitol Hill is an experience everyone should have and it allows your voice to be heard in Washington. 🚗



ASSOCIATION NEWS | By Wendy Rinehart

DIRECTOR'S MESSAGE

Salvage Update

Happy Fall, everyone! By the time you read this article, we'll have less than 60 days left in 2018! What?? How does that happen?!

I'd like to thank all of you for supporting us in the battle against the BMV and the salvage branding issue. Without the donations toward legal fees, documentation you've sent, time you've taken out of your schedules to attend the BMV meetings, and the emails of support and kind words, we wouldn't be able to do it.

We are sending updates through email to all our members and vendors as things progress. At the time of this article, we have completed the hearing for a temporary restraining order and temporary injunction and are waiting for the post hearing briefs to be filed (due October 17) so the judge can make his ruling. We are optimistic the judge will rule quickly and in our favor.

With this being an election year, legislation and legislative issues are moving very slowly. Lawmakers now in office may or may not be in 2019.

It is imperative we continue to voice our concerns over this issue to our state lawmakers until the issue is fixed. You can contact our office if you'd like examples of letters and word tracks that can be used to communicate concerns surrounding the issue.

If you know a dealer who isn't a member of the association, please encourage them to join. The more members we have, the louder our voice can be. It's the best investment a dealer can make.

"We may be independent, but we're stronger as one." 🚗

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NIADA GOVERNMENT REPORT

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and Activity

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Shaun Petersen is NIADA's
senior vice president of legal
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LUXURY SUV MARKET BOOMS

Edmunds Study Results

The luxury vehicle market is on track for a near-record year, according to a new report released by the car-shopping experts at Edmunds.

Edmunds data revealed 1.3 million new luxury vehicles were sold through August, accounting for 11.4 percent of the market. Edmunds analysts noted an expanding lineup of SUVs is driving this massive growth, with sales of luxury SUVs hitting an all-time high of 62 percent of luxury vehicle sales so far this year.

"The luxury auto market is strong but at a crossroads, especially with the uncertainty around tariffs," said an Edmunds analyst. "As luxury brands push into vehicle segments dominated by ever more premium offerings from mainstream brands, they're going to have to work harder to convince shoppers the brand cachet is worth paying extra for." 🚗

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In the first installment of this three-part series, we looked at how to take advantage of upstream online auctions. Upstream is just a fancy way of saying “before the vehicle is shipped to physical auction.” We focused on OLOCs (One-owner, Low-mileage, Off-lease Cars) and discussed how you can acquire affordable cars your customers want, without having to go to a physical auction.

I received a lot of great feedback and even helped some dealers buy a few cars online for the very first time! Turns out, it's not as hard as they thought!

A lot of folks told me the cars they need – the \$2,000 to \$7,000 cars – are only at the physical auctions. So, in this article we are going to focus on buying cars from the physical auction.

I've shared before that if you go to a physical auction there will be only a limited number of cars that might work for your lot and you will only be able to bid on a few. This means you probably won't get the cars you need at the price you want – or at least not all the cars you need. So, why are we talking about going to the auction again? Well, I didn't say we were going to go to the physical auction. I said we were going to buy cars from a physical auction.

Some of the most successful used car dealers (and new car dealers as well) have mastered buying cars from multiple live online auctions.

Remember, one auction will have a limited number of cars, but five auctions will have five times as many.

How can you be at five live auctions at the same time? It's made possible with the power of the Internet, of course.

Thanks to advances in technology, nearly all auctions have a live video broadcast allowing dealers to bid and buy from the comfort of their office. You can watch and hear the sale, and then bid and buy right from your phone!

Yes, multiple auctions, multiple cities and multiple states all from your computer or phone.

GOOD CHEAP CARS?

PART 2: BUYING FROM PHYSICAL AUCTIONS

The live online auction I'm most familiar with, of course, is LiveBlock from ADESA. You can preview cars that meet all the criteria you want and gather all the information you need to make an informed buying decision: vehicle history reports, build data, Autoniq data, Market Guide, book values and more, all at your fingertips. Then, you can bid on the cars live as they run across the block at auctions around the country. In fact, you can watch and bid four lanes at once!

Yes, it will take some practice and, yes, it may be a little confusing at first – but like anything else it becomes much easier after a very short time.

Do you remember your first trip to the auction? That wasn't easy, was it?

Over the course of my career, I've seen many independent dealers become successful at buying cars this way. They have multiple screens set up to watch, bid and buy at eight or more auctions at a time. I have seen big franchise groups with “war rooms” that have three or four employees in a room, each with multiple screens buying cars. The point is, you can do it!

I know, you tried it once and it didn't work out. You couldn't buy the cars you wanted or the car you bought turned out to be a problem.

Maybe that was a long time ago, or it just made you so frustrated you gave up and

never tried again. Whatever the case, you should reconsider online auctions as a great way to acquire the cars you need.

Don't make this like asking for directions when you're lost – if you don't know how, ask for help!

Any auction company will be more than happy to make sure you are fully trained and set up to succeed. Seriously, email me and I will connect you to people who will take the time to show you how to buy and sell online!

If you're still worried about making a mistake or getting a bad car – don't be. There are now products out there like ADESA Assurance that can help reduce the worry – and the risk – of buying cars.

If you

underestimated the recon costs after buying or had a customer change their mind about buying a car, just send it back. Yes, you read that right: send it back within the defined timeframe and get your money back. There are, of course, some eligibility requirements and conditions but, boy, how times have changed.

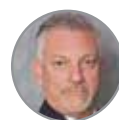
I want to close with one final tip regarding live online acquisitions: proxy bids. That's right, proxy bids, also known as AutoBid.

This is the most under-used tool in the toolbox. After reviewing the condition reports and data on the cars you need for your lot and determining exactly what you are willing to pay, simply set that number as your AutoBid. You'll receive notifications if you win the car and what your winning bid was (which won't exceed your AutoBid) or if you were outbid.

You don't have to watch the sale if you don't have time – AutoBid will do the work for you. It's really that easy!

Next time I'll uncover how to take advantage of the latest technology to buy fresh trades directly from the franchise dealer's lot within minutes of the deal being closed.

Until next time, have fun and sell cars! 🚗



Doug Hadden is executive director of dealer consulting services for ADESA Auctions Inc.

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COX AUTOMOTIVE

Though its usage rules may seem straightforward, the Federal Trade Commission's Used Car Buyer's Guide includes several requirements that seem to catch many auto dealers off guard.

Failure to perform these steps can lead to private class action lawsuits and FTC enforcement penalties reaching \$41,484 per incident.

The FTC requires the guide be affixed to the vehicle in such a way that both sides of the guide are easily readable by potential buyers. This rule, however, presents an initial challenge because the guide is two pages long.

- Displaying the guide on one of the vehicle's windows so that both sides may be read.
- Hanging the guide from the vehicle's rear-view mirror.
- Placing the guide in a plastic sleeve on the outside of the vehicle so buyers may remove and read it.
- Another creative solution that doesn't prevent the consumer from seeing the full document for the vehicle.

- Using a double-sided print so that the reverse is only available by looking through the other side of the car window.
- Placing the guide in the glovebox or under the seat.

Another area that is particularly sticky for the Buyer's Guide is warranties. Many dealers are under the false impression that checking the "as is – no dealer warranty" box prohibits all consumer claims. Unfortunately, that isn't the case. The reality is that a dealer selling a car "as is" only prevents claims arising from implied warranties.

Express warranties, on the other hand, cannot be disclaimed through the use of an



Example of express warranty: "This car will last you 200,000 miles!"

Express warranties also obligate the dealer to claims concerning those representations. Dealers need to be careful about what representations they make about a car to buyers because an “as is” provision doesn’t nullify those representations.

Arguably, the most important thing dealers need to be aware of concerning the Buyer's Guide is that regulators will be cracking down. The guide has been on the FTC's watch list ever since rules governing the guide were revised in 2016.

Seeing such a huge red flag, the FTC is surely signaling an increase in regulatory crackdowns. Savvy dealers will take steps to ensure compliance with these regulations and avoid potentially substantial fines by working with experienced automotive counsel that can advise and audit their guide use and related consumer compliance obligations. 🚗



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COX AUTOMOTIVE

LYFT SOME RISK

LEVERAGING RIDE SHARING FOR YOUR BENEFIT

Sometimes a counterintuitive but simple idea surfaces that seems so obvious you have a, "Why didn't somebody think of this before?" moment.

This is one of them. But perhaps it's not so obvious unless you have some understanding of both the traditional BHPH/subprime dealer world and the new world of ride sharing/ride hailing.

As BHPH dealers, we have our money at risk every day. The skill is in judging whom to take that risk on and how to get them to pay us each month for their vehicle.

In the completely different world of ride sharing – led by companies such as Lyft and Uber – the lifeblood is recruiting new drivers, but screening those drivers before they ever take on a passenger.

Once screened, the best ride share driver tends to be a part time, "casual" driver who uses the on-demand employment of ride sharing to supplement income when his or her "day job" doesn't bring home enough to pay all the bills.

Those part-time drivers tend to drive 10-20 hours a week. They are steady, reliable contributors and don't seem to burn out or drive too much to increase the probability of accidents.

As BHPH dealers, we frequently review credit, but we don't have access to prospects' DMV records or – even more useful – a full background check to know whether the individual to whom we are about to extend credit has ever committed a crime.

We resort to asking for utility bills, next of kin addresses, etc., anticipating the worst.

Even if we had the ability to quickly and accurately do DMV and background checks on every prospect who walked through the door, there would be a cost, particularly for the background check, of upwards of \$35-50 per candidate.

So here's the idea: Why not combine the need for a strict ride share candidate screening with your desire to know whether the prospect you're intending to risk your BHPH or recourse loan with has a clean DMV and background check?

Specifically, why not set up an iPad online kiosk in the store and, based on your discretion in "reading" your prospect, suggest or even require a potential customer to apply to drive for Lyft (which has a more

stringent background check than Uber) on the spot, the same way you require pay stubs, utility bills, addresses of friends/relatives, etc.?

You call the shots here, so you can make acceptance by Lyft to drive as another of your criteria for "buying" the candidate.

Wouldn't it be nice to know your potential new customers have passed a DMV check and a thorough background check before you trust them with your vehicle?

Of course, if a candidate fails to qualify, you won't know exactly why. But you will know something was wrong in one of those categories, so you can evaluate the situation accordingly.

Best of all, with a Lyft kiosk in the showroom, the screening checks would be quick and cost-free to you.

How can you beat that?

Well, I'll tell you how.

Let's say, hypothetically, one of your customers is a little overdue on a payment and gives you what sounds like a legitimate story about why he/she can't pay you today.

Now you could pull out the file, see he or she was accepted to drive and say, in a very understanding tone, "I totally understand why you are short on cash, but that's in the past. Go turn your Lyft app on, take a few extra hours – I know you are approved – and come bring me all of the payment tomorrow."

A ride share driver can make up to \$35 an hour and be paid the same day.

Now if your customer doesn't come in with all of the money to pay you in 24 hours or so, well, you know to turn off the vehicle and get it.

On-demand employment truly answers a lot of questions, if not solve some of our problems.

Now, you might counter, "I had a customer once take my vehicle and, unknown to me, drive for Uber/Lyft, kill my vehicle, never pay me and the repossessed vehicle was trash."

Everyone has had or heard a story like that, right?

Well, you always have had to screen for abusers, long before there was Uber and Lyft. Ride sharing just makes it a little easier for that type to defraud both parties.

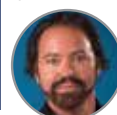
So you will still have to use your judgment – there is no getting around that side of the business.

However, if you are the one to introduce the idea of applying to drive, the prospect is less likely to already have that in mind, or to be a career driver.

Maybe you can "root out" those who are career drivers if your new prospect responds to the idea by sharing he/she already is a ride share driver. You can then inquire further as to how many hours the prospect drives and use your GPS device to track miles more closely if you roll him/her.

Additionally, those ride share drivers who "kill cars" don't last long on the Lyft program. Every passenger rates every ride. If the vehicle has problems, the passenger invariably gives a low rating, and just a few low ratings can cause deactivation by Lyft.

So there you are – perfect synergy here and a great way to leverage "new mobility" to your benefit. 🚗



John F. Possumato is founder and CEO of DriveltAway, which recently integrated with HyreCar, to roll his "path to ownership" and "Lyft Your Down Payment" program, and dealer-based "Car Sharing for Ride Sharing" nationally.



STAND OUT FROM THE CROWD

Seven Ways to Distinguish Yourself

Several years ago, I was staying at the Sheraton Hotel in Boston. Upon check-in, my room wasn't ready, but I was given access to their club room while I waited.

An hour later, I went back to the busy lobby and was given a room. Upon entering, however, I immediately noticed there was an old man in a red robe asleep in my bed!

I quickly retraced my steps back to the lobby. I found the manager and told him, "There's someone sleeping in my bed, and it's not Goldilocks!" He was very apologetic and quickly found me another room.

I got off the elevator and made a left turn to go to room 1023. I put the key into the door, and it turned red. I tried again and heard someone coming to the door. Once again, someone was already in the room!

Again, I retreated to the lobby, aggravated about the entire situation.

I found the manager and told him that once again there was someone sleeping in my room, and it wasn't Goldilocks!

He took fast action, apologizing, checking his system and walking me back to my assigned room. We exited the elevator and turned right to room 1032 (yes, they transposed the numbers on my key card).

The following evening, I was preparing to attend an event when there was a knock on the door. It was room service. I told them I didn't order anything. They responded it was a gift from management.

I opened to find a tray containing two bottles of Samuel Adams beer, a mug from Cheers, a shot-glass from Cheers and a postcard I will always remember: "Mr. Christman, I apologize so much for the troubles you had checking in yesterday. It is our mission to provide the best quality service to our guests. If there is anything you need during your stay, please contact me directly. And, the next time I hope that it is Goldilocks!"

Why do I still remember that note? Simple. It showed me that even through the frustrations, I was being listened to.

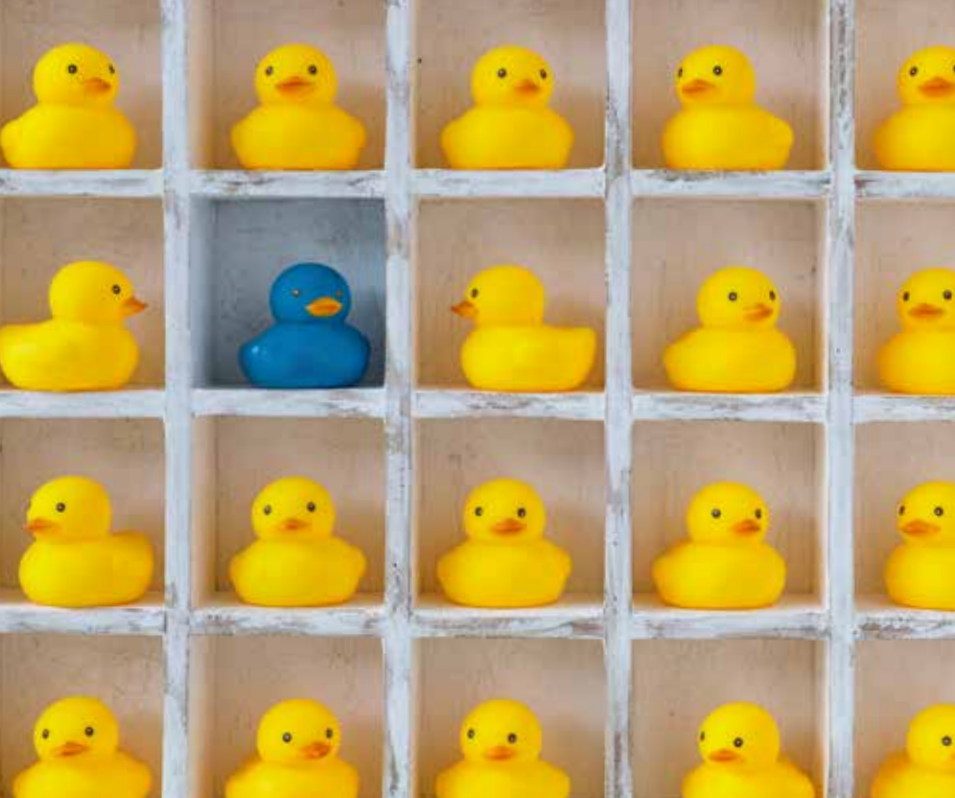
It turned a bad experience into one I still talk about years later in a positive manner! It allowed the Sheraton to stand out as a brand of choice to me. It is still the first hotel I try to book when business takes me to Boston.

What can you do to stand out for your customers?

Here are a seven ways to stand out from the competition.

Train your frontline sales team on the art of rapport building.

Treat the customer as if they were close friends or family. The relationships they build becomes your brand. Become a "people first" organization and become known as the



dealership customers want to go to!

Manage the customers that are on your lot now.

We typically spend a day or two between selecting the right vehicle to stock, merchandising it, advertising it and then responding to phone calls, emails and following up to bring a customer onto the lot. But when they are on the lot, how are you managing those customers?

I've often witnessed a salesperson spend time on the lot with a customer without ever getting them into the building. Once they skate, they're rarely logged into the CRM. There's no system in place to manage a T.O. on the lot.

NADA statistics say the average dealer spends over \$600 per sale. That's a big investment.

How are you maximizing it? How are you measuring it? How are you controlling it?

You need a system that allows you to measure all lot ups, allows for T.O.s on the lot, allows you to gauge overall sales performance and allows you to do it in the moment to help you stand out from the crowd.

Be original.

Since customers are routinely bombarded with marketing, your business should find ways to make its message memorable. Find a message that resonates with customers.

Another tactic is to enlist your customers to market for you. Social media contests can increase your brand awareness while letting current customers speak on your behalf.

Build customer loyalty.

When customers are being bombarded with information about many businesses in the same industry, your current customers can be your greatest asset – touting your business to family and friends. One way to keep them loyal is to communicate. Set alerts through your CRM to notify you of customer birthdays and anniversaries, and call them on

those special occasions.

Listen.

Take the steps to actively listen to your consumer's wants and needs. Ask open ended questions designed to explore what it will take to fit the person with the right vehicle.

Don't assume you know the answers just because you've heard the same answer 1,000 times before from other customers. This may be the 20th car you've sold this month but, in all likelihood, it's the first vehicle they've bought this month, or even year.

Mine your CRM data and stay in contact with your customers with regular messages.

Use templates that send useful information, such as grilling ideas in the summer, interesting tidbits, novelty ideas and the promotion of special sales events at your dealership. Stay in front of your customer with interesting items.

Use data and insights to drive positive customer experiences.

Know what your consumers want to buy from you. Find your niche and cater to it.

When you know your market and your customer, you can best serve them by stocking the right inventory at the right price point with the right level of service to stand out.

Integrate your software providers so you have a full picture of your lot, your history and your customer. If you have the entire picture, you can cater to it.

To thrive in today's economic environment you need to stand out from the crowd – to be neon in a gray world. How you treat your customer, how you make them feel and how well you listen to them are some methods you can use to create your own Goldilocks moments day after day. 🚗

Rob Christman is vice president of sales for AutoMatrix Dealer Software.

SOCIAL MEDIA A PREFERRED CUSTOMER SERVICE CHANNEL

RECENT STUDY RESULTS

Social media is one of the first channels consumers head to when they have a question or an issue. In fact, 45 percent of consumers have done so. A recent Sprout Social study cited the disconnects between social marketers' goals and consumer preferences, but there is one area they found marketers and consumers agree cannot be left out of the mix: customer service.

On the front lines with customers and prospects every day, an overwhelming majority (88 percent) of social marketers understand the importance of customer service on social. Nearly half (45 percent) of consumer respondents have reached out to a company on social.

Social media is a unique customer service channel.

Handling customer service through social media is tricky. The same marketing individual or team is often expected to wear the customer service hat, and situations can quickly go awry when specific skills and focus are absent.

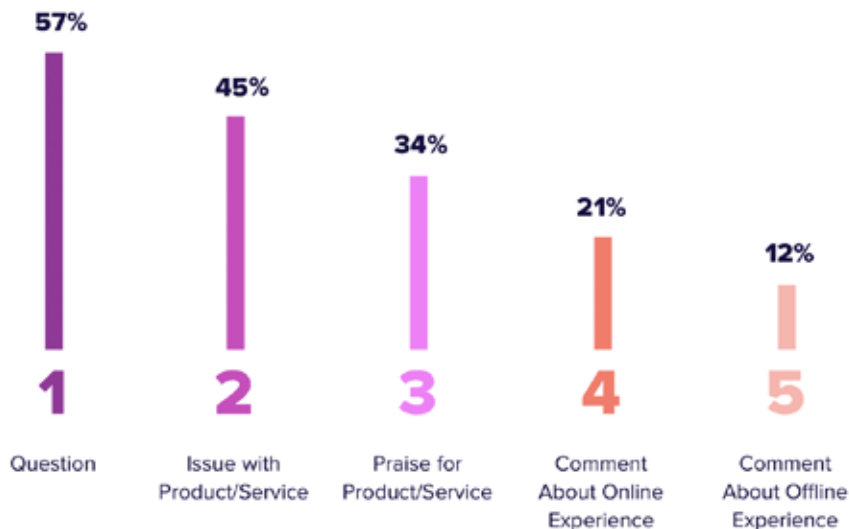
Given many dealership customer messages go unanswered on social media, it's clear dealers haven't put enough attention on designating someone to oversee their digital reputation, which is fast becoming their only reputation in their customers' eyes. In many cases, customer care is left to a group of busy people who view it as an afterthought.

Great social media customer service has a strong impact on the dealership's bottom line.

Social customer care doesn't just contribute to brand perception. It impacts your bottom line. Twenty-one percent of consumers are more likely to buy from businesses they can reach on social.



Reasons People Reach Out to Brands on Social



The same percentage would rather message a brand or business on social media than call customer service. This tells us that social customer service has a financial impact and is swiftly becoming the consumer's preferred care channel.

Done well, social customer care means customers will spend more. It improves efficiency and generates data you can use to improve services and benchmark against your competitors. Done poorly, you will be faced with spending precious resources digging your store out of a hole.

Research published in *Harvard Business Review* found customers who received a response to their query on social media were more likely not just to remain a customer, but to spend more money with the brand, and recommend it to others. The research from Sprout Social showed answering a customer's question on social media prompted 49 percent of consumers to purchase.

A rapid response is now standard.

Facebook Messenger, already widely used for customer service, is setting the standard for response times on social media. It's also a new channel for advertising.

Forty-eight percent of those surveyed valued a quick response on social media above any other action a brand could take.

Dealers have a lot of work to do to meet these expectations. According to Sprout Social, the average brand response rate is just 12 percent. On average, a response takes 11 hours. That's far short of the Facebook-recommended 15 minutes, and a lot of potential sales lost.

The top reasons consumers reach out to brands on social:

- They had a question (57 percent).
- They had an issue with the product or service (45 percent).
- They wanted to commend a company on their product or service (34 percent).

When a customer reaches out with a question (their number one reason for reaching out on social) use this as an opportunity to form a relationship – not just resolve an issue.

There is a wide range for how many customer service requests a business receives via social, though 58 percent of marketers surveyed receive between one and 50 requests in a week.

There is also a wide range in response times, though the majority (78 percent) responds to a customer request within 12 hours.

Social has matured as a communication channel and consumers have blended it into their lives. They expect dealers to do the same.

While many dealerships now use social media regularly, very few take social customer service seriously.

Quality customer service – regardless of channel – relies on a meaningful, efficient, solution-focused exchange between dealers and their customers.

The consumer preference for social media as a communication channel requires your store to re-think its customer service policies and procedures, and integrate them with your business strategy.

The best social customer service keeps your store in the conversation and doesn't allow malcontents and competitors to speak for you.

All this data makes it crystal clear how important social customer care is to your social and overall business strategy. How can dealers and their social marketers actually improve their efficiency and strategy in this area? More than half of social marketers say the answer is a bigger team.

Large, small or somewhere in between, a dealership must allocate the right resources into social media. Given the data, it's clear that customer service cannot be left out of your social media strategy. Every dealership needs to reassess how their customers prefer to communicate and adjust resources to meet ever-changing customer expectations. 🚗



Kathi Kruse is an automotive social media marketing expert, blogger, consultant, author, speaker and founder of Kruse Control Inc., which coaches, trains and delivers webinars focused on integrating social media and online reputation management into dealership operations. She can be reached at kathi@krusecontrolinc.com.

HOW DOES SOMEONE VIOLATE THE CSPA?

Understanding the Consumer Sales Practices Act

This article continues our series on Ohio's consumer laws. The series is designed to raise awareness of a part of business owners' potential pitfalls of these laws and how they can be avoided. You do not want to find yourself on the wrong side of a CSPA lawsuit. In previous issues, we covered "Why You Need to Understand the CSPA," "Who Must Worry About the CSPA," and "How Can You Avoid Being Sued Under the CSPA?" Find them in the January/February 2018 and March/April 2018 issues of Independent Dealer News, or visit www.gertsburglaw.com/blog for the full CSPA series and for more legal tips for your business.

The idea behind the Consumer Sales Practices Act is a noble one. Lawmakers realized there are unscrupulous business owners and con artists willing to prey on the unsophisticated consumer.

As a business owner, you should be happy these laws exist. They're in part designed to discourage and prevent, or at the very least punish, those companies that put your profession in a bad light. The CSPA levels the playing field, requiring all businesses to play by the same rules.

But what are the rules, you ask? How does the CSPA protect my business' reputation and my profession's reputation?

In general, a business violates the CSPA when it commits an unfair or deceptive act or practice or an unconscionable act or practice before, during or after a sale of goods or services whose purpose is primarily for personal, family or household use.

Yeah, that sounds like a lawyer wrote it – so let's break down what it really means.

At its root, it means the seller will not trick or deceive a customer in any sale. What kind of deception or tricks does the law consider unfair, unconscionable, or deceptive? It's quite a long list.

"BUT WHAT ARE THE RULES, YOU ASK? HOW DOES THE CSPA PROTECT MY BUSINESS REPUTATION AND MY PROFESSION'S REPUTATION?"

Furthermore, this is divided into three parts. First there is the law itself, as passed by the Ohio state legislature and signed by the governor. This is in the Ohio Revised Code starting at §1345.01. Second, the law permits the Ohio attorney general to make additional rules stating what is a violation of the CSPA. Finally, there are acts and practices not explicitly contemplated by the law or the Ohio attorney general that add additional acts and practices that, going forward, are violations of the CSPA.

To give you a general idea of what the law covers, here's a list of what the legislature and the attorney general consider unfair, unconscionable or deceptive:

- Stating something is the particular standard, quality, grade, style or model when it is not.
- Stating something is new or unused when it is not.
- Telling a consumer something is available for a reason that does not exist.
- Telling a consumer the supply is of a greater quality than he intends to sell.
- Telling a consumer something needs to be replaced or repaired when it does not.
- Telling a consumer that a price advantage exists when it does not.
- Deceiving a consumer about a warranty or lack of warranty.
- Taking advantage of the consumer's mental or physical illness, ignorance, illiteracy or inability to understand the language of the contract.
- Knowing a consumer could not fully pay for the product.
- Requiring a consumer to enter into a contract with terms that are one-sided in favor of the supplier.
- Refusing, without justification, to make a refund in cash or check for a returned item unless there was a pre-existing refund policy known by the consumer or otherwise posted.

These are just the tip of the iceberg when it comes to consumer laws. Many of the attorney general's rules are specific to a particular business or trade.

For instance, automobile dealers, both new and used, have a set of specific rules, as do automobile repair shops. Other specific industries that have rules include gas stations, residential mortgages, auto rust inhibitors, debt collection, and advertisements of all sorts.

The CSPA rules are there for everyone's protection.

The attorney general's office in Ohio receives over 30,000 consumer complaints a year. These complaints are in areas including home-improvement contracts, automobile sales, debt collection and many other consumer transactions.

The CSPA was designed to protect consumers from the types of allegations made in these complaints. Its primary focus is to protect consumers from shoddy work, deceptive advertising and one-sided contracts. In order to accomplish these goals, the CSPA:

- Defines consumer transactions as well as sellers and suppliers.
- Sets up requirements for sellers and suppliers.
- Defines unfair, deceptive or unconscionable practices.
- Permits the Ohio attorney general to conduct investigations and bring penalties.
- Permits the Ohio attorney general to make rules describing unfair, deceptive or unconscionable practices.
- Permits private litigation.

Some of the initial practices that were targeted include bait and switch tactics, unavailability of goods, and proper disclosure of estimates. Since its inception, it has been amended and expanded numerous times as the economic climate has changed. More recently, several rules were added relating to home mortgage loans and other practices as a result of the 2008 real estate meltdown.

While the Ohio attorney general has the power to investigate any complaints it receives, by far the most common enforcement tool for the CSPA is private litigation. Private litigation is when the consumer sues the supplier for the alleged unfair or unconscionable act or practice. If a consumer wins, they are entitled to three times their actual damages plus up to \$5,000 in non-economic damage. Additionally, when a consumer brings a suit, and succeeds, they are genuinely entitled to have the supplier pay its attorney's fees. This is sometimes the costliest portion of a suit. 🚗

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BIG TRENDS THAT CAN MEAN BIG PROFITS

Trends to Watch

Studying nationwide and industry-wide trends brings to light opportunities around the types of vehicles that are selling as well as what customers are looking for in their vehicles and their car-buying experience.

Remaining incredibly familiar with these trends opens the door for you to begin preparing for where the industry is going so you're ready to strike when opportunity arises.

Here are few trends we're tracking that could be helpful for you too.

Content and Features on a Budget

Used vehicles are quickly becoming a more budget-friendly option for customers to get luxury features on an economy budget. J.D. Power's recent APEAL study found the gap narrowing between mass-market and luxury brands in terms of customer satisfaction. Much of this is due to features like navigation, enhanced safety systems and more being increasingly more accessible to the everyday used car buyer.

A Focus on Used Cars

Manufacturers and retailers alike are realizing the profit potential from used cars. Much like customers seeking more luxury features at an affordable price point, used cars are proving to be the solution for those customers who are both budget and image conscious. Finding vehicles that can project the image young buyers want while also working within their limited budgets could hit a perfect sweet spot for your bottom line.

Rising Used Prices

The logical progression from used car buyers wanting more features is the natural rise in sales prices. Several retailers reported recent upticks in average sale price, largely because customers who want added features are finding them in used cars rather than new. As a segment of new car buyers migrates into the used market, you can continue to expect higher prices on those premium vehicles.

Digital Transactions

A recent Cox Automotive study found that most customers still want to complete their transactions in a dealership, but that could be about to change. The study found 71 percent of customers want to find accurate and detailed information online while 83 percent of customers want to complete at least one purchase activity online. Opening the door to digital technology in your dealership and purchasing tools on your website will prepare you to cater to these types of customers. 🚗



MANAGEMENT MATTERS | By Victor Kraft

FINANCIAL TUNE-UP

Give Your Dealership a Competitive Edge

The business of buying and selling vehicles continues to transform. Dealerships face challenges related to operations, the industry's regulatory environment, and buyer financing.

However, taking advantage of tax reform, getting your financial reporting in shape, understanding the true cost of inventory, and broadening customer financing options can help keep your dealership in fine tune and give you a competitive edge.

Get familiar with the impacts of tax reform on dealerships and their owners.

The Tax Cuts and Jobs Act has major implications for dealers. Chief among them is the deductibility of interest expenses.

The good news is floor plan interest is still deductible in full.

For dealers with less than \$25 million in gross receipts, non-floor plan interest is limited to 30 percent of net income before interest and depreciation. The limitation has a higher chance of applicability when profitability is low and there are large amounts of non-floor plan interest expense (e.g., lines of credit, bank notes, and mortgages).

Dealership business losses can no longer be carried back to prior tax years to claim refunds. This will likely affect dealers who have alternating years of profits and losses.

The maximum C corporate tax rate is now 21 percent. Pass-through entities, such as S corporations and partnerships, are eligible for a 20 percent deduction of qualifying income. In some cases, restructuring the entity type may reduce dealership tax liability.

Understand the importance of timely and accurate financial reporting.

The need for timely and accurate financial reporting is crucial for all dealerships. Dealerships may have cash in the bank, but if future obligations, payables, and bills have not been recorded, a dealer is exposed to cash flow issues and may be hampered in its ability to secure lending. A good rule of thumb is to have monthly financials closed within 10-15 days after the end of the month.

Many small dealerships use the cash method of accounting. There are inherent limitations of this accounting method as sales and expenses are only recorded when cash is received or paid by the dealership. Long term obligations, bills received but not paid, and the value of inventory may not be accurately captured under cash accounting. Consider using the accrual method of accounting, as it paints a clearer picture of the status of the dealership and is the preferred method of banks and lenders.

Know your inventory.

Do you know the true cost of each vehicle on your lot?

Vehicle costs include the acquisition cost, floor plan interest and fees, and reconditioning costs. We recommend analyzing the dealership's overhead costs (building/lot rent, administrative salaries, etc.) and applying a standard pack to each vehicle.

Knowing the true cost can help dealers make better decisions when negotiating deals with customers.

Having the right product mix is crucial for dealerships and should be tailored for the market and desired customer. Performing a two- to three-year sales analysis of vehicles by make, model, and type can shed light on which are losers and winners.

Diversify product offerings.

Increases to the cost of vehicles continue to exceed wages of consumers, which has put pressure on selling prices and hampered margins.

Consumers are reliant on vehicle financing, which presents dealerships opportunities to offer a variety of financial products associated with financing. GAP (guaranteed asset protection) insurance, extended warranties, and voluntary debt cancellation coverage provide risk coverage to customers while providing backend revenue to dealerships. 🚗

Victor Kraft is a senior associate in CLA's dealership practice. Find out more at CLAconnect.com/dealerships.

HOW TO COMPETE WITH ONLINE ADS

CoverStory

5 Steps for Small Dealers

Car buying has become a primarily online activity.

According to Cox Automotive's Car Buyer Journey Report, customers spend just a third of their time at dealerships. The rest is devoted to online research. Only after careful research do car buyers proceed to a dealership to test drive and purchase.

The challenge, therefore, is to be found online. Dealerships might have the right inventory and prices, but if they can't get traffic to their listings, they won't get buyers onto their lot.

Online advertising is the answer, but most small and mid-size dealerships can't justify the cost. But there is a right way and a wrong way for small dealerships to advertise online.

And it's expensive if you do it the wrong way.

The Benefit of Being Big

Large dealerships dominate advertising on third-party websites like Cars.com and Autotrader. They can afford the exorbitant costs of buying ad space there and can blanket the Internet with ads.

Sure, they waste a lot of money on visitors who don't buy from them, but with enough traffic, only a tiny fraction of visitors need to become customers to make the ads worthwhile. That's the benefit of being big.

When small dealerships try the same "spray and pray" approach, they undoubtedly fail. If you can't compete on budget, you have to use other tactics to get found online.

When They Go Big, You Go Small

Small dealers can't afford to blanket the Internet with ads, but anyone can afford to run a few highly targeted ads to the perfect customer. If you have \$100, you can effectively advertise any vehicle online.

Here are five steps to developing a high-value advertising campaign. These principles are universal for any dealership, but they're especially powerful for smaller dealerships trying to compete with large companies.

1. What is your niche? Who is your audience?

Most dealerships already focus on specific vehicles. That's called a niche. Maybe your niche is broader, like trucks, European cars or used vehicles. Maybe it's narrower: a specific brand, price point or customer segment.

Having a niche is important. It allows you to define your target audience, the people who are most likely to purchase a vehicle from you. Instead of advertising to any car buyer, focus on advertising to this niche.

But how do we find these people on the Internet? And how do we show them our ads?

2. Ad targeting.

Ad targeting means creating rules or criteria about who should see your ad, when they should see it and on what platform. Using the tools available on ad platforms, you can target your specific niche.

Targeting saves you money by showing your ads only to those people who are most likely to purchase from you. Your conversion rates will be higher, which means more people are clicking on your ads. This, in turn, gives you a better chance to make a sale.

For small and mid-size dealers, the secret to online advertising is quality not quantity. You want each ad to make a big impact, and that starts with ad targeting.

3. Choose the right platform.

Advertising platforms vary widely on cost, features and targeting ability. Choosing the right one is often the most difficult step.

• Third-Party Car Websites

Third-party websites – like Cars.com, Autotrader and CarGurus – are the most popular platform for dealer ads. They get the lion's share of car search traffic and are often the first place buyers look.

But because of this, they are also the most expensive platforms. Only large dealerships can afford to advertise effectively on these sites. Every ad is in competition with thousands of other car ads, putting a premium on top ad space.

• Google Ads

Google Ads (formerly AdWords) lets you run ads on Google searches. Advertisers target the keywords relevant to their product and their ads are shown on the results pages.

Google Ads can be affordable or extremely expensive. Broad terms like "used cars" get hundreds of thousands of searches every month, but the cost is prohibitive for most small dealers. Plus, this keyword attracts a wide audience, most of whom won't be interested in your vehicle anyway.

Specific terms like "Honda HR-V 2016 Atlanta" are less expensive and more effective for a small dealer. This type of Google search shows buyer intent – they have done their research and are looking to purchase. This is the perfect time to show them your ad and get them to your website.

• Social Media

Like Google Ads, advertising on social media can either be cost-effective or expensive.

Instead of keywords, though, sites like Facebook group audiences based on their interests. You can choose a broad or niche audience, which will determine the cost and impact of your ads.

• Display Network

Display networks partner with websites

and online publishers to deliver banner ads to visitors based on their search history and interests.

When you target a specific audience, the display network will show them ads when they visit a website that is part of the network. For example, your audience could see your ad on USA Today, DrivingSales.com and Lifehacker.com.

Display network ads are among the most affordable and effective. The ad space itself is inexpensive, and your ads don't have to compete with hundreds of others. Since they are based on search history and interests, you know you're targeting a high-quality audience.

4. Ad content.

The content of your ad has a monumental impact on its success. The right targeting is only half the battle. We've grown so used to seeing ads everywhere our minds have become very effective at ignoring them.

To win visitors, your ads need to be creative and provoke people to action. If you're not using the right language, or your ad is not visually appealing, chances are visitors will not click on your ad.

Creating compelling ads is tough work. If you don't have experience, you are probably better off seeking the help of a marketing professional. But even pros aren't perfect, which leads us to our final step.

5. A/B testing.

A/B testing is a method to gauge the performance of an ad before you spend too much money on it. Create two different versions of the same ad and run a limited campaign for each while measuring their effectiveness. Then choose the top-performing ad to run a larger campaign. Repeat this process over time to refine your ads.

A/B testing helps advertisers ensure they are running effective ads that generate high-quality leads and, eventually, sales. It's truly an invaluable tool.

It's hard and scary, but you're not alone. Online advertising can be a full-time job on its own. It's only natural to feel overwhelmed by the amount of work and choices involved.

Large dealerships make it hard to get the premium ad space on a small budget. And if you're not in the premium ad spot, it's easy to get lost in all the noise.

However, by targeting your niche audience with engaging ads on the right platform, even small dealers can compete with the big players.

Take your time, get it right and watch your sales soar. 🚗



Adam Tobias is the co-founder and COO of DealerCue, which provides dealerships with real-time, intelligent, market-driven vehicle appraisal, pricing, inventory management, and sourcing solutions. He can be reached at adam@dealercue.com.



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