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Mise en demeure pour vice caché sur véhicule

Lettre recommandée avec accusé de réception

À Meyrargues, le 12 juin 2024

Par la présente, je vous notifie formellement en votre qualité de vendeur de la voiture Renault Clio immatriculée CS-126-YA, que j'ai acquise auprès de vous en date du 12 mars 2024, conformément au contrat de vente ci-joint.

Je vous informe avoir découvert un vice caché affectant le véhicule à la date du 02 juin 2024, à savoir : une consommation excessive d'eau et d'huile du moteur. Ce défaut, confirmé par un diagnostic réalisé par AutoGarage, rend le véhicule impropre à son usage normal, et n'était absolument pas décelable lors de l'achat.

Conformément aux dispositions des articles 1641 et suivants du Code civil, relatifs à la garantie des vices cachés, je vous mets en demeure de procéder immédiatement à l'indemnisation des frais de réparation d'un montant total de 525€, tel que détaillé dans les factures jointes.

Je vous rappelle que le vice en question était non apparent et préexistant à la vente, ce qui engage pleinement votre responsabilité en tant que vendeur. En vertu de l'article 1644 du Code civil, l'acheteur a donc le choix entre rendre la voiture et se faire restituer le prix, ou garder la voiture et se faire rendre une partie du prix. En l'occurrence, je demande la prise en charge intégrale des frais de réparation, et ce, sous un délai de quinze 15 jours à compter de la réception de la présente mise en demeure.

À défaut de réponse de votre part dans le délai imparti, je me verrai contraint de saisir les juridictions compétentes pour faire valoir mes droits et obtenir réparation du préjudice subi, incluant, le cas échéant, les dommages-intérêts pour tous frais supplémentaires et inconvénients occasionnés.

Je vous demande donc de bien vouloir me contacter dans les plus brefs délais pour convenir des modalités de cette indemnisation. Je reste dans l'attente de votre réponse prompte et favorable et vous prie d'agréer, Madame, Monsieur, l'expression de mes salutations distinguées.

Martineau Françoise


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