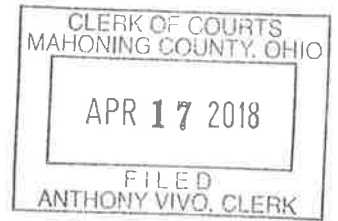


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IN THE COURT OF COMMON PLEAS
MAHONING COUNTY, OHIO



STATE OF OHIO, ex rel.
MICHAEL DEWINE
ATTORNEY GENERAL
615 W. Superior, 11th Fl.
Cleveland, Ohio 44113-1899

Plaintiff,

v.

ANCIL E. WILSON III
d/b/a OHIO RESTORATION GROUP
3450 Coronado Dr. Ste 1314
Sarasota, Florida 34231

Defendant.

CASE NO. 18cv987

JUDGE ANTHONY SAPIRO

COMPLAINT AND REQUEST
FOR INJUNCTIVE RELIEF,
DECLARATORY JUDGMENT,
CONSUMER RESTITUTION
AND CIVIL PENALTIES

JURISDICTION

1. Plaintiff, State of Ohio, by and through the Attorney General of Ohio, Michael DeWine, having reasonable cause to believe that violations of Ohio's consumer protection laws have occurred, brings this action in the public interest and on behalf of the State of Ohio under the authority vested in him by R.C. 1345.01 et seq. (the Ohio Consumer Sales Practices Act).

2. The actions of Defendant Ancil E. Wilson III d/b/a Ohio Restoration Group, LLC, hereinafter described, have occurred in the State of Ohio, County of Mahoning, and as set forth below, are in violation of R.C. 1345.01 et seq.

3. Defendant is a "supplier," as that term is defined in R.C. 1345.01(C), as Defendant engaged in the business of effecting "consumer transactions" by offering home improvement goods and services for a fee, within the meaning of R.C. 1345.01(A).

4. Defendant, as described below, was at all relevant times hereto a "seller" engaged

in the business of effecting home solicitation sales by soliciting and selling home improvements to “buyers” at the buyers’ personal residences in Mahoning County as well as other counties in the State of Ohio, for purposes which were primarily personal, family or household within the meaning specified in R.C. 1345.21(A) and (E).

5. Jurisdiction over the subject matter of this action lies with this Court pursuant to the Consumer Sales Practices Act, R.C. 1345.04.

6. This Court has venue to hear this case pursuant to Ohio Civ. R. 3(B)(1)-(3), in that Mahoning is the county in which the Defendant resided, had his principal place of business, and is where many of the transactions complained of herein occurred.

STATEMENT OF FACTS

7. Defendant solicited consumers for home improvement services in Ohio. Defendant’s former business was incorporated in Columbiana County and had its office located in Mahoning County. “Ohio Restoration Group LLC” was registered with the Ohio Secretary of State, as incorporated in 2015 and dissolved in 2016. Defendant Wilson operated “Ohio Restoration Group” at 557 Meridian Rd., Suite 4, Youngstown, Ohio until its closure.

8. Defendant solicited and failed to perform the installation of replacement roofs contracted with consumers. Defendant took funds for this work and, in most cases, failed to perform any work or deliver any materials.

9. At all times herein, consumers received and relied upon statements and misrepresentations made by Defendant Wilson, personally and in writing, who knew or should

have known of the acts, or failure to act, and who allowed, caused or ratified such acts and practiced described above.

10. Defendant did not provide notice to consumers with a separate, appropriately worded form detailing their cancellation rights, as required by R.C. 1345.23.

11. After receiving payment, Defendant would receive timely notice of cancellation of the contract from the consumers, but would then fail to refund the consumers the money paid.

PLAINTIFF'S CAUSE OF ACTION

COUNT ONE

FAILURE TO DELIVER

12. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in Paragraphs One through Eleven (1-11) of this Complaint.

13. Defendant has committed unfair and deceptive acts or practices in violation of the Consumer Sales Practices Act, R.C. 1345.02(A) and the Ohio Administrative Code 109:4-3-09, by accepting money from consumers for goods and services and failing to make full delivery or provide refunds.

COUNT TWO

HOME SOLICITATION SALES ACT

FAILURE TO PROVIDE COMPLETE CANCELLATION NOTICE

14. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in Paragraphs One through Eleven (1-11) of this Complaint.

15. Defendant failed to provide consumers with a complete and separate written Notice of Cancellation form, as required at R.C. Section 1345.21(B)(2), and as prohibited at R.C. 1345.23 (D)(1), in violation of the Ohio Consumer Sales Practices Act R.C. 1345.02, pursuant to R.C. Section 1345.28.

16. Such acts and practices have been previously determined by Ohio courts to violate the Consumer Sales Practices Act, R.C.1345.01 et seq. Defendant committed said violation after such decisions were available for public inspection pursuant to R.C. 1345.05(A)(3).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court:

1. **ISSUE** a permanent injunction enjoining Defendant, under this or any other names, his agents, servants, representatives, salesmen, employees, successors and assigns and all persons acting in concert or participate with Defendant, directly or indirectly, from engaging in the acts or practices of which Plaintiff complains;
2. **ISSUE** a declaratory judgment declaring that each act or practice complained of in this Complaint violates the Consumer Sales Practices Act, and the Substantive Rules contained in the Ohio Administrative Code in the manner set forth in this Complaint;
3. **IMPOSE** upon Defendant civil penalties in the amount of Twenty-Five Thousand Dollars (\$25,000.00) for each violation of each count pursuant to R.C. 1345.07(D);
4. **ORDER** Defendant to reimburse consumers who have been injured by the acts and practices of which Plaintiff complains;

5. As a means of ensuring compliance with this Court's Order and with the consumer protection laws of Ohio, **ORDER** Defendant, his successors or assigns, under his or any other names, to maintain in his possession and control for a period of five (5) years all business records relating to Defendant's solicitation or effectuation of business in Ohio and to permit the Ohio Attorney General or his representative, upon reasonable twenty-four (24) hour notice, to inspect and/or copy any and all of said records and further **ORDER** that copies of such records be provided at Defendant's expense to the Ohio Attorney General upon request of the Ohio Attorney General or his representatives;

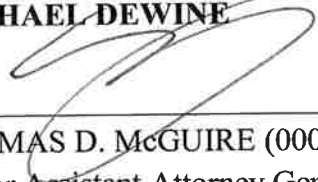
6. **GRANT** Plaintiff his costs in bringing this action;

7. **ORDER** Defendant to pay all court costs.

8. **GRANT** such further relief as justice and equity require.

Respectfully submitted,

ATTORNEY GENERAL
MICHAEL DEWINE



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