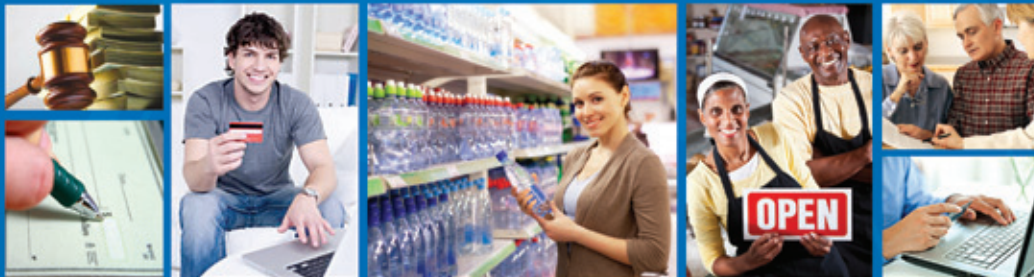


Protecting Ohio's Families



Ohio Attorney General's Office Consumer Protection Section



2013
Annual Report



MIKE DEWINE
OHIO ATTORNEY GENERAL



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★

Dear Colleagues:

Our overarching goal at the Attorney General's Office is protecting Ohio families. That's why my office's Consumer Protection Section takes an aggressive stand against fraud and unfair business practices and maintains a customer service-oriented approach with consumers.

Based on the information obtained from consumer complaints and other sources, the Attorney General's Office conducts local and statewide investigations and partners with other states and federal agencies to enforce consumer laws. The results can mean millions of dollars in restitution and remedies for Ohioans or simply ensuring that a home-improvement project is completed or that the title to a motor vehicle is delivered to the purchaser.

To target consumer fraud of a criminal nature, the section's Economic Crimes Unit, which we created in 2011, continues to assist local law enforcement and prosecutors in identifying, investigating, and prosecuting the worst offenders. One of the unit's largest indictments of 2013 centered on the "Circleville 7," a group of relatives and friends who stole hundreds of thousands of dollars from elderly homeowners after claiming to perform some type of home improvement work.

Our Identity Theft Unit, established in 2012, helps victims repair the damage caused by identify theft and move forward. The unit also works with those in the foster care system to correct errors that are discovered on the credit reports of foster youth, a common target for identity theft.

In 2013, we applied consumer protection laws in a new way – against the advertising and sale of synthetic drugs. Synthetic drugs, advertised and sold as "bath salts," "incense," and "potpourri," were being sold in Ohio businesses as legal products. The Consumer Protection Section brought 14 actions against individuals and businesses on the basis that marketing and selling a product that contains illegal substances as a legal product is in violation of Ohio's consumer protection laws.

I am proud of these significant strides in protecting Ohio's families, and Ohioans should be assured that we will continue to work on their behalf to advance a fair and safe marketplace.

Very respectfully yours,

Mike DeWine
Ohio Attorney General

REPORT TO THE GOVERNOR AND GENERAL ASSEMBLY ON THE OPERATIONS OF THE ATTORNEY GENERAL UNDER CHAPTER 1345 OF THE OHIO REVISED CODE

A. SCOPE

Chapter 1345 of the Ohio Revised Code, the Consumer Sales Practices Act (CSPA), gives the state Attorney General the duty and enforcement authority to prohibit a supplier from committing an unfair, deceptive, or unconscionable act or practice in connection with a consumer transaction. It is the primary consumer protection statute in Ohio and one of the most comprehensive consumer protection statutes in the nation. Since its adoption in 1972, the CSPA has proven to be a fair and effective regulatory tool, providing protection for consumers and marketplace flexibility for businesses.

Consumer protection in Ohio has expanded through the years, giving the Attorney General's Consumer Protection Section the responsibility of enforcing many additional consumer protection laws through civil legal proceedings. The section has concurrent jurisdiction to enforce numerous federal consumer protection statutes. Although no consumer protection statute gives the Attorney General original criminal prosecutorial authority, if a local prosecutor declines a referral, the Attorney General is authorized to prosecute violations of the Homebuyers' Protection Act, the Telephone Solicitation Sales Act, and the Credit Services Organization Act. Additionally, the section's Economic Crimes Unit works proactively with local law enforcement and prosecutors to assist in identifying, investigating, and prosecuting consumer fraud of a criminal nature.

To further protect Ohioans from predatory and illegal business practices, the section educates consumers and businesses about Ohio consumer law and offers a complaint resolution process to resolve disputes between consumers and businesses.

The CSPA requires the Attorney General to report annually to the Governor and the General Assembly about operations related to Chapter 1345 of the Ohio Revised Code and violations of this chapter. Here is a summary of the Consumer Protection Section's 2013 activities.

B. ENFORCEMENT

The Attorney General is empowered to investigate CSPA violations and enforce the law. To accomplish this, the Consumer Protection Section has several tools at its disposal. The Attorney General may issue a cease-and-desist order to address a supplier's behavior. The Attorney General has authority to enter into an Assurance of Voluntary Compliance, a formal out-of-court agreement between the Attorney General and the supplier in which the supplier agrees to cease violating the law, to reform business practices, to make appropriate restitution, and when appropriate, to pay other monetary amounts. Finally, the Attorney General can pursue litigation to address possible violations. Some cases are handled as multistate actions in cooperation with other state attorneys general.

The Legal and Investigative units work together to ensure compliance with Ohio consumer laws. In 2013, the Consumer Protection Section opened 257 investigations. It also initiated 55 lawsuits for various unfair, deceptive, or unconscionable business practices and obtained 51 judgments and Assurances of Voluntary Compliance totaling more than \$6 million in consumer restitution, civil penalties, costs, and other relief.

The following are summaries of the lawsuits, judgments, and settlements that occurred in 2013.

LAWSUITS

Affinion/Trilegiant/Webloyalty

Franklin County Court of Common Pleas, Case No. 13CV011215

This multistate investigation focused on discount clubs operated by Affinion and its subsidiaries. The discount clubs offer a wide variety of services in areas such as credit monitoring, roadside assistance, and discounted travel. Consumers complained that they were charged for services they did not authorize and that once they learned of the charges, they were unable to cancel and obtain refunds. The multistate investigation revealed that the businesses did not make proper disclosures and confirmed that consumers were being charged for services without valid authorization. As a result of the investigation, the Attorney General filed a lawsuit on Oct. 10, 2013, for violations of the CSPA. An Agreed Stipulated Final Judgment Entry and Order was immediately submitted to the court and was entered on Oct. 22, 2013. The agreement prohibited the practices leading to the consumer complaints and required further marketing changes to ensure that all disclosures were made in a clear and conspicuous manner. The settlement established a fund of approximately \$19 million to provide refunds to consumers who received unauthorized charges. It also included a \$13.5 million payment to the group. Ohio was joined by 46 states and the District of Columbia in the settlement and received \$450,000.

Alhmidat Corp. LLC/Munir F. Alhmidat

Clark County Court of Common Pleas, Case No. 13 CV 0117

The Attorney General filed a lawsuit on Feb. 1, 2013, against Alhmidat Corp. and Munir Alhmidat as part of a crackdown on sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendants, operating as Quality Food Mart, sold illegal drugs as legal products to an undercover agent who was operating under the direction of the Clark County Sheriff's Office. The lawsuit was brought pursuant to the CSPA and included a separate cause of action to declare the business a public nuisance. Separate criminal charges were also filed. The CSPA claims seek a declaratory judgment, a permanent injunction, and civil penalties. The case is pending.

All American Restoration LLC/Mark Walker

Clark County Court of Common Pleas, Case No. 13CV181972

The business offered to provide large-scale home improvement projects such as house additions. Numerous consumers complained to the Attorney General that money was paid to the business and no work was done or that work was performed in a substandard manner. Required building permits were not obtained. The Attorney General filed a lawsuit against the business and its owner on Nov. 14, 2013, for violations of the CSPA. Counts included failure to deliver, shoddy work, and failure to obtain building permits. The complaint seeks a declaratory judgment, a permanent injunction, consumer damages, and civil penalties. The case is pending.

All Seasons of Kentucky Inc./All Seasons Contracting Inc./Leo Patrick Richard/Carol Richard

Lawrence County Court of Common Pleas, Case No. 13OC755

This case involved a large-scale home improvement scam in the Ironton area that victimized many consumers. The Attorney General received complaints from 35 consumers who suffered combined losses in excess of \$170,000. Most of the complaints involved failure to deliver and a few alleged shoddy work. On Sept. 27, 2013, the Attorney General filed a lawsuit against the businesses and the husband and wife who own it for violations of the CSPA and Home Solicitation Sales Act. The complaint seeks a declaratory judgment, a permanent injunction, consumer damages, and civil penalties. The case is pending. On Nov. 19, 2013, the Economic Crimes Unit, with the assistance of the Ironton Police Department, also indicted Leo Patrick Richard Jr. and Carol Richard of All Seasons of Kentucky Inc. on criminal charges.

Barnes Construction Cos. Inc./Christopher Barnes/Christina Barnes

Lucas County Court of Common Pleas, Case No. CIO201302247

Barnes Construction Cos. operated a home-improvement business that primarily solicited roofing transactions. Consumers complained to the Attorney General and the Better Business Bureau (BBB) that they paid money for services that were never delivered or that work was performed unsatisfactorily. A lawsuit was filed against the business and the husband and wife who own it, Christopher and Christina Barnes, on March 28, 2013, for violations of the CSPA, including Failure to Deliver and Prizes Rule violations. The complaint seeks a declaratory judgment, a permanent injunction, consumer damages, and civil penalties. The case is pending.

Wayne Given dba Basement Waterproofing Solutions

Summit County Court of Common Pleas, Case No. 2013 11 5354

Wayne Given operated Basement Waterproofing Solutions, offering to provide plumbing and basement waterproofing services. Consumers complained that they paid money to Given for services, but he either failed to provide the services and refund payment or provided shoddy work. On Nov. 14, 2013, the Attorney General filed a lawsuit for violations of the CSPA, including failure to deliver and providing substandard work. The complaint seeks a declaratory judgment, a permanent injunction, consumer damages, and civil penalties. The case is pending.

Bear Transmission Inc./Christopher Sydlo

Cuyahoga County Court of Common Pleas, Case No. CV 13 799185

Bear Transmission solicited and sold auto transmission repair services in Northeast Ohio. Consumers complained to the Attorney General and the BBB that they paid deposits to Bear Transmissions, but received no services from the business and did not receive refunds of their deposits. Bear Transmission has since ceased operation. The Attorney General filed a lawsuit against the business and its owner on Jan. 9, 2013, alleging failure to deliver, in violation of the CSPA. The case concluded on May 2, 2013, with a Default Judgment Entry and Order. It included a declaratory judgment, a permanent injunction, \$7,585 for consumer restitution, and a \$15,000 civil penalty.

Bee Improvements LLC/Glen E. Goddard

Franklin County Court of Common Pleas, Case No. 13CV002864

Bee Improvements provided basement remodeling services in the Central Ohio area. Consumers complained to the Attorney General that they made down payments for basement remodeling, but the services were never provided and their money was not returned. Other consumers complained that work was done in a substandard manner. The Attorney General filed a lawsuit against the business and its owner on March 15, 2013, for violations of the CSPA, including failure to deliver, shoddy work, and unconscionable business practices. The litigation concluded on Oct. 11, 2013, with an Entry and Order Adopting Magistrate's Decision on Consumer Damages and Civil Penalties after a default judgment had been previously granted. Relief awarded to the Attorney General included a declaratory judgment, a permanent injunction, \$72,084.02 for consumer damages, and a \$100,000 civil penalty.

Blue Dragon Leather/Richard Leavitt

Ashtabula County Court of Common Pleas, Case No. 2013CV0108

The Attorney General filed a lawsuit on Feb. 8, 2013, against Blue Dragon Leather and Richard Leavitt as part of a crackdown on sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendants sold illegal drugs as legal products to an undercover agent who was operating under the direction of the Ohio Attorney General's Bureau of Criminal Investigation (BCI) and the Trumbull/Ashtabula Group Law Enforcement Task Force. The lawsuit was brought pursuant to the CSPA and included a separate cause of action to declare the business a public nuisance. Separate criminal charges were also filed. The CSPA claims seek a declaratory judgment, a permanent injunction, and civil penalties. The case is pending.

Boasko's Rt 4 Automall LLC/Stacey M. Boasko/Marc L. Boasko

Erie County Court of Common Pleas, Case No. 2013CV0406

Boasko's sold motor vehicles to consumers and failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the Title Defect Recision (TDR) Fund. The complaints resulted in more than \$37,000 in payments from the TDR Fund to reimburse injured consumers. The Attorney General filed a lawsuit on June 7, 2013, against the dealership and its operators for violations of the CSPA and the TDR Law. The complaint seeks a declaratory judgment, a permanent injunction, and reimbursement of all money paid to consumers from the TDR Fund. The case is pending.

Bob's Cheap Smokes/Robert Grimmatt

Belmont County Court of Common Pleas, Case No. 13CV0113

The Attorney General filed a lawsuit on March 20, 2013, against Bob's Cheap Smokes as part of a crackdown on sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendant sold illegal drugs as legal products to an undercover agent who was operating under the direction of BCI and the Belmont County Sheriff's Office. The lawsuit was brought pursuant to the CSPA and included a separate cause of action to declare the business a public nuisance. Separate criminal charges were also filed. The CSPA claims seek a declaratory judgment, a permanent injunction, and civil penalties. The case is pending.

Bubby's Drive-Thru/Gregory W. Sylvis

Guernsey County Court of Common Pleas, Case No. 13CV54

The Attorney General filed a lawsuit on Feb. 1, 2013, against Bubby's Drive-Thru and Gregory Sylvis as part of a crackdown on sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendants sold illegal drugs as legal products to an undercover agent who was operating under the direction of BCI and the Guernsey County Sheriff's Office. The lawsuit was brought pursuant to the CSPA and included a separate cause of action to declare the

business a public nuisance. Separate criminal charges were also filed. The CSPA claims seek a declaratory judgment, a permanent injunction, and civil penalties. The case is pending.

Buyer's Choice Cars/Robert Cordell

Franklin County Court of Common Pleas, Case No. 13CV006093

Buyer's Choice Cars sold motor vehicles to consumers and failed to transfer titles as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the Title Defect Recision (TDR) Fund. The complaints resulted in more than \$20,000 in payments from the TDR Fund to reimburse injured consumers. The Attorney General filed a lawsuit on June 3, 2013, against the dealership and its owner for violations of the CSPA and the TDR Law. The complaint seeks a declaratory judgment, a permanent injunction, and reimbursement of all money paid to consumers from the TDR Fund. The case is pending.

Clark Motor Company/Phillip C. Clark, Jr./David Clark/Christopher Clark

Licking County Court of Common Pleas, Case No. 13CV0890

This used car dealership went out of business and failed to deliver titles to consumers who had purchased motor vehicles prior to the closure. Consumers were reimbursed by the Attorney General through the Title Defect Recision (TDR) Fund in the amount of \$93,345. The Attorney General filed a lawsuit against the business and its owners on Sept. 4, 2013, for violations of the CSPA and the Certificate of Motor Vehicle Title Act. The complaint seeks a declaratory judgment, a permanent injunction, reimbursement of the TDR Fund, consumer damages, and civil penalties. The case is pending.

C.O.O.L. LLC/ PMK Customs LLC/Andre Scott

Cuyahoga County Court of Common Pleas, Case No. CV 13 799886

The businesses, operating as Pimp My Kicks, sold designer athletic shoes online or customized shoes provided by consumers. The typical cost for the shoes was \$300 to \$400. Consumers from throughout the United States and other countries complained that they paid for the product, never received anything, and were unable to obtain refunds. The Attorney General filed a lawsuit against the businesses and their owner on Jan. 23, 2013, alleging failure to deliver in violation of the CSPA. The case was resolved with a May 17, 2013, Consent Judgment that included a declaratory judgment, a permanent injunction, \$6,550 for consumer restitution, and a \$5,000 civil penalty, with \$4,000 suspended on the condition of full compliance with the terms of the Consent Judgment.

Cost Saver Home Improvements LLC/Everett Gagnon

Franklin County Court of Common Pleas, Case No. 13CV002866

Cost Saver Home Improvements marketed windows and installation services in the Central Ohio area. Consumers complained that they made down payments for windows and installations, the windows were never delivered, and their money was not returned. An additional consumer complained that only partial work was provided. The Attorney General filed a lawsuit against the business and its owner on March 15, 2013, for violations of the CSPA and Home Solicitation Sales Act. The complaint seeks a declaratory judgment, a permanent injunction, consumer damages, and civil penalties. The case is pending.

Roger Conrad Jr., dba C&R Concrete

Fairfield County Court of Common Pleas, Case No. 13CV 038

C&R Concrete was an unincorporated business operated by Roger Conrad Jr. The business provided concrete installation and related services to consumers in Fairfield County. Consumers complained to the Attorney General and the BBB that the business did poor work and refused to correct it. The Attorney General filed a lawsuit against Conrad on Jan. 11, 2013, for violations of the CSPA and the Home Solicitation Sales Act. Counts included shoddy work, failure to register with the Secretary of

State, Repairs or Services Rule violations, and failure to provide proper notice of cancellation rights. The complaint seeks a declaratory judgment, a permanent injunction, consumer damages, and civil penalties. The case is pending.

Dad's Car Lot Inc./William Taylor, Sr./Gary Jones

Franklin County Court of Common Pleas, Case No. 13CV004036

Dad's Car Lot was a buy-here-pay-here used car dealership. The business shut down and failed to deliver titles to consumers who purchased motor vehicles from the business. Consumers were reimbursed by the Attorney General through the Title Defect Recision (TDR) Fund. The Attorney General filed a lawsuit against the business and its owners on April 11, 2013, for violations of the CSPA and the Certificate of Motor Vehicle Title Act. Litigation concluded on Dec. 31, 2013, with a Judgment Entry Granting Default Judgment to the Attorney General. The judgment included a declaratory judgment, a permanent injunction, \$10,241.53 in reimbursement to the TDR Fund, and a \$25,000 civil penalty.

Durabilt Inc./Allwood Structures, Inc./Timothy Swallen

Cuyahoga County Court of Common Pleas, Case No. CV 13CV01382

Durabilt sells pole buildings in Ohio and throughout the country. Consumers complained to the Attorney General that they paid money to Durabilt for buildings that were never completed. Durabilt also often failed to obtain proper permits for the work. The Attorney General filed a lawsuit on May 24, 2013, against the business and its owner for violations of the CSPA, including failure to deliver, Deposit Rule violations, and use of an unconscionable liquidated damages clause. The Attorney General investigated Durabilt on two previous occasions, resulting in an Assurance of Voluntary Compliance in 2005 and a lawsuit in 2010. The complaint seeks a declaratory judgment, a permanent injunction, consumer damages, and civil penalties. The case is pending.

Shri Ganesha Enterprises Inc., dba East Main Mini Mart

Highland County Court of Common Pleas, Case No. 13CV0205

The Attorney General filed a lawsuit on June 14, 2013, against Shri Ganesha Enterprises Inc., dba East Main Mini Mart, as part of a crackdown on sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendant sold illegal drugs as legal products to undercover agents operating under the direction of the Highland County Sheriff's Office. The lawsuit was brought pursuant to the CSPA. An Agreed Consent Judgment Entry and Order was submitted to the court at the time the lawsuit was filed and was entered on June 25, 2013. The Consent Judgment included a declaratory judgment, a permanent injunction, and a \$2,500 payment to the Attorney General for the purpose of drug-related enforcement and education.

The Event in Orlando Inc./Andrew Andrekopoulos

Cuyahoga County Court of Common Pleas, Case No. CV 13 808508

The Event in Orlando solicits parents of children ranging in age from 6 to 17 who are interested in potential entertainment related careers. Packages for tryouts in Orlando are sold for \$2000 to \$10,000. Consumers complained to the Attorney General that the business made misrepresentations concerning its affiliation and the likelihood of acquiring a job in the entertainment field. The Attorney General filed a lawsuit on June 5, 2013, for violations of the CSPA and the Home Solicitation Sales Act. Counts included misrepresentation of sponsorship and benefits, unconscionable sales practices, and failing to provide a proper notice of cancellation rights. The complaint seeks a declaratory judgment, a permanent injunction, consumer damages, and civil penalties. The case is pending.

Fairgrove Auto Center Inc./ John K. Brezinski

Butler County Court of Common Pleas, Case No. 2013 07 2056

Fairgrove Auto Center sold motor vehicles to consumers and failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the Title Defect Recision (TDR) Fund. The complaints resulted in more than \$11,000 in payments from the TDR Fund to reimburse injured consumers. The Attorney General filed a lawsuit on July 23, 2013, against the dealership and its owner for violations of the CSPA and the TDR Law. The complaint seeks a declaratory judgment, a permanent injunction, and reimbursement of all money paid to consumers from the TDR Fund. The case is pending.

Falcon Auto Sales Inc./Mohammed Barbarwi

Butler County Court of Common Pleas, Case No. 2013 07 2057

Falcon Auto Sales sold motor vehicles to consumers and failed to timely transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General and were only able to obtain motor vehicle titles after the Attorney General intervened on their behalf. The Attorney General filed a lawsuit on July 23, 2013, against the dealership and its owner for violations of the CSPA and the TDR Law. The lawsuit seeks a declaratory judgment, a permanent injunction, and reimbursement of damages to all consumers affected by the acts and practices of Falcon Auto Sales. The case is pending.

Form Giant LLC/Matthew Riley

Hamilton County Court of Common Pleas, Case No. A1307550

The business operates a website, change-my-address.com, through which they change a consumer's address with the U.S. Postal Service for \$19.95 to \$29.95. The U.S. Postal Service charges \$1 for this same service. A Google search for "address change" resulted in change-my-address.com appearing at the top of the page, leading consumers to click on the link, thinking it was the Postal Service. Consumers complained that they were unaware they had signed up for Form Giant's service. The Attorney General filed a lawsuit on Nov. 13, 2013, for violation of the CSPA. The complaint seeks a declaratory judgment, a permanent injunction, consumer damages, and civil penalties. The case is pending.

Fred's Party Centers Inc., dba Martins Ferry Party Center and Bridgeport Party Center/Frederick P. Fryman

Belmont County Court of Common Pleas, Case No. 13CV0263

The Attorney General filed a lawsuit on July 23, 2013, against the businesses and their owner as part of a crackdown on sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendants sold illegal drugs as legal products to undercover agents operating under the direction of the Belmont County Drug Task Force. The lawsuit was brought pursuant to the CSPA and included a separate cause of action to declare the business a public nuisance. The CSPA claims seek a declaratory judgment, a permanent injunction, and civil penalties. The case is pending.

Thomas Huber, Jr.

Franklin County Court of Common Pleas, Case No. 13CV012762

Thomas Huber offered a variety of landscaping services to consumers under a number of different business names, none of which were registered with the Ohio Secretary of State. Consumers complained to the Attorney General that Huber failed to deliver promised services or performed work in a substandard manner. He also failed to provide required estimates and cancellation forms. The Attorney General filed a lawsuit on Nov. 21, 2013, for violations of the CSPA and Home Solicitation Sales Act. The complaint seeks a declaratory judgment, a permanent injunction, consumer damages, and civil penalties. The case is pending.

IX Creations/George Elish, Jr.

Franklin County Court of Common Pleas, Case No. 13CV000440

IX Creations sold home-improvement services throughout Central Ohio. Consumers complained to the Attorney General and the BBB that the business accepted down payments and did no work while failing to return the payments or provided substandard work. The Attorney General filed a lawsuit against the business and its owner on Jan. 13, 2013, for violations of the CSPA. Counts included failure to deliver, performing shoddy work, and failing to comply with the Repairs or Services Rule. The litigation concluded on Aug. 19, 2013, with a Final Judgment Entry and Order following the previous award of a default judgment to the Attorney General. The judgment included a declaratory judgment, a permanent injunction, \$26,652.14 for consumer damages, and a \$25,000 civil penalty.

Jeff A. Comberger, dba JA Comberger Concrete

Hamilton County Court of Common Pleas, Case No. A1303990

Jeff Comberger operated an unregistered home-improvement business. Consumers complained to the Attorney General that Comberger failed to deliver promised services or performed work in a substandard manner. The Attorney General filed a lawsuit on June 3, 2013, for violations of the CSPA and Home Solicitation Sales Act. Counts included failure to deliver, shoddy work, and failure to provide consumers with proper notice of cancellation rights. The litigation concluded on Oct. 4, 2013, with an Entry and Order Adopting Magistrate's Decision on damages following the previous award of a default judgment to the Attorney General. The order included a declaratory judgment, a permanent injunction, \$26,970 for consumer restitution, and a \$25,000 civil penalty.

John Boyd, dba J&M Roofing

Cuyahoga County Court of Common Pleas, Case No. CV 13 805864

John Boyd operated J&M Roofing, an unregistered business that did roofing and other home-improvement work. Consumers complained to the Attorney General that they paid for services that were not delivered or that work was performed in a substandard manner. The Attorney General filed a lawsuit on April 26, 2013, for violations of the CSPA. The complaint seeks a declaratory judgment, a permanent injunction, consumer damages, and civil penalties. The case is pending.

Kellie Auto Sales Inc./Raed Said

Franklin County Court of Common Pleas, Case No. 13CV009729

Kellie Auto Sales is a buy-here-pay-here used car dealership operating in Central Ohio. Consumer complaints raised concerns about the sales practices of the dealership. The Attorney General filed a lawsuit against the same business for similar practices in 2011 and it is still pending. Ongoing investigation revealed that the dealership continued to target low-income consumers with promises of 0 percent financing. In reality, the finance costs were rolled into the sales prices and vehicles were sold at inflated prices. The Attorney General filed this second lawsuit against the business and its owner on Aug. 30, 2013, to protect the rights of consumer victims from transactions that occurred after the filing of the initial lawsuit. It alleges violations of the CSPA and the Retail Installment Sales Act. The lawsuit seeks declaratory and injunctive relief, consumer damages, and civil penalties. The case is pending.

M&E Partners LLC, dba Second Chance Auto/David J. Ellis, Jr.

Belmont County Court of Common Pleas, Case No. 13CV402

Second Chance Auto sold motor vehicles to consumers and failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the TDR Fund. The complaints resulted in more than \$11,000 in payments from the TDR Fund to reimburse injured consumers. The Attorney General filed a lawsuit on Nov. 1, 2013, against the dealership and an employee responsible for the illegal sales. The lawsuit was filed pursuant to the

CSPA and the TDR Law. The complaint seeks a declaratory judgment, a permanent injunction, and reimbursement of all money paid to consumers from the TDR Fund. The case is pending.

MidOhio Buildings Inc., dba Mustang Buildings Corp./Mark Reese/Southern Hills Community Church Inc. (Relief Defendant)

Ross County Court of Common Pleas, Case No. 13 CI 152

The business entered into consumer transactions to construct pole barns and similar buildings. Consumers complained to the Attorney General that the business failed to deliver services or that work was performed in a substandard manner. Required permits were not obtained. Consumer loss exceeded \$100,000. The Attorney General filed a lawsuit on March 21, 2013, against the business and its owner, Mark Reese. The six-count complaint alleged unfair, deceptive, and unconscionable business practices in violation of the CSPA. Southern Hills Community Church was named as a relief defendant because it received more than \$10,000 in funds from the corporate defendant that were traced to consumer payments. Reese is the founder, director, and pastor of the church. The complaint seeks a declaratory judgment, a permanent injunction, consumer damages, and civil penalties. The case is pending.

Mr. Auto LLC/Dia Alasoud

Butler County Court of Common Pleas, Case No. 2013 11 3193

Dia Alasoud operates two used car dealerships in Butler County. Consumers complained to the Attorney General about a variety of problems they experienced when purchasing vehicles from the dealerships. Common complaints included misrepresentations during sales presentations, failure to timely deliver motor vehicle titles, and improper conduct occurring in the financing of the purchases. The Attorney General filed a lawsuit against the business and its owner on Nov. 22, 2013, for violations of the CSPA and the Retail Installment Sales Act. The lawsuit seeks declaratory and injunctive relief, consumer damages, and civil penalties. The case is pending.

N.M.M.S.R. Inc., dba Making Home Affordable USA/ Jason Keating

Lucas County Court of Common Pleas, Case No. CIO201302738

N.M.M.S.R Inc., dba Making Home Affordable USA (Making Home Affordable), operated a scam by misrepresenting that it was affiliated with similarly named federal programs. Initial fees were paid that were supposed to be placed into escrow. Instead, Making Home Affordable simply kept the money and provided no meaningful services to the consumers. On May 3, 2013, the Attorney General filed a lawsuit against Making Home Affordable and its owner for violations of the CSPA and Telephone Solicitation Sales Act. Counts included failure to deliver, misrepresentations, unconscionable acts, and failing to register with the Attorney General as a telephone solicitor. The complaint seeks a declaratory judgment, a permanent injunction, consumer damages and civil penalties. The case is pending.

Arya Enterprise, Inc., dba North End Mini Mart

Highland County Court of Common Pleas, Case No. 13CVO206

The Attorney General filed a lawsuit on June 14, 2013, against Arya Enterprise Inc., dba North End Mini Mart as part of a crackdown on sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendant sold illegal drugs as legal products to undercover agents operating under the direction of the Highland County Sheriff's Office. The lawsuit was brought pursuant to the CSPA. An Agreed Consent Judgment Entry and Order was submitted to the court at the time the lawsuit was filed and was entered on June 25, 2013. The Consent Judgment included a declaratory judgment, a permanent injunction, and a \$2,500 payment to the Attorney General for the purpose of drug-related enforcement and education.

Now or Never Travel Inc./Rick Kenny

Cuyahoga County Court of Common Pleas, Case No. CV 13 809673

Now or Never Travel sold travel-related services through direct-mail solicitations. Numerous consumers complained to the Attorney General and the BBB that the business failed to honor valid cancellation requests and made other misrepresentations through the course of sales presentations. The Attorney General filed a lawsuit against the business and its owner on June 26, 2013, for violations of the CSPA and the Home Solicitation Sales Act. The complaint seeks a declaratory judgment, a permanent injunction, consumer damages, and civil penalties. The case is pending.

Jacob Wagers and James Sasser, dba Ohio Insurance Assessments

Butler County Court of Common Pleas, Case No. 2013 01 0256

Jacob Wagers and James Sasser operated an unregistered roofing business under the name Ohio Insurance Assessments. Consumers complained that the business failed to deliver services or did poor work. The Attorney General filed a lawsuit on Jan. 28, 2013, for violation of the CSPA and Home Solicitation Sales Act. Counts included failure to deliver, shoddy work, and failure to provide consumers with proper notice of cancellation rights. The litigation concluded with an Agreed Consent Judgment Entry and Order entered on July 11, 2013. The agreement included a declaratory judgment, a permanent injunction, \$24,857.23 for consumer restitution, and a \$50,000 civil penalty, with \$45,000 suspended on the condition of full compliance with the terms of the order.

Party Time Carry Out Inc./Helen J. Gladstone

Guernsey County Court of Common Pleas, Case No. 13CV55

The Attorney General filed a lawsuit on Feb. 1, 2013, against Party Time Carry Out and Helen Gladstone as part of a crackdown on sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendants sold illegal drugs as legal products to an undercover agent who was operating under the direction of BCI and the Guernsey County Sheriff's Office. The lawsuit was brought pursuant to the CSPA and included a separate cause of action to declare the business a public nuisance. Separate criminal charges were also filed. The CSPA claims seek a declaratory judgment, a permanent injunction, and civil penalties. The case is pending.

POSuccess LLC/Princessa Brown

Montgomery County Court of Common Pleas, Case No. 2013CV07027

The business solicited consumers at their residences to purchase magazines. Consumers complained that money was paid for magazine subscriptions, but no magazines were ever received and no refunds were provided. The Attorney General filed a lawsuit on Nov. 15, 2013, for violations of the CSPA and Home Solicitation Sales Act. Counts included failure to deliver and failure to provide consumers with proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer damages, and civil penalties. The case is pending.

Precision Power Systems of Ohio LLC/Timothy Richards

Delaware County Court of Common Pleas, Case No. 13 CVH 01 0049

This business sold and installed generators and also marketed a maintenance plan. Consumers complained to the Attorney General and the BBB that generators were purchased and not delivered or that maintenance plans were not honored. Total consumer loss exceeded \$25,000. The Attorney General filed a lawsuit against the business and its owner, Timothy Richards, on Jan. 17, 2013, for violations of the CSPA. Counts included failure to deliver, shoddy work, entering into transactions with consumers while knowing consumers would not benefit, and entering into consumer transactions while there were unsatisfied court judgments arising from previous consumer transactions. Richards was also indicted in Delaware County on criminal charges related to the consumer transactions. The Attorney General complaint seeks a declaratory judgment, a permanent injunction, consumer damages, and civil penalties. The case is pending.

Pro Audio Video Inc./Michael E. White

Stark County Court of Common Pleas, Case No. 2013CV01571

Pro Audio Video sold a variety of goods to consumers through online sales. Consumers throughout the country complained that they paid the business for products they never received and were unable to obtain refunds. The Attorney General filed a lawsuit against the business and its owner on June 12, 2013, for violations of the CSPA. Counts included failure to deliver and failure to clearly disclose material conditions. The complaint seeks a declaratory judgment, a permanent injunction, consumer damages, and civil penalties. The case is pending.

Queencity Script Care LLC/Thomas J. Fenske/Theresa Fenske

Hamilton County Court of Common Pleas, Case No. A1305998

Queencity Script operated a scam related to Patient Assistance Programs (PAPs) designed to provide free medication to low-income consumers. The business charged a fee for assisting consumers with applications to PAPs, even though programs were readily available elsewhere that provided the service at no charge to consumers. Products were not delivered, and the business failed to provide refunds. Consumers also complained of unauthorized debits to customer accounts. The Attorney General filed a lawsuit on Sept. 5, 2013, against the business and its operators for unfair, deceptive, and unconscionable acts in violation of the CSPA. The complaint seeks a declaratory judgment, a permanent injunction, consumer damages, and civil penalties. The case is pending.

Restore It USA LLC/James Twaddle

Franklin County Court of Common Pleas, Case No. 13CV005121

Restore It USA operated a home repair business that focused on repairing storm-damaged roofs. Numerous consumers complained to the Attorney General and the BBB that they paid money to the business for roof repairs, but no work was done and payments were not returned. Restore It USA maintained its corporate office in Columbus, but also had locations in Missouri, Kentucky, and North Carolina. The Attorney General filed a lawsuit on May 8, 2013, for violations of the CSPA and Home Solicitation Sales Act. Counts included failure to deliver, Deposit Rule violations, and failure to provide consumers with proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending. On Nov. 14, 2013, the Economic Crimes Unit and Union County Prosecuting Attorney David Phillips also indicted James Twaddle on criminal charges.

Jasmeen Enterprises Inc., dba Rocky Road Sunoco

Highland County Court of Common Pleas, Case No. 13CV00207

The Attorney General filed a lawsuit on June 14, 2013, against Jasmeen Enterprises Inc., dba Rocky Road Sunoco, as part of a crackdown on sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendant sold illegal drugs as legal products to undercover agents operating under the direction of the Highland County Sheriff's Office. The lawsuit was brought pursuant to the CSPA. An Agreed Consent Judgment Entry and Order was submitted to the court at the time the lawsuit was filed and was entered on June 25, 2013. The Consent Judgment included a declaratory judgment, a permanent injunction, and a \$2,500 payment to the Attorney General for the purpose of drug-related enforcement and education.

Shadyside Party Center/Stacey Heathcote

Belmont County Court of Common Pleas, Case No. 13CV0112

The Attorney General filed a lawsuit on March 20, 2013, against Stacey Heathcote, dba Shadyside Party Center, as part of a crackdown on sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendant sold illegal drugs as legal products to an undercover agent operating under the direction of BCI and the Belmont County Sheriff's Office. The lawsuit was brought pursuant to the CSPA and included a separate cause of action to declare the

business a public nuisance. Separate criminal charges were also filed. The CSPA claims seek a declaratory judgment, a permanent injunction, and civil penalties. The case is pending.

Darren C. Sizemore, dba Sizemore Investments LLC

Lorain County Court of Common Pleas, Case No. 13CV182069

Darren Sizemore used hundreds of prepaid mobile service accounts and auto-dialer software to send massive quantities of unsolicited and deceptive text messages to cell phone users nationwide. The text messages contained links to websites where consumers could enter a code to receive a free gift. Once at the websites, consumers were asked to divulge personal information and to sign up for trial offers of various products or services that required money up front or enrollment in continuity programs to qualify for the free gift. These requirements were not properly disclosed and no free gifts were given. The Attorney General filed a lawsuit against Sizemore on Nov. 26, 2013, for violations of the CSPA, the Telephone Consumer Protection Act, and Ohio's Do-Not-Call law. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

G.S. Sohal LLC, dba Shell Food Mart

Highland County Court of Common Pleas, Case No. 13CV0165

The Attorney General filed a lawsuit on May 9, 2013, against G.S. Sohal LLC, dba Shell Food Mart, as part of a crackdown on sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendant sold illegal drugs as legal products to undercover agents operating under the direction of the Highland County Sheriff's Office. The lawsuit was brought pursuant to the CSPA. An Agreed Consent Judgment Entry and Order was submitted to the court at the time the lawsuit was filed and was entered on June 3, 2013. The Consent Judgment included a declaratory judgment, a permanent injunction, and a \$5,000 payment to the Attorney General for the purpose of drug-related enforcement and education.

Marcarius, Max & Daniel, dba Stanton Optical/Vision Value LLC, dba Stanton Optical

Lucas County Court of Common Pleas, Case No. CIO201305042

The Florida companies operated Stanton Optical stores in Ohio. The stores sell eyeglasses, contact lenses, and related goods and services. The Attorney General and the BBB received numerous consumer complaints against Stanton Optical stores. They alleged a variety of problems, including not receiving glasses when promised; taking months to receive glasses that had been ordered and paid for; receiving glasses with the incorrect prescription; not returning funds when products were not provided; and deceptive advertising. The Attorney General filed a lawsuit against the businesses on Oct. 30, 2013, for unfair, deceptive, and unconscionable practices in violation of the CSPA. Counts included failure to deliver; failure to disclose material terms in advertising; shoddy work; misrepresentations during sales presentations; and failure to properly disclose refund policies. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Roger Sutherland and Shawn Wheeler, dba Toledo Appliance Repair

Lucas County Court of Common Pleas, Case No. CIO201305353

Toledo Appliance Repair is a home appliance repair business owned and operated by two brothers, Roger Sutherland and Shawn Wheeler. They advertise their services on Craigslist. Consumers complained they had repairs performed on appliances that quickly broke again; that repairs came with a warranty that was not honored; and that the business was supposed to look at appliances and provide repair estimates, but instead made the repairs and billed consumers. The Attorney General filed a lawsuit on Nov. 21, 2013, for violations of the CSPA. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Tours of the Month Inc./Edward Haak

Cuyahoga County Court of Common Pleas, Case No. CV 13 816767

The business solicited consumers to purchase vacation and tour packages throughout the Cleveland area through direct-mail marketing. Consumers complained that the business accepted deposits for vacations that were never provided and then refused to provide refunds. On Nov. 6, 2013, the Attorney General filed a lawsuit against the business and its owner for failing to deliver services in violation of the CSPA. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Toyota Motor Corp./Toyota Motor North America Inc./Toyota Motor Sales, USA Inc./Toyota Motor Engineering and Manufacturing North America Inc.

Franklin County Court of Common Pleas, Case No. 13CV001665

This multistate investigation focused on consumer disclosure issues and misrepresentations. Issues included when Toyota became aware of a sudden unattended acceleration problem and whether it was timely disclosed to consumers; whether Toyota misrepresented the safety of its vehicles to consumers through deceptive advertisements; and whether Toyota resold these vehicles to consumers without proper disclosures. As a result of the investigation, the Attorney General filed a lawsuit on Feb. 14, 2013. An Agreed Stipulated Final Judgment Entry and Order was immediately submitted to the court and was entered on Feb. 19, 2013. The order includes strong injunctive language with specific requirements that Toyota must meet. The multistate settlement contains a \$29 million payment to the group. As a member of the Executive Committee of the multistate group, Ohio's share of the settlement is \$1,687,343.20.

Trading Post/Deborah Angelis

Belmont County Court of Common Pleas, Case No. 13CV0111

The Attorney General filed a lawsuit on March 20, 2013, against Shadyside Party Center and its owner as part of a crackdown on sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendants sold illegal drugs as legal products to an undercover agent operating under the direction of BCI and the Belmont County Sheriff's Office. The lawsuit was brought pursuant to the CSPA and included a separate cause of action to declare the business a public nuisance. Separate criminal charges were also filed. A Judgment Entry concluding the matter was entered on Dec. 5, 2013. CSPA relief included a declaratory judgment and a permanent injunction, with additional relief provided for the nuisance claims.

Vision Security LLC

Franklin County Court of Common Pleas, Case No. 13CV008469

Vision security is a Utah-based home security system seller. An investigation was initiated after the Attorney General received consumer complaints alleging a variety of unfair, deceptive, and unconscionable practices in the sale of the security systems. Common themes in the complaints included the business misrepresented that it was affiliated with the consumers' current security companies, price misrepresentations, and failure to comply with home sales cancellation requirements. The Attorney General filed a lawsuit on Aug. 2, 2013, alleging multiple violations of the CSPA and Home Solicitation Sales Act. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Jasmeen Inc., dba West End Sunoco

Highland County Court of Common Pleas, Case No. 13CV0208

The Attorney General filed a lawsuit on June 14, 2013, against Jasmeen Inc., dba West End Sunoco, as part of a crackdown on sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendant sold illegal drugs as legal products to undercover agents operating under the direction of the Highland County Sheriff's Office. The lawsuit was brought

pursuant to the CSPA. An Agreed Consent Judgment Entry and Order was submitted to the court at the time the lawsuit was filed and was entered on June 25, 2013. The Consent Judgment included a declaratory judgment, a permanent injunction, and a \$2,500 payment to the Attorney General for the purpose of drug-related enforcement and education.

Zig Stag LTD./Shawn Stagnolia

Seneca County Court of Common Pleas, Case No. 13CVO119

The Attorney General filed a lawsuit on May 10, 2013 against Zig Stag and its owner as part of a crackdown on sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendants sold illegal drugs as legal products to an undercover agent operating under the direction of BCI and the Seneca County Drug Task Force-METRICH Enforcement Unit. The lawsuit was brought pursuant to the CSPA and included a separate cause of action to declare the business a public nuisance. The CSPA claims seek a declaratory judgment, a permanent injunction, and civil penalties. The case is pending.

OTHER JUDGMENTS

William J. Zele, dba Above All Basement Waterproofing, Right Choice Roofing, and Zele Basement Waterproofing

Cuyahoga County Court of Common Pleas, Case No. CV 12 798039

William J. Zele operated home-improvement businesses in Northeast Ohio under the names of Above All Basement Waterproofing, Right Choice Roofing, and Zele Basement Waterproofing. Consumers complained that Zele took money and performed no work or provided substandard services. The Attorney General filed a lawsuit on Dec. 21, 2012, alleging violations of the CSPA. The litigation concluded on June 10, 2013, with a Judgment Entry and Order awarding the Attorney General a default judgment against Zele. The entry included a declaratory judgment, a permanent injunction, \$8,723 for consumer damages, and a \$10,000 civil penalty.

Allcare Dental Management LLC/Allcare Dental Management Inc./Allcare Dental & Dentures

Franklin County Court of Common Pleas, Case No. 11 CVH 06 7429

The defendants operated dental offices throughout Ohio that permanently closed on or about Jan. 1, 2011, with no prior warning to consumers. The Attorney General opened an investigation after receiving hundreds of complaints relating to the closures. Most of the complaints alleged paying for dental products that were not received and failing to receive refunds for money paid. Allcare patients were typically low-income individuals and often elderly. The Attorney General and the Ohio State Dental Board worked with Allcare to successfully transfer patient records to new dentists, but were not successful in persuading Allcare to refund money for undelivered products. A lawsuit was filed on June 17, 2011, alleging a single count for failure to deliver. The litigation ended with an Agreed Consent Judgment Entry and Order entered on March 26, 2013. The settlement requires Allcare to make restitution to consumers and pay \$75,000 in civil penalties should they have any remaining money after their bankruptcy action concludes.

Auto Finance LLC/Auto Finance South LLC/Donald G. O'Connell/Christopher Allison

Franklin County Court of Common Pleas, Case No. 12CV004863

Auto Finance and Auto Finance South LLC operated buy-here-pay-here used car dealerships in Central Ohio. An Attorney General investigation revealed that the businesses had engaged in multiple violations of the CSPA and consumer financing laws. The businesses targeted low-income and vulnerable consumers. Financial paperwork was inadequate, and illegal repossessions occurred. On April 17, 2012, the Attorney General filed a lawsuit against the businesses and their owners for violations of the CSPA, Retail Installment Sales Act, and the TDR law. The case concluded on Nov. 4,

2013, with a Decision and Entry granting the Attorney General a summary judgment. The entry included a declaratory judgment, a permanent injunction, \$22,233.75 for reimbursement to the TDR fund, and a \$25,000 civil penalty.

Philip J. Pierce, dba Automeds.com

Cuyahoga County Court of Common Pleas, Case No. CV 12 796290

Philip J. Pierce, dba Automeds.com, sold motor vehicle parts online, operating the unincorporated business out of Cleveland. Consumers filed complaints with the Attorney General and the BBB stating that Pierce routinely accepted payment for parts and either failed to deliver the parts or, in some instances, delivered the wrong parts. The Attorney General filed a lawsuit on Nov. 28, 2012, for failure to deliver in violation of the CSPA. The litigation concluded on May 2, 2013, with a Default Judgment Entry and Order that included a declaratory judgment, a permanent injunction, \$5,858 for consumer damages, and a \$10,000 civil penalty.

Kenneth Culp, Denzil Culp and Lorna Roberts, dba C&C Construction

Auglaize County Court of Common Pleas, Case No. 2012 CV 0032

C&C Construction is an unincorporated Missouri business owned by Kenneth and Denzil Culp. The case originated after the Attorney General was contacted by the Auglaize County Sherriff's Department regarding two consumer complaints about the business. Both complaints alleged that the business visited homes and offered to sell homeowners asphalt left over from a previous job at a discounted rate. Instead, they were charged excessive prices for poor work. The Attorney General filed a lawsuit on Jan. 20, 2012, for violations of the CSPA and Home Solicitation Sales Act. The litigation was resolved with an Agreed Consent Judgment Entry and Order entered on July 30, 2013. The judgment included a declaratory judgment, a permanent injunction, \$8,000 for consumer restitution, and a \$10,000 civil penalty, with \$9,000 suspended on the condition of full compliance with all terms of the consent judgment.

Alexander N. Mitchell, dba Capital One Enterprises Inc., Franklin Financial Services and Asset Recovery Specialist Inc.

Franklin County Court of Common Pleas, Case No. 12CV011309

Alexander Mitchell operated a scam in which he promised to assist consumers in identifying and obtaining unclaimed funds. Instead, Mitchell obtained funds held by governmental agencies and kept the money. He operated under several business names, including Capital One Enterprises, Franklin Financial Services, and Asset Recovery Specialist. An investigation began after the Attorney General received consumer complaints stating that substantial fees were paid to Mitchell for his services, but nothing was received in return. The Attorney General filed a lawsuit on Sept. 7, 2012, for violations of the CSPA and Telephone Solicitation Sales Act. The case concluded on Dec. 5, 2013, with an Entry Adopting Magistrate's Decision on Damages and Final Judgment Entry after a previous award of a default judgment to the Attorney General. The entry included a declaratory judgment, a permanent injunction, \$24,313.90 for consumer restitution, and a \$50,000 civil penalty.

Steven Sigman, dba Company Express

Cuyahoga County Court of Common Pleas, Case No. CV 12 780062

The business operated websites offering "e-marketing systems" and "Multiple Income Stream Generators." The Attorney General conducted an investigation in response to consumer complaints alleging failure to deliver pursuant to the offer. Consumers stated they paid monthly fees and made additional cash advances in order to receive interest compounded daily at .75 to 1.25 percent. Almost all of the consumers resided in Hungary. The Attorney General filed a lawsuit against Sigman on April 10, 2012, for violations of the CSPA. The litigation concluded on May 17, 2013, with a Consent Judgment Final Order and Entry. It included a declaratory judgment, a permanent injunction,

\$37,500 for consumer restitution, and a \$50,000 civil penalty suspended in order to maximize consumer restitution.

Consumer Advocates Group LLC/Advocates for Consumer Affairs Experts LLC/Ryan Zimmerman

Hamilton County Court of Common Pleas, Case No. A1208667

Ryan Zimmerman, a California resident, ran two separate business operations that promised foreclosure prevention and loan modifications for consumers. Zimmerman promised he would prevent foreclosure actions and/or obtain favorable loan modifications, charging upfront fees for services. Consumers never received benefits from the transactions. The Attorney General filed a lawsuit on Nov. 2, 2012, for violations of the CSPA, the Debt Adjusters Act, and the Telephone Solicitation Sales Act. Counts included failure to deliver, charging fees in excess of those permitted by law, and failure to register with the Attorney General as a telephone solicitor. The litigation concluded on July 23, 2013, with a Final Entry and Order after the Attorney General had been previously granted a default judgment. The entry included a declaratory judgment, a permanent injunction, \$14,360 for consumer damages, and a \$25,000 civil penalty.

CTI Group LLC

Delaware County Court of Common Pleas, Case No. 12 CVH 05 0505

The California business used telemarketing to solicit consumers for the purchase of software designed to allow consumers to make their own securities transactions. Consumers complained to the Attorney General that they spent significant money on the product, but found it to be of no benefit. Others received telemarketing calls despite having their telephone numbers placed on the National Do Not Call Registry. The business also failed to register with the Attorney General as a telephone solicitor. The Attorney General filed a lawsuit against the business on May 8, 2012, for violations of the CSPA, Telephone Solicitation Sales Act, and Ohio Do Not Call law. A default judgment was granted on Dec. 4, 2012, and the litigation concluded on Jan. 2, 2013, with an Entry and Order for Civil Penalties, Consumer Damages, and Investigative Costs. Relief included a permanent injunction, \$16,200 for consumer damages, a \$50,000 civil penalty, and \$1,125 for investigative costs.

FBK Products LLC, FBK Holdings LLC/Gary Kranz/Steven Kranz/Marc Rona

Franklin County Court of Common Pleas, Case No. 12CV004723

The businesses used telemarketing to sell goods and services related to the maintenance of septic systems and sold service contracts for household goods. Consumers complained to the Attorney General that they received telemarketing calls despite having their telephone numbers placed on the National Do Not Call Registry. Some of the consumers continued to receive the telemarketing calls even after making specific requests that the businesses cease their calls. The businesses also failed to register with the Attorney General as telephone solicitors, despite being informed by the Attorney General of the requirement to register. The Attorney General filed a lawsuit on April 13, 2012, against the businesses and their principals for violations of the CSPA, Telephone Solicitation Sales Act, and Ohio Do Not Call law. The case was resolved with an Agreed Final Judgment Entry and Order entered on Jan. 14, 2013. The order included a declaratory judgment, a permanent injunction, \$10,000 for consumer damages, a \$5,000 civil penalty, and a \$30,000 payment to the Consumer Protection Enforcement Fund.

Golden Rod Auto Wholesale Inc./Golden Rod Auto Inc./Hogop Lee

Franklin County Court of Common Pleas, Case No. 11CV015641

Golden Rod Auto Service, owned by Hogop Lee, is an auto repair shop that also sells used cars. In 2009, Lee entered into two Assurances of Voluntary Compliance with the Attorney General for auto repair and motor vehicle sale violations. The Attorney General continued to receive consumer

complaints against the business relating to acts and practices addressed in the assurance. A new investigation was opened, revealing that motor vehicle repair issues had continued and Lee had implemented a new scheme, selling vehicles on Craigslist without being a licensed motor vehicle dealer. A lawsuit was filed against the corporate entities and Lee on Dec. 14, 2011, for violations of the CSPA and TDR statute. The lawsuit concluded on June 20, 2013, with a Final Judgment Entry based on a previous default judgment. It included a permanent injunction, \$2,580 for consumer damages, \$1,545 to reimburse the TDR Fund, and a \$45,000 civil penalty.

Hastings Construction Co. LLC/Shawn Hastings

Franklin County Court of Common Pleas, Case No. 12CV013419

Hastings Construction offered concrete installation and other home improvement services. An investigation was conducted after the Attorney General and the BBB received consumer complaints against the business, alleging failure to complete projects and performing work poorly. The Attorney General filed a lawsuit on Oct. 24, 2012, against Hastings Construction and its owner after the business refused to correct the problems or honor warranties. Allegations included numerous violations of the CSPA and Home Solicitation Sales Act. The case concluded on Aug. 19, 2013, with a Final Judgment Entry and Order following the previous award of a default judgment to the Attorney General. The judgment included a declaratory judgment, a permanent injunction, \$39,229.52 for consumer damages, and a \$50,000 civil penalty.

Help Point Restoration LLC./Zuncare Restoration LLC./James Urso

Greene County Court of Common Pleas, Case No. 2012 CV 1258

James Urso operated two businesses that targeted consumers whose homes were damaged from storms. The Attorney General investigated the businesses after consumers complained that they paid Urso substantial amounts of money and received nothing in return or that work provided was substandard. On Dec. 14, 2012, the Attorney General filed a lawsuit against Urso and the businesses, alleging violations of the CSPA and Home Solicitation Sales Act. The litigation concluded with a May 9, 2013, Judgment Entry adopting the Magistrate's decision, which awarded a default judgment and damages to the Attorney General. The entry included a permanent injunction, \$27,844.09 for consumer damages, and a \$25,000 civil penalty.

Ronald Denicola, Jr., dba JR Computer Outlet

Warren County Court of Common Pleas, Case No. 12CV82328

Robert Denicola operated an unincorporated computer sales and repair business under the name JR Computer Outlet. The Attorney General and BBB received consumer complaints claiming that the business charged for services not provided, failed to provide proper estimates, and failed to disclose material terms. A lawsuit was filed on June 21, 2012, for violations of the CSPA, which included Repairs or Services Rule violations, failure to deliver, and failure to register a business name with the Secretary of State. The case concluded on Dec. 9, 2013, with an Agreed Consent Judgment Entry and Order. The consent judgment included a permanent injunction, a declaratory judgment, \$7,021.43 for consumer damages, and a \$25,000 civil penalty, with \$22,500 suspended on the condition of full compliance with the terms of the judgment.

K&R Marketing LLC/Christopher Bray

Cuyahoga County Court of Common Pleas, Case No. CV 12 782342

K&R Marketing operated a foreclosure rescue scam. They targeted out-of-state consumers, who complained that the business promised their mortgage payments would be reduced, but instead the consumers paid substantial down payments for the services and received no benefit. On May 10, 2012, the Attorney General filed a lawsuit against the business and its owner, Christopher Bray, for violations of the CSPA and Debt Adjusters Act. The litigation concluded on April 11, 2013, with a Judgment Entry against Bray, issued pursuant to the Attorney General's motion for judgment on the

pleadings. The judgment included a permanent injunction, a declaratory judgment, \$6,783 for consumer damages, and a \$25,000 civil penalty.

Layaway Express LLC/Stacy A. Perry

Clermont County Court of Common Pleas, Case No. 2012 CVH 1834

Stacy Perry operated an Internet layaway business under the names Layaway Express and 123 Layaway. His business model was to work out a layaway plan for any product a consumer wanted to purchase, in most cases products that were sold by other businesses. Consumers complained to the Attorney General and the BBB that payment plans were established that they paid into, but they never received the products or a refund. The Attorney General filed a lawsuit on Sept. 19, 2012, for violations of the CSPA and the layaway provisions of the Retail Installment Sales Act. A default judgment was granted on Dec. 4, 2012. The litigation concluded on Jan. 16, 2013 with a Final Judgment Entry and Order Against Perry. The entry included a declaratory judgment, a permanent injunction, \$2,746.46 for consumer damages, and a \$7,500 civil penalty.

Magellan Mortgage Corp.

Franklin County Court of Common Pleas, Case No. 08CVH-08-11344

A lawsuit was filed against this mortgage company on Aug. 7, 2008. The complaint included violations of the Ohio Homebuyers Protection Act, the Ohio Mortgage Broker Act, and the Truth in Lending Act. Specifically, it was alleged that Magellan, an Ohio company, committed unfair, deceptive, and unconscionable acts and practices by failing to disclose fees and entering into transactions with persons who did not have the ability to meet the financial obligations of the transaction. The litigation concluded on March 29, 2013, when consent judgments were reached in separate agreements with Defendants Magellan Mortgage, Thomas Heflin, and Scott Dray. They included declaratory judgments and injunctive relief. Bankruptcy actions resulted in suspended penalties and costs. Consumer damage claims were addressed in the bankruptcy actions.

Platinum Protection LLC

Franklin County Court of Common Pleas, Case No. 12CV007318

Platinum Protection is a Utah-based home security system seller. An investigation was initiated after the Attorney General received consumer complaints alleging a variety of unfair and deceptive practices in the sale of the security systems. Common themes in the complaints included that the business misrepresented that it was affiliated with the consumers' current security companies, various price and installation misrepresentations, and failure to comply with home sales cancellation requirements. The Attorney General filed a lawsuit on June 6, 2012, alleging multiple violations of the CSPA and Home Solicitation Sales Act. The litigation was resolved with an Agreed Consent Judgment Entry and Order entered on March 13, 2013. The judgment includes a declaratory judgment, a permanent injunction, \$10,000 for consumer restitution, and a \$10,000 civil penalty.

The Pool Man Inc./John Gueli Jr.

Franklin County Court of Common Pleas, Case No. 12CV004458

The business sold, installed, and repaired swimming pools in the Central Ohio area. An investigation was initiated after consumer complaints revealed that the business failed to deliver services and provided poor work in other instances. A lawsuit alleging violations of the CSPA was filed on April 9, 2012, after repeated attempts by the Attorney General to resolve the consumer complaints with the business were unsuccessful. A default judgment, including a permanent injunction and declaratory judgment were awarded to the Attorney General on July, 26, 2012. Before the damages hearing could be held, the parties negotiated and entered into a Consent Judgment and Agreed Final Entry on April 3, 2013. It included \$57,802.18 for consumer restitution and a \$25,000 civil penalty, suspended on the condition of full compliance with the terms of the judgment.

Brandon J. Troxell, dba Precision Swimming Pools and Precision Pools

Clermont County Court of Common Pleas, Case No. 2012 CVH2244

Brandon Troxell operated a swimming pool business under the names of Precision Swimming Pools and Precision Pools. He advertised a variety of pool-related services, including installation and repair. Consumers complained to the Attorney General that Troxell accepted substantial sums of money upfront and did no work, or provided partial completion and poor work. The Attorney General filed a lawsuit on Nov. 20, 2012, for violations of the CSPA, including failure to deliver and performing substandard work. The case concluded on Aug. 23, 2013, with a Decision on Damages and Final Judgment Entry and Order following the previous award of a default judgment to the Attorney General. The order included a declaratory judgment, a permanent injunction, \$11,397.20 for consumer damages, and a \$25,000 civil penalty.

Royal Oak Financial Services Inc., dba Collection & Recovery Bureau

Lucas County Court of Common Pleas, Case No. CIO201205440

Royal Oak Financial Services Inc. operated as a collection agency under the trade name of Collection & Recovery Bureau (CRB). CRB specialized in buying credit card chargebacks, bad check drafts, 900 number chargebacks, and direct bills for Internet and telephone transactions. The Attorney General opened an investigation after receiving more than 200 consumer complaints against CRB. The majority of complaints involved attempts to collect on debts that consumers disputed. CRB typically refused to provide consumers with validation of the debts. A lawsuit was filed on Sept. 20, 2012, for violations of the CSPA and the Fair Debt Collections Practices Act. The litigation ended with an Agreed Consent Judgment Entry and Order filed on July 10, 2013. The order included a declaratory judgment, a permanent injunction prohibiting future debt collection by CRB, and a \$75,000 civil penalty, with \$67,500 suspended on the condition of full compliance with all terms.

Senior Solutions of Ohio LLC/Willis Smith

Fairfield County Court of Common Pleas, Case No. 12CV1167

Senior Solutions of Ohio purported to provide assistance to families in regard to Medicaid eligibility issues, nursing home applications, long-term care planning, estate planning, and veterans' benefits. In reality, the business accepted large sums of money for these services and then provided no assistance to the consumers. The Attorney General filed a lawsuit on Oct. 30, 2012, against the business and its owner for violations of the CSPA. Counts included failure to deliver and various unconscionable acts and practices. The Attorney General was awarded a default judgment, and the litigation concluded on July 31, 2013, with a Final Judgment Entry and Order. The entry included a declaratory judgment, a permanent injunction, \$16,500 for consumer damages, and a \$25,000 civil penalty.

Larry Foster, dba Water's Edge, D.C. Water Solution, Natural Flow Water Solutions, and Water Flow

Franklin County Court of Common Pleas, Case No. 12CV010630

Larry Foster sold high-priced water filtrations systems through a number of unincorporated businesses. An investigation was initiated after the Attorney General and the BBB received a substantial number of consumer complaints against the businesses. Foster failed to deliver the systems or provided systems that did not operate as guaranteed. He refused to provide refunds to consumers. The Attorney General filed a lawsuit against Foster on Aug. 22, 2012, for violations of the CSPA, including failure to deliver, failure to honor warranties, and shoddy work. The litigation concluded on March 12, 2013, with an Entry and Order Regarding Final Relief. A default judgment had been previously awarded to the Attorney General. Relief included a permanent injunction, a declaratory judgment, \$49,085.53 for consumer damages, and a \$50,000 civil penalty.

Weather Guard Exteriors LLC/Justin Ryan Ward

Cuyahoga County Court of Common Pleas, Case No. CV 12 796592

Weather Guard Exteriors was a home improvement business that operated as a “storm chaser” in Ohio and other states. Consumers complained to the Attorney General that the business kept deposit money and did no work or performed substandard work and refused to repair it. Consumer loss exceeded \$25,000. The Attorney General filed a lawsuit against the business and its owner on Nov. 30, 2012, for violations of the CSPA. Counts included failure to deliver and performing services in an unworkmanlike manner. The litigation concluded on Oct. 23, 2013, with a Consent Judgment and Agreed final Entry and Order. The Consent Judgment included a permanent injunction, \$19,166.50 for consumer damages, and a \$10,000 civil penalty with \$5,000 suspended on the condition of timely payment.

WTF Motorsports Inc./Columbus Cycle/Christopher Haehn

Franklin County Court of Common Pleas, Case No. 12CV002891

WTF Motorsports Inc. and Christopher Haehn, dba Columbus Scooter & Cycle Outlet and Columbus Cycle, sold and repaired motorcycles, scooters, and ATVs. Extended-service contracts were included in some of the sales. The business failed to deliver goods and services and refused to honor warranty terms. The Attorney General filed a lawsuit on March 6, 2012, for violations of the CSPA, including failure to deliver, Deposit Rule violations, failure to honor warranties, and making false and misleading statements. On Sept. 12, 2012, the Attorney General was granted a default judgment that included a declaratory judgment and a permanent injunction. Prior to the damages hearing, the defendants agreed to a Consent Judgment and Agreed Entry on Consumer Damages and Civil Penalties entered on Feb. 12, 2013. The agreement included \$4610.37 for consumer restitution and a \$50,000 civil penalty, suspended on the condition of full compliance with the terms of the Consumer Judgment.

ASSURANCES OF VOLUNTARY COMPLIANCE**American Freight Inc.**

American Freight engaged in the business of selling furniture and mattresses. An investigation was opened due to a large number of consumer complaints filed with the Attorney General and the BBB. The complaints alleged layaway law violations, failure to deliver, the delivery of defective goods, and unfair customer service. The investigation concluded with a March 13, 2013, Assurance of Voluntary Compliance. The assurance requires American Freight to make changes to its business practices, including specific changes to its layaway policy. The assurance also included a \$50,000 payment to the Consumer Protection Enforcement Fund. All consumer complaints were resolved prior to the assurance.

Charles R. Holub, dba CCG Truck

The business sold auto and truck parts online to consumers in Ohio and throughout the country. Consumers complained to the Attorney General that parts were purchased from CCG, but were not delivered, and money paid was not refunded. The investigation concluded with an Assurance of Voluntary Compliance entered on April 15, 2013. The assurance required Charles Holub to operate his business in compliance with Ohio consumer laws and pay \$1,707.35 in consumer damages. A \$10,000 payment was assessed for attorney fees and investigative costs, with the amount suspended on the condition of full compliance with the terms of the assurance.

Fekadu Enterprise Co./Protax LLC

The business offered tax preparation services and tax refund loan products. The Attorney General opened an investigation after consumers complained that the loan products were not provided as advertised; fees for tax-preparation services were not disclosed prior to being deducted from consumers' refund checks; and tax returns were filed without authorization. The investigation concluded with an Assurance of Voluntary Compliance entered on Dec. 12, 2013. The suppliers agreed to operate in compliance with Ohio consumer laws; to provide detailed information prior to offering any loans to consumers; and to pay \$45,000 to the Attorney General for the costs of the investigation, with \$30,000 suspended on the condition of full compliance with the terms of the assurance.

Google Inc.

This multistate investigation involved Google's collection of personal data from unsecured wireless networks while taking photographs for Street View. Google's cars were equipped with antennae and open-source software that collected network identification information for use in future geolocation services. Google collected and stored the data being transmitted over those unsecured business and personal wireless networks. The investigation was resolved through an Assurance of Voluntary Compliance entered on March 12, 2013. In the assurance, Google acknowledged the information may have included addresses of requested Web pages, partial or complete email communications, and confidential or private information being transmitted to or from the network user. Google has since disabled or removed the equipment and software used to collect the data and agreed not to collect any additional information without notice and consent. Ohio was joined by 37 states and the District of Columbia in the \$7 million settlement, with Ohio receiving \$162,000.45.

Google Inc.

This multistate investigation involved Google's placement of third-party cookies on Safari Web browsers during 2011 and 2012. Google generates revenue primarily through advertising and its setting of third-party cookies, small files in consumers' Web browsers that enable third-party advertisers to gather information about those consumers, including their Web-surfing habits. By default, Apple's Safari Web browser blocks third-party cookies, but Google circumvented Safari's default privacy settings and set third-party cookies on Safari Web browsers. Google disabled the circumvention method in February 2012 after the practice was widely reported. The investigation was resolved through an Assurance of Voluntary Compliance entered on Nov. 18, 2013. In the assurance, Google agreed to not override a browser's cookie-blocking settings without the consumer's consent; not misrepresent or omit material information to consumers about how they can use any Google product; and improve the information it provides to consumers regarding cookies. Ohio was joined by 36 states and the District of Columbia in the \$17 million settlement, with Ohio receiving \$716,624.13.

International Vacation Services LLC

International Vacation Services sold discount travel packages to numerous Ohio consumers. An investigation into the business was initiated when consumers complained to the Attorney General that the business was making misrepresentations in its advertisements and sales presentations for the vacation packages. The investigation concluded with an Assurance of Voluntary Compliance entered on June 25, 2013. Through the assurance, International Vacation Services agreed to comply with the CSPA in its future sale of vacation packages and to make additional disclosures in its advertisements and sales presentations. The assurance also included \$19,823.43 for consumer restitution and a \$25,000 payment to the Consumer Protection Enforcement Fund, with \$20,000 suspended on the condition of strict compliance with the terms of the Assurance.

Kirby Co.

Kirby Co. manufactures vacuum cleaners and related products, selling them to consumers through authorized dealers. The Attorney General investigated their marketing and sales practices due to concerns that they were in violation of the CSPA. The investigation concluded on July 25, 2013, with an Assurance of Voluntary Compliance. In the assurance, Kirby agreed to operate in compliance with the CSPA and to make changes to its business practices, including providing clear and conspicuous disclosures to consumers. Kirby also agreed to pay \$50,000 to the Consumer Protection Enforcement Fund.

Daniel Latimer, dba Magdiscounters.com

The business sold magazine subscriptions online to consumers in Ohio and throughout the country. An investigation was initiated after the Attorney General received numerous consumer complaints alleging that magazine subscriptions were purchased and never delivered. The investigation concluded with an Assurance of Voluntary Compliance entered on March 27, 2013. The assurance included \$1,156.90 for full consumer restitution and \$5,000 in costs, suspended on the condition of full compliance with the terms of the assurance.

Progene Healthcare Inc./Michael Lee

The business advertises and sells a testosterone supplement nationwide through television, radio, a website, and online commercials. Consumers complained to the Attorney General that when they responded to a free trial offer, they were automatically enrolled in a bimonthly purchase agreement that was not disclosed at the time of the sale. The investigation concluded on Sept. 20, 2013, with an Assurance of Voluntary Compliance that requires the business to clearly and conspicuously disclose its automatic billing plan and operate in compliance with the CSPA. The assurance also included a \$25,000 payment to the Consumer Protection Enforcement fund, with \$23,000 suspended on the condition of full compliance with the terms of the Assurance.

U.S. Restoration and Remodeling Inc.

The business provided various home improvement services to consumers in the Central Ohio area. Consumers complained that misrepresentations were made during the sales presentations, including the cost of the services and whether the services were covered under the consumers' insurance policies. The investigation concluded with an Assurance of Voluntary Compliance entered on Sept. 18, 2013, which requires U.S. Restoration and Remodeling to comply with all provisions of the CSPA. It also included \$25,000 payment to the Consumer Protection Enforcement Fund, with \$23,000 suspended on the condition of full compliance with the terms of the assurance.

Vivint Inc.

Vivint Inc. is a Utah-based home security company that sold its services and related products in Ohio through door-to-door solicitations, websites, and direct-mail solicitations. The business was formerly known as APX Alarm Security Solutions Inc. An investigation was initiated after the Attorney General received consumer complaints alleging deceptive sales practices and refusal to honor notices of cancellation. The investigation concluded with an Assurance of Voluntary Compliance entered on April 26, 2013. The assurance requires Vivint to comply with Ohio consumer laws, including the CSPA, the Home Solicitation Sales Act, and Ohio's Do Not Call Act. It also includes \$15,558.85 for consumer restitution, \$5,000 for Do Not Call Act violations, and a \$30,000 payment to the Consumer Protection Enforcement Fund, with \$15,000 suspended on the condition of strict compliance with the terms of the assurance.

C. ECONOMIC CRIMES UNIT

Attorney General DeWine launched the Consumer Protection Section's Economic Crimes Unit in March 2011 to work with county prosecutors and local law enforcement to investigate economic crime. Because of the extensive cooperation of local agencies over the past three years, the unit has been successful in indicting individuals responsible for crimes large and small. As of December 2013, the unit's investigations have led to 83 indictments and 56 convictions. With the assistance of local partners, in 2013 alone, the unit gained indictments against 22 contractors accused of taking money for home-improvement services and delivering no services, materials, or refunds.

The following are summaries of cases the Economic Crimes Unit assisted with in 2013.

"Circleville 7"/ Bruce McFarland, Michael Fausnaugh, Herschel Mumaw, Mark Kitchen, Mark Christman, David Ramey, and Thristian Harding

Fairfield County Court of Common Pleas, Case Nos. 13CR202, 13CR203, 13CR204, 13CR205, 13CR206, 13CR207, and 13CR208

One of the largest indictments in 2013 centered on the "Circleville 7," a group of relatives and friends who stole hundreds of thousands of dollars from elderly homeowners after claiming to perform some type of home-improvement work. This was not the first time these scammers had taken advantage of vulnerable Ohioans. In 2000, a task force led by the Attorney General's Office convicted more than 30 people in this scam. Several members of the "Circleville 7" were part of the original "Circleville 30" group previously indicted and sent to prison. However, after getting out of prison, these criminals went back to their old scams. In April 2013, the Economic Crimes Unit indicted Bruce McFarland, Herschel Mumaw, Mark Christman, Mark Kitchen, Michael Fausnaugh, David Ramey, and Thristian Harding for stealing more than \$130,000 from about a dozen victims. As of December 2013, the unit had secured guilty pleas from five of these defendants, whose sentences have ranged from community control to nine years in prison.

Restore It USA/James Twaddle

Union County Court of Common Pleas, Case No. 13CR0204

On Nov. 14, 2013, the Economic Crimes Unit and Union County Prosecuting Attorney David Phillips indicted James Twaddle of Reynoldsburg, Ohio. The indictment alleges that from March to November 2012, Twaddle stole more than \$160,000 from 42 victims across Ohio through his roofing repair company, Restore It USA. After receiving the victims' insurance checks, Twaddle never returned to the victims' homes to perform the work that had been promised. Instead, Twaddle used the victims' money to make frivolous purchases, including expensive clothing, outdoor sporting gear, and a \$17,000 engagement ring.

All Seasons of Kentucky Inc./Leo Patrick Richard Jr. and Carol Richard

Lawrence County Court of Common Pleas, Case Nos. 13CR272 and 13CR271

On Nov. 19, 2013, with extensive investigative assistance from the Ironton Police Department, the Economic Crimes Unit indicted Leo Patrick Richard Jr. and Carol Richard of All Seasons of Kentucky Inc. The Richards allegedly stole more than \$139,000 from 35 victims in a storm-chasing roofing scam in Lawrence County, Ohio. The indictment alleges that starting in September 2012, the Richards and their company, All Seasons of Kentucky Inc., swept through Lawrence County and accepted insurance funds from the victims for new roofs before leaving town in September 2013 and never returning to complete the work.

“Office Creeper” Case/ Larry Cobb, Deshawn Mitchell, Jodie Petty, and Kristina Petty

Warren County Court of Common Pleas, Case Nos. 13CR29579, 13CR29582, 13CR29581, and 13CR29580

The unit contributed to the Oct. 25, 2013, Warren County indictments of Larry Cobb, Deshawn Mitchell, Jodie Petty, and Kristina Petty in the “Office Creeper” investigation. The indictment alleges that these four individuals conspired to sneak into dozens of the biggest corporations throughout Ohio and steal credit cards from employees who left their purses unattended. Prosecutors allege that the stolen cards were then used to quickly purchase electronics, gift cards, and other items they could sell for cash. The case was investigated by more than 25 law enforcement agencies across the state with assistance from the Warren County Prosecutor’s Office and the Bureau of Criminal Investigation (BCI). As of January 2014, the unit had secured guilty pleas from two of these defendants, who were sentenced to up to three years in prison

United Property Sales (“UPS”)

Miami County Court of Common Pleas, Case No. 12CR214 A-R

This year brought closure to the “UPS” case, the unit’s first and largest investigation to date. By May 2013, the unit had secured guilty pleas from all 18 defendants indicted for a national telemarketing ring that operated across 41 states and stole more than \$2 million from thousands of victims over a five-year period. Victims in this case, many of them elderly, owned inexpensive vacant land throughout the United States and were led to believe that their land was worth 15 times its assessed value. They were told to pay fees as high as \$16,000 to guarantee the sale of their land. The final guilty pleas came from ringleaders Ted Thomas and Roger Vandoren, who received six- and four-year prison sentences, respectively.

In the three years since the Economic Crimes Unit was created, the unit has grown to include six attorneys and four investigators. The unit has prosecuted cases in 28 of Ohio’s 88 counties and is actively involved on multijurisdictional task forces with local, state, and federal agencies. The unit also conducts seminars for law enforcement and the public on a variety of topics related to fraudulent activity. The unit thanks its agency partners for their continued support and cooperation.

D. CONSUMER ASSISTANCE UNIT

The Consumer Assistance Unit includes complaint specialists and Title Defect Recision Fund (TDR) personnel. The staff serves consumers, small businesses, and nonprofits that file complaints against various businesses.

Complaint specialists provide informal dispute resolution by contacting the businesses in an attempt to resolve the complaints and, if necessary, to bring the businesses into compliance with Ohio law. The specialists have concentrated areas of expertise. For instance, one specialist serves as Lemon Law administrator, helping consumers resolve complaints related to motor vehicles and assisting with the arbitration process. TDR staff members administer the TDR Fund and help motor vehicle purchasers obtain automobile titles and temporary tags.

In 2013, the Consumer Assistance Unit continued to help small businesses and nonprofits resolve their consumer-related disputes and enhance the office's ability to monitor the marketplace for unfair and deceptive practices.

Complaint specialists are trained to identify problem businesses, and all consumer complaint information may be referred for further investigation. Specialists make these referrals based on consumer complaint volume, patterns of abuse, and other factors. The ability to identify problem businesses is critical to the Consumer Protection Section's efforts to protect consumers. Many investigative referrals have led to successful litigation.

TOP TEN CONSUMER COMPLAINTS REPORTED TO THE ATTORNEY GENERAL'S OFFICE

Every year, the Attorney General compiles a list of the top 10 complaint-generating areas. In 2013, the Consumer Protection Section received nearly 26,500 complaints. The top 10 areas were:

1. Motor vehicles
2. Collections, credit reporting, or financial services
3. Do Not Call violations
4. Internet, phone, or TV services
5. Household goods or property improvement
6. Professional services
7. Shopping, food, or beverages
8. Health and beauty
9. Sweepstakes or prizes
10. Mortgage

E. IDENTITY THEFT UNIT

The effects of identity theft can linger for years, causing damage to victims' credit reports and financial lives. To help victims move forward, the Consumer Protection Section launched the Identity Theft Unit in 2012 to help victims repair the damage caused by identity theft.

The Identity Theft Unit provides two programs. In the Traditional Assistance program, an advocate works on behalf of the victim to contact credit reporting agencies, creditors, collectors, and other entities that may have information resulting from fraudulent circumstances. In the Self-Help program, the office provides victims the tools they need to help resolve the issues on their own. In 2013, the Identity Theft Unit received 578 complaints. As a result of its efforts, \$253,187.36 in fraudulent charges were forgiven.

Recognizing that individuals in the foster care system may be especially vulnerable to identity theft, Attorney General DeWine has offered his assistance through the Identity Theft Unit to the Ohio Department of Job and Family Services to correct errors discovered on the credit reports of foster youth. In 2013, the Identity Theft Unit received eight complaints from various public children service agencies and successfully resolved each complaint.

F. EDUCATION UNIT

The goal of the Education Unit is to inform Ohioans about their rights as consumers and to warn them about scams. To build collaboration and awareness in the fight against fraud, the Education Unit continued its series of Community Fraud Forums, providing an opportunity for consumers, law enforcement, and caregivers to learn more about scams and to enhance ongoing collaboration.

The Education Unit also created a new identity theft workshop and has integrated identity theft education into all other workshops. To build awareness of consumer protection issues among Ohio's youth, the Education Unit held the fifth annual Take Action High School Video Contest in 2013. The contest awards a total of \$5,000 in college scholarships to the top three teams or individuals who submit a 60-second video on Internet safety. Individuals or teams from more than 62 schools submitted 247 video entries in the 2013 contest.

In addition to these special programs, educators conducted approximately 218 workshops, set up informational tables at various events, or provided other educational activities that reached thousands of Ohioans in 2013. It also produced new publications and offered a monthly electronic newsletter, the Consumer Advocate, to which more than 15,000 individuals subscribe. Presentations and other educational efforts are marketed through the Attorney General's website, fliers, and networking by staff and regional representatives. Target audiences include older adults, job seekers, small businesses, and students.



Ohio Attorney General's Office
Consumer Protection Section

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