

Protecting Ohio's Families



Ohio Attorney General's Office

2016

CONSUMER PROTECTION

ANNUAL REPORT



MIKE DEWINE
OHIO ATTORNEY GENERAL



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★ OHIO ATTORNEY GENERAL ★

Dear Colleagues:

My office's Consumer Protection Section protects Ohio's families by fighting fraud, advancing fairness in the marketplace, and working one-on-one with individuals to resolve their complaints.

In 2016, we protected consumers from scams, achieved multi-million dollar settlements in collaboration with agencies across the country, and served tens of thousands of consumers who contacted our office for help. Among the individuals we assisted were identity theft victims – helping them to eliminate hundreds of thousands of dollars' worth of fraudulent debt.

Through our Economic Crimes Unit, we worked with local law enforcement and prosecutors to identify, investigate, and prosecute scam artists, including those who took advantage of elderly or vulnerable consumers.

To increase Ohioans' awareness of scams, fraud, and identity theft, we launched a new multimedia outreach initiative called "Ohio Protects." The campaign, announced in June, features a dedicated microsite, www.OhioProtects.org, and three, 30-second videos that aired on television and in theaters in 2016 to educate consumers and to direct them to the help they need.

To fight data breaches and cybersecurity threats that can put consumers' personal information at risk, we also launched a new cybersecurity initiative, CyberOhio. The initiative includes a Cybersecurity Advisory Board, training opportunities for businesses, and exploration of draft legislation to improve the legal cybersecurity environment in Ohio.

We are proud to share our accomplishments in 2016, and we will continue to work tirelessly to serve consumers and to protect Ohio's families.

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 2016 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 2016, the Consumer Protection Section opened 290 investigations. It also initiated 44 lawsuits for various unfair, deceptive, or unconscionable business practices and obtained 53 judgments and Assurances of Voluntary Compliance totaling more than \$19 million in consumer restitution, civil penalties, costs, and other relief.

The following are summaries of the lawsuits, judgments, and settlements that occurred in 2016.

LAWSUITS

Affordable Fence and Construction, LLC/Juanita Carr/Thomas Carr

Franklin County Court of Common Pleas, Case No. 16CV010204

The business offered to provide home improvement services such as window replacement and fence installation. The Attorney General filed a lawsuit against the business and its owners on Oct. 27, 2016, for violations of the CSPA. Counts included failure to deliver, performing services in a substandard manner, and engaging in consumer transactions while having unsatisfied judgments arising from previous consumer transactions. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

All City Roofing and Construction, LLC/Ronald J. Reese

Franklin County Court of Common Pleas, Case No. 16CV009048

The business offered to provide home improvement services such as roof and patio work. Consumers complained to the Attorney General that they paid the business for services that were never provided or were performed in a substandard manner. The Attorney General filed a lawsuit against the business and its owner on Sept. 22, 2016, for violations of the CSPA. Counts included failure to deliver, performing services in a substandard manner, and engaging in consumer transactions while having unsatisfied judgments arising from previous consumer transactions. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Ashley Alexander, dba Alexander's Auto Sales

Montgomery County Court of Common Pleas, Case No. 2016 CV 04821

Ashley Alexander operated Alexander's Auto Sales, a business that offered for sale and sold used motor vehicles to consumers. Alexander 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 payments from the TDR Fund to reimburse injured consumers. The Attorney General filed a lawsuit against Alexander on Sept. 20, 2016, 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.

American Property Claims Specialists, LLC/David M. Nelson

Hamilton County Court of Common Pleas, Case No. A1602945

The business offered to provide roofing repair and installation services. Consumers complained to the Attorney General that they paid the business for roofing work that was never started or was performed in a substandard manner. The Attorney General filed a lawsuit against the business and its owner on May 19, 2016, for violations of the CSPA and Home Solicitation Sales Act (HSSA). Counts included failure to deliver, performing services in a substandard manner, failure to obtain necessary permits, violating the terms of a prior Assurance of Voluntary Compliance, failure to provide proper notice of cancellation rights, and refusal to honor valid notices of cancellation. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Autos Direct Online/Shawn R. Payne/Vincent Hugo

Cuyahoga County Court of Common Pleas, Case No. CV 16 861747

Autos Direct Online sold used motor vehicles to consumers and failed to transfer the titles to the purchasers as required by Ohio law. Many consumers filed complaints with the Attorney General seeking relief from the TDR Fund. The complaints resulted in significant payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on April 12, 2016, against the dealership and its owners for failure to deliver titles in violation 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.

Benovic Construction, LLC/Cassie Benovic

Medina County Court of Common Pleas, Case No. 16CIV0641

The business offered to provide home improvement services, including roof repairs. Consumers complained to the Attorney General that they paid the business for work that was never started or was performed in a substandard manner. The Attorney General filed a lawsuit against the business and its owner on June 30, 2016, for violations of the CSPA and HSSA. Counts included failure to deliver and failure to provide proper notice of cancellation rights. The litigation concluded on Oct. 18, 2016, with a Final Judgment Entry and Order granting the Attorney General a default judgment. The entry included a declaratory judgment, permanent injunctions, \$11,783.38 for consumer restitution, and a \$25,000 civil penalty.

Big Ten Construction, LLC/Eric Tischer

Delaware County Court of Common Pleas, Case No. 16 CVH 010025

The business offered to provide home improvement services, including room additions, garages and finishing basements. Consumers complained to the Attorney General that they paid the business for home improvement work that was never completed or was performed in a substandard manner. The Attorney General filed a lawsuit against the business and its owner on Jan. 12, 2016, for violations of the CSPA and HSSA. Counts included failure to deliver, performing services in a substandard manner, failure to obtain necessary permits, violating the terms of a prior AVC, and failure to provide proper notice of cancellation rights. The litigation concluded on Nov. 29, 2016, with a Judgment Entry Adopting the Magistrate's Decision that awarded a default judgment to the Attorney General. The entry included a

declaratory judgment, permanent injunctions, \$120,461.50 for consumer restitution, a previously suspended \$13,000 civil penalty, and a newly assessed \$50,000 civil penalty.

Bristol-Myers Squibb Company

Franklin County Court of Common Pleas, Case No. 16CV011588

This multistate investigation resulted from the improper marketing of the drug Abilify. The drug was promoted for unapproved off-label purposes. The Attorneys General alleged that Bristol-Myers Squibb Company engaged in unfair and deceptive practices by encouraging the unapproved use of Abilify. The investigation resulted in the filing of a lawsuit on Dec. 8, 2016. An Agreed Entry and Final Judgment Order was immediately submitted to the court and was entered on Dec. 12, 2016. Ohio was joined by 41 other states and the District of Columbia in the settlement. The settlement document contains comprehensive injunctive relief and a \$19.5 million payment to the states. Ohio's share of the payment is \$709,593.

Bueno Bonito Barato Auto Sales, LLC/Danielle Rubadue

Franklin County Court of Common Pleas, Case No. 16CV011634

Bueno Bonito Barato Auto Sales sold used 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 payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on Dec. 9, 2016, 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.

William Cameron, dba Cameron Home Remodeling

Franklin County Court of Common Pleas, Case No. 16CV001233

William Cameron contacted consumers on Craigslist and entered into numerous transactions to sell farm equipment, event tickets, and car motors. Consumers complained to the Attorney General that Cameron accepted money for purchases, but the goods were never delivered and payments were not returned. On Feb. 4, 2016, the Attorney General filed a lawsuit against Cameron for violations of the CSPA. Counts included failure to deliver and offering to sell goods without possessing them. The litigation concluded on July 20, 2016, with an Order and Entry granting the Attorney General a default judgment. The entry included a declaratory judgment, permanent injunctions, \$2,935 for consumer restitution, and a \$25,000 civil penalty.

Cars USA, Inc./Taria Sheppard

Franklin County Court of Common Pleas, Case No. 16CV007341

Cars USA sold used 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 payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on Aug. 5, 2016, 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.

Champion Marketing Group, LLC/Patricia A. DeCapua

Cuyahoga County Court of Common Pleas, Case No. CV 16 858294

Champion Marketing Group sold used motor vehicles to consumers and failed to transfer the 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 payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on Feb. 2, 2016, against the dealership and its owner for failure to deliver titles in violation of the CSPA and the TDR law. The litigation concluded on June 24, 2016, with an Order of the Court Granting Plaintiff's Motion for Default Judgment. The order included permanent injunctions, \$13,927 for reimbursement to the TDR Fund, and a \$25,000 civil penalty, suspended on the condition of defendants reimbursing the TDR Fund.

Columbia Exteriors, LLC/Christopher Craft/David Isgrig

Hamilton County Court of Common Pleas, Case No. A1600180

The business offered home improvement services throughout southwest Ohio. Consumers complained to the Attorney General that they paid the business for home improvement work that was never completed, that the work was performed in a substandard manner, or that deposits were paid and not returned when the transactions were canceled. The Attorney General filed a lawsuit against the business and its owners on Jan. 12, 2016, for violations of the CSPA and HSSA. Counts included failure to deliver, performing services in a substandard manner, failure to honor the terms of a warranty, and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Core Advisory Group, LLC/Trung Luong

Richland County Court of Common Pleas, Case No. 16 CV 1076

Core Advisory Group is a California-based business that claimed to help consumers avoid foreclosure on their homes. The company took large amounts of money up front, did little or no work, and failed to provide any assistance in saving consumers' homes from foreclosure. The Attorney General filed a lawsuit against the business and its owner on Nov. 4, 2016. The complaint alleged unfair, deceptive and unconscionable violations of CSPA. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

David L. Marsh, dba David's Mobile Home & Well Service and David's Mobile Home Transport & Repair

Perry County Court of Common Pleas, Case No. 16 CV 00195

David Marsh owned and operated David's Mobile Home & Well Service and David's Mobile Home Transport & Repair, which provided mobile home transport, repair, and site preparation services. Consumers complained to the Attorney General that Marsh failed to start work during scheduled time periods, performed shoddy work, and failed to complete jobs. The Attorney General filed a lawsuit against Marsh on July 28, 2016, for violations of the CSPA. Counts included failure to deliver, performing services in a shoddy and unworkmanlike manner, making false and misleading statements, and violations of the Repairs or Services Rule. A previous lawsuit was filed by the Attorney General against Marsh on Feb. 6, 2015, for similar violations. The prior litigation concluded on Oct. 14, 2015, with a Consent Judgment. Marsh failed to comply with the terms of that settlement and

additional violations occurred, resulting in the new litigation. The litigation concluded on Nov. 18, 2016, with a Consent Judgment and Agreed Final Entry and Order. The settlement included a declaratory judgment, a permanent injunction enjoining Marsh from engaging in the mobile home transport business, \$23,188.26 for consumer restitution, and a \$30,000 civil penalty, with \$25,000 suspended on the condition of full compliance with the terms of the settlement.

Diamond Set Roofing & Restoration, LLC/Diamond Murphy

Franklin County Court of Common Pleas, Case No. 16CV011638

The business solicited consumers for the purchase of various home improvement goods and services. Consumers complained to the Attorney General that the business accepted payments and then failed to deliver the promised goods and services or provided shoddy and substandard repairs. The Attorney General filed a lawsuit against the business and its owner on Dec. 9, 2016, for violations of the CSPA and the HSSA. Counts included failure to deliver, performing services in a shoddy and unworkmanlike manner, and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Dream Works Home Improvement/Kenneth Adams

Cuyahoga County Court of Common Pleas, Case No. CV 16 865336

The business offered to provide various home improvement services. Consumers complained to the Attorney General that they paid the business for home services that were not completed or were performed in a substandard manner. The Attorney General filed a lawsuit against the business and its owner on June 28, 2016, for violations of the CSPA. Counts included failure to deliver, performing services in a substandard manner, and failure to acquire necessary permits. The litigation concluded on Sept. 29, 2016, with a Consent Judgment and Final Agreed Entry and Order. The settlement included a declaratory judgment, a permanent injunction, \$5,358.19 for consumer restitution, and a \$25,000 civil penalty, with \$24,000 suspended on the condition of full compliance with the terms of the settlement.

1871 Developers, LLC, dba Red Fitness 24/7/David Barna

Lucas County Court of Common Pleas, Case No. CI201602535

1871 Developers operated a gym in Toledo called Red Fitness 24/7. The gym had various amenities including an indoor pool and track. In early 2015, the gym moved to another location that did not have substantially similar features. The business did not allow consumers to cancel their memberships due to the relocation. In August 2015, the gym closed permanently. Consumers were not provided with refunds for the unused portions of their memberships. Some consumers continued to be charged monthly fees even after the gym had closed. The Attorney General filed a lawsuit against the business and its owner on April 27, 2016, for violations of the CSPA and the Prepaid Entertainment Contracts Act. Counts included failure to provide refunds when moving to a not-substantially-similar facility; closing a health spa facility and failing to provide refunds; improper contract terms; failure to give proper notice of cancellation rights; failure to deliver; and making unauthorized withdrawals from bank accounts. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Ever Clean, LLC/Thadius Wind

Williams County Court of Common Pleas, Case No. 16CI000020

The business offered to provide gutter and downspout installation and related services. Consumers complained to the Attorney General that they paid the business for home services that were not started, were not completed, or were performed in a substandard manner. The Attorney General filed a lawsuit against the business and its owner on Feb. 18, 2016, for violations of the CSPA and HSSA. Counts included failure to deliver, performing services in a substandard manner, restricting consumers' right to cancel the contracts, and failing to provide proper notice of cancellation rights. The litigation concluded on Aug. 5, 2016, with an Opinion and Judgment Entry awarding a default judgment to the Attorney General. The entry included a declaratory judgment, a permanent injunction, \$14,778.30 for consumer restitution, and a \$25,000 civil penalty.

Fairview Memorial Park, Inc./Grandview Memorial Park, Inc./Theodore L. Martin, Jr./Arminda Martin

Portage County Court of Common Pleas, Case No. 2016CV00883

The businesses sold cemetery headstones, vaults, memorial items, and other related goods. Consumers complained to the Attorney General that goods purchased were not delivered and that no refunds were provided. The Attorney General filed a lawsuit against the business and its owners on Sept. 30, 2016, for failure to deliver in violation of the CSPA. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

John Mammosser, dba First Class Interiors

Franklin County Court of Common Pleas, Case No. 16CV001540

First Class Interiors is an unregistered business owned by John Mammosser that offered to provide home improvement services such as the installation and remodeling of kitchens, bathrooms, and floorings. Consumers complained to the Attorney General that work was not completed and was performed in a substandard manner. The Attorney General filed a lawsuit against Mammosser on Feb. 11, 2016, for violations of the CSPA and the HSSA. Counts included failure to deliver, performing services in a shoddy and unworkmanlike manner, failure to register a fictitious business, and failure to provide proper notice of cancellation rights. The litigation concluded on Oct. 5, 2016, with a Final Judgment Entry and Order after the previous award of a default judgment to the Attorney General. The order included a declaratory judgment, permanent injunctions, \$28,753 for consumer restitution, and a \$25,000 civil penalty.

5 Star Remodeling, LLC/Robert Turnquest

Franklin County Court of Common Pleas, Case No. 16CV004109

The business offered to provide home improvement services related to home remodeling. Consumers complained to the Attorney General that they paid for home improvement services that were never started and the business refused to provide refunds. The Attorney General filed a lawsuit against the business and its owner on April 28, 2016, for failure to deliver in violation of the CSPA. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Ne-Plus-Ultra, dba First Look Auto Group/Gordon C. Newlin

Franklin County Court of Common Pleas, Case No. 16CV001723

Ne-Plus-Ultra, operating as First Look Auto Group, sold used 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 payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on Feb. 18, 2016, against the dealership and its owner for violations of the CSPA and the TDR law. The litigation concluded on August 30, 2016, with a Default Judgment Entry and Order. The entry included a declaratory judgment, permanent injunctions, \$19,040.94 for reimbursement to the TDR Fund, and a \$20,000 civil penalty.

Global Home Solutions, LLC/Jeffrey Workman

Ashland County Court of Common Pleas, Case No. 16 CIV 057

The business offered to provide home improvement services such as deck and garage construction. Consumers complained to the Attorney General that they paid the business for home improvement services that were not completed or were performed in a substandard manner. The Attorney General filed a lawsuit against the business and its owner on March 25, 2016, for violations of the CSPA. Counts included failure to deliver, performing services in a substandard manner, and violations of the Deposits Rule. The litigation concluded on June 20, 2016, with a Consent Judgment and Final Agreed Entry and Order. The settlement included a declaratory judgment, a permanent injunction, \$2,700 for consumer restitution, and a \$25,000 civil penalty, with \$24,000 suspended on the condition of full compliance with the terms of the settlement.

Gloryview Windows and More, LLC/Dennis W. Benjamin

Muskingum County Court of Common Pleas, Case No. CH2016 0277

The business solicited consumers for the purchase of home improvement goods and services, specializing in the installation of windows and doors. Consumers complained to the Attorney General that the business accepted payments and then failed to deliver the promised goods and services or provided shoddy and substandard repairs. The Attorney General filed a lawsuit against the business and its owner on Aug. 26, 2016, for violations of the CSPA the HSSA. Counts included failure to deliver, performing services in a shoddy and unworkmanlike manner, and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Hyundai Motor Company/Hyundai Motor America/Kia Motors Corporation, Inc./Kia Motors America, Inc.

Franklin County Court of Common Pleas, Case No. 16CV010241

This case resulted from a multistate investigation related to admissions by Hyundai and Kia that they inadvertently overstated the miles per gallon for some of their models. The investigation resulted in the filing of a lawsuit on Oct. 27, 2016, for violations of the CSPA. A Consent Judgment was immediately submitted to the court and was entered on Oct. 28, 2016. Ohio was joined in the settlement by 32 other states and the District of Columbia. The auto manufacturers agreed to cease from misrepresenting estimated fuel economy in

violation of the CSPA. The settlement document contains compliance monitoring provisions and a \$41,223,320 payment to the states. Ohio's share of the payment is \$1,473,456.85.

Jake's Used Cars, LLC/James Bernard

Wood County Court of Common Pleas, Case No. 2016 CVO256

Jake's Used Cars sold used 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 payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on May 2, 2016, against the dealership and its owner for violations of the CSPA and the TDR law. The litigation concluded on Aug. 11, 2016, with a Default Judgment Entry and Order. The entry included a declaratory judgment, permanent injunctions, \$105,444.32 for reimbursement to the TDR Fund, and a \$75,000 civil penalty.

James McClanahan, dba JM Construction Home Improvement

Richland County Court of Common Pleas, Case No. 16 CV 553

JM Construction Home Improvement was an unregistered business owned by James McClanahan that offered to provide various home improvement services. Consumers complained to the Attorney General that work was never initiated or was performed in a substandard manner. The Attorney General filed a lawsuit against McClanahan on May 31, 2016, for violations of the CSPA. Counts included failure to deliver, performing services in a shoddy and unworkmanlike manner, and failure to register a fictitious business name. The litigation concluded on Aug. 26, 2016, with a Final Judgment Entry and Order following the previous award of a default judgment to the Attorney General. The entry included a declaratory judgment, permanent injunctions, \$8,050 for consumer restitution, and a \$10,000 civil penalty.

Daniel William Wells, dba Kelly Heating & Air Conditioning

Montgomery County Court of Common Pleas, Case No. 2016 CV 00621

Kelly Heating & Air Conditioning is an unregistered business owned by Daniel William Wells that offered to repair and replace furnaces and HVAC systems. Consumers complained to the Attorney General that work was not completed and was performed in a substandard manner. The Attorney General filed a lawsuit against Wells on Feb. 3, 2016, for violations of the CSPA and the HSSA. Counts included failure to deliver, performing services in a shoddy and unworkmanlike manner, and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

KJNS Enterprises, LLC/John Stauffer

Wood County Court of Common Pleas, Case No. 2016 CVO231

KJNS Enterprises sold used motor vehicles to consumers and failed to transfer the 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 payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on April 20, 2016, against the dealership and its owner for failure to deliver titles in violation of the CSPA and the TDR law. The litigation concluded on August 24, 2016, with a Consent Judgment and Agreed Entry and Order. The settlement included a declaratory judgment, a

permanent injunction, \$14,939.44 for reimbursement to the TDR Fund, and a \$15,000 civil penalty suspended on the condition of full compliance with the terms of the settlement.

Michael A. Rabel & Associates, LLC/Michael A. Rabel

Franklin County Court of Common Pleas, Case No. 16CV003046

Michael A. Rabel is a Pennsylvania attorney who solicited Ohio consumers to purchase loan modification services through his law firm, claiming that he could help them save their homes. Rabel told Ohio consumers that he would provide legal services even though he was not licensed to practice law in Ohio. Consumers paid up-front fees from \$1,000 to \$3,000 for the services. Rabel did not provide loan modifications and failed to refund consumer payments. The Attorney General filed a lawsuit against Rabel and his law firm on March 29, 2016. It alleged violations of CSPA and the Debt Adjusters Act. Counts included failure to deliver, failure to register a business with the Ohio Secretary of State, misrepresentation of affiliation, and charging fees in excess of those permitted in Ohio. The litigation concluded on Nov. 6, 2016, with a Final Judgment Entry and Order awarding a default judgment to the Attorney General. The order included a declaratory judgment, permanent injunctions, \$6,500 for consumer restitution, and a \$50,000 civil penalty.

Midwest Motoplex, LLC/Tracy J. Bettendorf

Ross County Court of Common Pleas, Case No. 16 CI 481

Midwest Motoplex sold used motor vehicles to consumers and failed to transfer the 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 payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on Oct. 28, 2016, against the dealership and its owner for failure to deliver titles in violation 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.

Ohio Auto Credit, LLC/Mark Gallo/Tim Campbell

Cuyahoga County Court of Common Pleas, Case No. CV 16 869934

Ohio Auto Credit sold used motor vehicles to consumers and failed to transfer the 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 payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on Oct. 4, 2016, against the dealership and its owner for making misrepresentations to consumers and for failure to deliver titles in violation of the CSPA and the TDR law. The litigation concluded on Dec. 29, 2016, with a Consent Judgment Agreed Entry and Order. The settlement included a declaratory judgment, a permanent injunction, \$27,251.67 for reimbursement to the TDR Fund, and a \$30,000 civil penalty, with \$25,000 suspended on the condition of full compliance with the terms of the settlement.

Orlando Auto, Inc./Orion C. Brown

Cuyahoga County Court of Common Pleas, Case No. CV 16 871186

Orlando Auto sold used motor vehicles to consumers and failed to transfer the titles to the purchasers as required by Ohio law. A consumer filed a complaint with the Attorney General seeking relief from the TDR Fund. The complaint resulted in a payment being made from the

TDR Fund to reimburse the injured consumer. The Attorney General filed a lawsuit on Oct. 31, 2016, against the dealership and its owner for failure to deliver titles and failure to post a required bond in violation of the CSPA and the TDR law. The complaint seeks a declaratory judgment, a permanent injunction, and reimbursement of all money paid to the consumer from the TDR Fund. The case is pending.

Phoenix Indoor Auto Sales/Elizabeth Severy

Summit County Court of Common Pleas, Case No. CV 2016 09 4085

Phoenix Indoor Auto Sales sold used motor vehicles to consumers and failed to transfer the 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 significant payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on Sept. 26, 2016, against the dealership and its owner for failure to deliver titles in violation 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.

Prime Technologies, LLC/Linda Brown Massey

Franklin County Court of Common Pleas, Case No. 16CV004128

Prime Technologies is an India-based company registered in South Carolina. The business telephoned Ohio consumers and falsely informed them that their computers had been hacked and infected with a dangerous virus. Consumers paid hundreds to thousands of dollars to have Prime Technologies remove the virus and provide additional support. The Attorney General filed a lawsuit against Prime Technologies and its South Carolina operator on April 28, 2016. The complaint alleged violations of CSPA and Telephone Solicitation Sales Act (TSSA). Counts included failure to deliver; misrepresentation of services; selling services with no benefit to consumers; failure to register with the Attorney General as a Telephone Solicitor; failure to obtain a security bond; and, making false and misleading statements. The litigation concluded on Sept. 30, 2016, with a Final Judgment Entry and Order following the previous award of a default judgment to the Attorney General. The entry included a declaratory judgment, permanent injunctions, \$67,628.82 for consumer restitution, and a \$50,000 civil penalty.

Reinthalers Auto Village, Inc./Joseph Reinthaler

Mahoning County Court of Common Pleas 16CV2333

Reinthalers Auto Village sold used motor vehicles to consumers and failed to transfer the titles to the purchasers as required by Ohio law. Many consumers filed complaints with the Attorney General seeking relief from the TDR Fund. The complaints resulted in significant payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on Aug. 30, 2016, against the dealership and its owners for failure to deliver titles in violation 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.

Revolution Roofing, LLC/Richard Andrew Gazella

Cuyahoga County Court of Common Pleas, Case No. CV 16 864033

The business offered to provide roofing repair and installation services. Consumers complained to the Attorney General that they paid the business for roofing work that was never started or was performed in a substandard manner. The Attorney General filed a lawsuit against the business and its owner on May 31, 2016, for violations of the CSPA. Counts included failure to deliver and performing services in a substandard manner. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Marc J. Ryder, dba RHI Incorporated

Franklin County Court of Common Pleas, Case No. 16CV007083

Marc Ryder sold generators under the fictitious name RHI Incorporated. Solicitations took place at fairs and convention centers and usually required a down payment of 50 percent. Consumers complained to the Attorney General that they purchased generators that were not delivered and down payments were not returned. The Attorney General filed a lawsuit against Ryder on July 29, 2016, for violations of the CSPA and HSSA. Counts included failure to deliver, failure to register a fictitious name with the Ohio Secretary of State, and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Kevin J. Calvin, dba Rocket Marketing and Network Solutions

Hamilton County Court of Common Pleas, Case No. A1602927

Kevin Calvin solicited cleaning services sales through a massive robocall campaign, initiating over 1.6 million telephone solicitations which delivered a prerecorded message advertising his cleaning services. The messages did not provide any meaningful options for consumers to opt-out of further solicitations. Calvin operated under various business names including Rocket Marketing and Network Solutions. The Attorney General filed a lawsuit against Calvin on May 18, 2016, for violations of the CSPA, TSSA, and the Telephone Consumer Protection Act (TCPA). The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Sean Ryan, dba SRC Contractors

Franklin County Court of Common Pleas, Case No. 16CV006462

SRC Contractors is an unregistered business owned by Sean Ryan that provided various home improvement services in the central Ohio area. Consumers complained to the Attorney General that work was never initiated or was performed in a substandard manner. The Attorney General filed a lawsuit against Ryan on July 11, 2016, for violations of the CSPA. Counts included failure to deliver, performing services in a shoddy and unworkmanlike manner, and failure to register a fictitious business. The litigation concluded on Aug. 3, 2016, with a Consent Judgment and Agreed Final Entry and Order. The settlement included a declaratory judgment, a permanent injunction, \$9,423.30 for consumer restitution, and a \$20,000 civil penalty, suspended on the condition of full compliance with the terms of the settlement.

Thrifty Propane, Inc./Thrifty Propane Northern Ohio, Inc./Thrifty Propane Columbus, Ohio, Inc.

Medina County Court of Common Pleas, Case No. 16CIV0008

The businesses sell propane and propane tanks to consumers throughout Ohio. Consumers complained to the Attorney General that the businesses failed to timely deliver propane and tanks, and refused to refund payments made for the undelivered propane. The Attorney General filed a lawsuit against the businesses on Jan. 6, 2016, for violation of the CSPA. Counts included failure to deliver, misrepresentation of benefits and standards of their services, and inadequate customer service. The litigation concluded on Aug. 18, 2016, with an Agreed Entry and Final Order. The settlement included a declaratory judgment, a permanent injunction, a compliance section, and a \$25,000 civil penalty. Consumer complaints were resolved prior to the settlement.

Troyer's Garage and Auto Sales, LLC/Toby Lee Troyer

Champaign County Court of Common Pleas, Case No. 16CV6

Troyer's Garage and Auto Sales sold used motor vehicles to consumers and failed to transfer titles to the purchasers as required by Ohio law. A consumer filed a complaint with the Attorney General seeking relief from the TDR Fund. The complaint resulted in a payment being made from the TDR Fund to reimburse the injured consumer. The Attorney General filed a lawsuit on Jan. 11, 2016, against the dealership and its owner for violations of the CSPA and the TDR law. The litigation concluded on Aug. 15, 2016, with a Default Judgment Entry and Order. The entry included a declaratory judgment, permanent injunctions, \$5,786.85 for reimbursement to the TDR Fund, and a \$10,000 civil penalty.

Volkswagen AG/Audi AG/Volkswagen Group of America, Inc./Audi of America, LLC/Volkswagen Group of America Chattanooga Operations, LLC/Dr. Ing. h.c. F. Porsche/Porsche Cars North America, Inc.

Franklin County Court of Common Pleas, Case No. 16CV009944

This case resulted from a multistate investigation related to Volkswagen's deliberate altering of emissions from its diesel vehicles and related misrepresentations. The investigation resulted in the filing of a lawsuit on Oct. 20, 2016, for violations of the CSPA. An Agreed Entry and Final Judgment Order was immediately submitted to the court and was entered on Oct. 25, 2016. Ohio was joined in the settlement by 40 other states, the District of Columbia, and Puerto Rico. The agreement is part of a series of state and federal settlements that will provide cash payments to affected consumers and require Volkswagen (VW) to buy back or modify certain VW and Audi 2.0-liter diesel vehicles, including 13,998 vehicles in Ohio. VW also agreed to cease from engaging in future unfair or deceptive acts and practices. The settlement document contains broad injunctive relief and a \$443,536,500 payment to the states. Ohio's share of the payment is \$13,738,217.55.

OTHER JUDGMENTS

A2Z Vacations, LLC/Great Quest Travel, Inc./World Wide Travel Resources/Travel Supplier of America, Inc./Universal Concepts, Inc.

Lucas County Court of Common Pleas, Case No. CI2015023660

A2Z Vacations sold vacation travel club memberships to consumers. Great Quest Travel, World Wide Travel Resources, and Travel Supplier of America promoted A2Z's travel memberships through promotions held at local hotels. Universal Concepts is a third-party payment processor that accepted payment from consumers for A2Z Vacations' travel memberships. The travel membership cost ranged from \$1,000 to more than \$8,000, with annual dues of \$200 to \$300. Consumers complained that they did not receive promised discounts and travel options for vacations and that they were unable to cancel the membership agreements. The Attorney General filed a lawsuit against the businesses on April 24, 2015, for violations of the CSPA and HSSA. Counts included misrepresenting the benefits of consumer transactions, Prize Rule violations, and failure to provide proper notice of cancellation rights. The litigation concluded on March 18, 2016, with a Consent Judgment and Final Order. The settlement included a permanent injunction, \$44,200.97 for consumer restitution, and a \$75,000 civil penalty, with all but \$7,500 suspended on the condition of full compliance with the terms of the settlement.

Adolfo Castaneda, dba AC's Home Restoration and A&J Home Restoration

Franklin County Court of Common Pleas, Case No. 15CV009587

Adolfo Castaneda operated businesses that offered tree trimming and flooring services. Consumers complained to the Attorney General that Castaneda failed to complete work as promised, or performed his work in a shoddy and substandard manner. A lawsuit was filed on Oct. 27, 2015, for violations of the CSPA and HSSA. Specific counts included failure to deliver, shoddy work, Repairs or Services Rule violations, and failure to provide proper notice of cancellation rights. The litigation concluded on Nov. 23, 2016, with a Decision and Entry Granting Plaintiff's Motion for Summary Judgment. The entry included a declaratory judgment, permanent injunctions, \$4,627.47 for consumer restitution, and a \$10,000 civil penalty.

Add Source, LLC/Adsource, LLC/24/7 Locksmith Advertising, LLC/Yossi Assaraf

Franklin County Court of Common Pleas, Case No. 14CV010574

The businesses purported to provide locksmith services to consumers in Ohio by creating websites designed to look like local Ohio locksmith companies. Instead, callers were directed to an out-of-state call center that received calls from throughout the country. The call center made referrals to local locksmiths near the caller. The websites misrepresented the quality, price, and location of the services. The Attorney General filed a lawsuit on Oct. 14, 2014, for violations of the CSPA. Specific counts included deceptive advertising, misrepresentation of price and affiliation, and failure to register with the Ohio Secretary of State. The litigation concluded on Oct. 15, 2016, with a Consent Judgment and Final Agreed Entry and Order with Defendant Add Source, LLC. The settlement included a permanent injunction and a \$10,000 civil penalty suspended on the condition of full compliance with the terms of the settlement. Default judgments were obtained against the other defendants in 2015.

Alan Vohs, dba Alan Able Heating and Cooling

Muskingum County Court of Common Pleas, Case No. CH20150044

The business offered repairs and services, primarily on heating and cooling units, throughout Muskingum and Guernsey Counties. In some instances, Alan Vohs inspected consumers' heating and cooling or refrigeration units and informed the consumers that he would need to order parts to perform necessary repairs. He would then fail to return after receiving payment from the consumers. In other instances, repairs were performed in a shoddy manner. The Attorney General filed a lawsuit against Vohs on Jan. 29, 2015, for violations of the CSPA. Counts included failure to deliver, performing services in a shoddy and unworkmanlike manner, and failure to register a fictitious name with the Ohio Secretary of State. The litigation concluded on March 1, 2016, with a Final Judgment Entry and Order following the previous award of a default judgment to the Attorney General. The entry included a declaratory judgment, a permanent injunction, \$7,912.66 for consumer restitution, and a \$10,000 civil penalty.

AMG Auto Connection, Inc./Eric Davis

Hamilton County Court of Common Pleas, Case No. A1504266

AMG Auto Connection sold a used motor vehicle to a consumer and failed to transfer the title to the purchaser as required by Ohio law. The consumer filed a complaint with the Attorney General seeking relief from the TDR Fund. The complaint resulted in a \$3,000 payment being made from the TDR Fund to reimburse the injured consumer. AMG Auto Connection remained in business, but failed to maintain a \$25,000 bond required when the Attorney General makes a TDR payment to a consumer due to a dealer's failure to timely deliver a title. The Attorney General filed a lawsuit on Aug. 11, 2015, against the dealership and its owner for violations of the CSPA and the TDR law. The litigation concluded on Feb. 23, 2016, with a default judgment entered against AMG Auto Connection and an Agreed Consent Judgment with Eric Davis. The consent judgment included a declaratory judgment, a permanent injunction, \$3,000 for reimbursement to the TDR Fund, and a \$5,000 civil penalty, suspended on the condition of full compliance with the terms of the settlement. The default judgment included the same remedies with an unsuspended \$5,000 civil penalty.

Automotion Car Sales, LLC/Dimitreos Armatas

Stark Court of Common Pleas, Case No. 2015CV02277

Automotion Car Sales sold used 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 payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on Nov. 2, 2015, against the dealership and its owner for violations of the CSPA and the TDR law. The litigation concluded on June 10, 2016, with a Consent Judgment and Agreed Entry and Order. The settlement included a declaratory judgment, a permanent injunction, \$24,563.28 for reimbursement to the TDR Fund, and a \$10,000 civil penalty, suspended on the condition of full compliance with the terms of the settlement.

BL Concrete Construction, LLC/Lawrence M. Hurst

Franklin County Court of Common Pleas, Case No. 15CV008819

The business offered to provide a variety of home improvement services, specializing in patios, driveways, and sidewalks. Consumers complained to the Attorney General that they paid for services that were not delivered or that work was done in a substandard manner. A lawsuit was filed on Oct. 5, 2015, against the business and its owner for violations of the CSPA. Specific counts included failure to deliver, shoddy work, and failure to provide proper notice of cancellation rights. The litigation concluded on Oct. 6, 2016, with a Final Judgment Entry and Order after the previous award of a default judgment to the Attorney General. The order included a declaratory judgment, permanent injunctions, \$13,490 for consumer restitution, and a \$10,000 civil penalty.

Caribbean Cruise Line/Linked Service Solutions, LLC/Economic Strategy, LLC.

United States District Court, Southern District of Florida, Case No. 0:15-cv-60423

The Ohio Attorney General joined the Federal Trade Commission and nine state attorneys general in a March 3, 2015, action against a Florida-based cruise line company and several other companies involved in a massive telemarketing campaign resulting in billions of robocalls. Caribbean Cruise Line and other related companies improperly sold cruise vacations using political survey robocalls that generated millions of dollars for the cruise line. Consumers heard a prerecorded message that told them they were selected to participate in a survey, after which they could receive a Bahamas cruise. Instead they were connected to a telemarketer working on behalf of Caribbean Cruise Line to market its cruise vacations. The complaint charged Caribbean Cruise Line with violating the Federal Trade Commission's Telemarketing Sales Rule by using robocalls to sell cruise vacations. The complaint charged Linked Service Solutions, LLC and Economic Strategy, LLC with violating the Telemarketing Sales Rule by placing the robocalls. The complaint also charged a group of five interrelated companies and their owner with assisting with the illegal calls. Settlement orders with Caribbean Cruise Line and other defendants were entered on March 25, 2016. The settlement orders bar the businesses from engaging in abusive telemarketing practices, including calling consumers whose phone numbers are on the Do Not Call Registry, calling anyone who has previously said they don't want to be called, failing to transmit accurate caller ID information, and placing illegal robocalls. The settlement orders imposed substantial penalties on the defendants, with portions suspended based on the inability to pay. Ohio received assessments of \$34,973.21 and \$2,000 for reimbursement of costs.

Dixie Cars Concepts/Ali El Azzouzi

Butler County Court of Common Pleas, Case No. 2015 07 1667

Dixie Cars Concepts sold used 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 payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on July 24, 2015, against the dealership and its owner for violations of the CSPA and the TDR law. The litigation concluded on April 22, 2016, with a Judgment Entry Granting Default Judgment. The entry included a declaratory judgment, permanent injunctions, \$55,709.76 for reimbursement to the TDR Fund, and a \$50,000 civil penalty.

GVN Michigan, Inc., dba Global Vacation Network/Global Connections, Inc.

Franklin County Court of Common Pleas, Case No. 14CV010397

The businesses solicited Ohio consumers to attend sales presentations where they marketed and sold the travel membership packages of Global Connections. The Attorney General had previously entered into an Assurance of Voluntary Compliance (AVC) with GVN Michigan in December 2010. An investigation determined that the businesses were violating the terms of that assurance by using deceptive solicitations to market travel membership packages. The Attorney General filed a lawsuit on Oct. 7, 2014, for violations of the CSPA. Counts included failing to clearly disclose material terms, violation of the Prize Rule, misrepresenting affiliations, and failing to comply with the terms of an AVC. The litigation concluded on April 15, 2016, with a Consent Judgment Entry and Order. The settlement included a declaratory judgment, a permanent injunction, and a \$75,000 payment to the Consumer Protection Enforcement Fund.

Mehdi Moarefian and Serj Geutssoyan, dba Green Tree Financial Group and Save Point Financial

Cuyahoga County Court of Common Pleas, Case No. CV 15 849655

Green Tree Financial Group and Save Point Financial are California-based companies that claimed to help consumers obtain loan modifications in order to avoid foreclosure. The companies promised great results, took large amounts of money up front, did little or no work, and failed to obtain loan modifications or provide refunds to consumers. Consumers paid between \$995 and \$5,495 for the services. The Attorney General filed a lawsuit against the operators of the businesses on Aug. 13, 2015. The complaint alleged violations of CSPA and the Debt Adjusters Act. Counts included failure to deliver and charging fees in excess of those permitted in Ohio. The litigation concluded on Feb. 22, 2016, with a Final Judgment Entry and Order Against Defendants. The order included a declaratory judgment, permanent injunctions, \$43,370.06 for consumer restitution, and a \$75,000 civil penalty.

John Lee Chapman and Trena White, dba Home Investment Time, Inc.

Lucas County Court of Common Pleas, Case No. CIO201504128

John Lee Chapman and Trena White operated home improvement businesses under a variety of names, primarily operating as Home Investment Time. Consumers complained to the Attorney General, the Better Business Bureau, and their local police departments that they paid for remodeling work that was never started or was only partially completed. Significant down payments were not returned to the consumers. In instances where work was started, subcontractors were not paid by the defendants and sought payment directly from the consumer victims. The Attorney General filed a lawsuit on Sept. 21, 2015, for violations of the CSPA and HSSA. Specific counts included failure to deliver, shoddy work, and failure to provide proper notice of cancellation rights. The litigation concluded on July 29, 2016, with a Judgment Entry awarding a default judgment to the Attorney General. The entry included a declaratory judgment, a permanent injunction, \$24,565.19 for consumer restitution, and a \$50,000 civil penalty.

Legal Aid Services, Inc./Floyd George Belsito

Delaware County Court of Common Pleas, Case No. 15 CVH 11 0772

Legal Aid Services was a California-based business that claimed to help consumers obtain loan modifications in order to avoid foreclosure. The company promised great results, took

large amounts of money up front, did little or no work, and failed to obtain loan modifications or provide refunds to consumers. The Attorney General filed a lawsuit against the business and its owner on Nov. 19, 2015. The complaint alleged violations of CSPA and the Debt Adjusters Act. Counts included failure to deliver, failure to register with the Ohio Secretary of State, misrepresenting affiliation, and charging fees in excess of those permitted in Ohio. The litigation concluded on March 30, 2016, with a Final Judgment Entry Adopting the Magistrate's Decision after the previous award of a default judgment to the Attorney General. The entry included a declaratory judgment, permanent injunctions, \$10,435 for consumer restitution, and a \$50,000 civil penalty.

MAC Contracting, Inc./Brett McClafferty

Summit County Court of Common Pleas, Case No. CV 2015 05 2806

The business offered roof repair and installation services. Consumers complained that the business would accept insurance checks to repair damaged roofs, fail to perform the services, and refuse to make refunds. The Attorney General filed a lawsuit against the business and its owner on May 15, 2015, for violations of the CSPA. Counts included failure to deliver, failure to obtain required permits, and misrepresenting its affiliation with the Better Business Bureau. The litigation concluded on March 10, 2016, with a Final Judgment Entry and Order of the Court Granting Default Judgment. The entry included a declaratory judgment, permanent injunctions, \$79,496.77 for consumer restitution, and a \$75,000 civil penalty.

McNabb Funeral Home/Ronald McNabb

Franklin County Court of Common Pleas, Case No. 15CV008373

The business ceased operation of its funeral home. Preneed accounts had been sold to consumers prior to the closure of the business. The contracts obligated the business to provide funeral services upon the consumers' deaths. Despite the impossibility of providing the services paid for, the business failed to refund the payments or transfer the accounts to an operating funeral home. The Attorney General filed a lawsuit against the business and its owner on Sept. 23, 2015, for failure to deliver in violation of the CSPA. The litigation was resolved on Feb. 29, 2016, with a Consent Judgment and Final Agreed Order and Entry. The settlement included a permanent injunction, required the defendants to contact the consumers and inform them of how to obtain a refund or select a new funeral home to honor the agreements, and a \$5,000 payment to the Consumer Protection Enforcement Fund, suspended on the condition of timely compliance with the terms of the settlement.

Monroe Dodge-Chrysler, Inc., dba Monroe Dodge-Chrysler Jeep Superstore

Lucas County Court of Common Pleas, Case No. CIO201401390

Monroe Dodge-Chrysler is a new and used motor vehicle dealership based in Monroe, Michigan. An Attorney General investigation revealed a number of deceptive advertisements used by the dealer in newspapers and on its website. The Attorney General and Monroe Dodge-Chrysler have a long history related to deceptive advertising, including a 2005 Assurance of Voluntary Compliance and lawsuits in 2005, 2007, and 2010. Despite the previous actions, the business continued to engage in deceptive advertising. The Attorney General filed a lawsuit against the business on Feb. 7, 2014, for violations of the CSPA, the Advertisement and Sale of Motor Vehicles Rule and the Exclusions and Limitations in Advertisements Rule. The litigation concluded on Aug. 3, 2016, with an Agreed Entry and

Final Judgment Order. The settlement included a compliance provision, a declaratory judgment, a permanent injunction, and a \$25,000 payment to the Consumer Protection Enforcement Fund, with \$20,000 suspended on the condition of full compliance with the terms of the settlement.

Nathaniel Bibb, dba Nate Bibb Construction

Sandusky County Court of Common Pleas, Case No. 15CV1197

The unregistered business owned by Nathaniel Bibb provided a variety of home improvement goods and services, including roofing, siding, insulation, window replacement, interior drywall, and ceiling repair. Consumers complained to the Attorney General that they made large payments to the business, but work was not finished and was performed in a substandard manner. The Attorney General filed a lawsuit against Bibb on Dec. 3, 2015, for violations of the CSPA and the HSSA. Counts included failure to deliver, performing services in a shoddy and unworkmanlike manner, failure to provide proper notice of cancellation rights, and failure to register a fictitious name with the Ohio Secretary of State. The litigation concluded on June 14, 2016, with an Opinion and Judgment Entry granting the Attorney General a default judgment. The entry included a declaratory judgment, a permanent injunction, \$17,979.07 for consumer restitution, and a \$40,000 civil penalty.

Nationwide Recovery Group, LLC/Michael P. McCarthy

Montgomery County Court of Common Pleas, Case No. 2015 CV 00797

Nationwide Recovery Group is a debt collection company based in Buffalo, New York. The Attorney General initiated an investigation into the business practices of the company after consumer complaints alleged improper collection practices. The investigation revealed a pattern of illegal practices, such as threatening actions the debt collector could not legally take or did not intend to take, failing to disclose the identity of the debt collector to consumers, using false telephone numbers to evade caller identification services, and threatening consumers with arrests. The Attorney General filed a lawsuit against the debt collector and its owner on Feb. 11, 2015, for violations of the CSPA and Fair Debt Collections Practices Act (FDCPA). The litigation concluded on May 12, 2016, with an Agreed Final Judgment Entry and Order. The settlement included a declaratory judgment, a permanent injunction, \$450 for consumer restitution, and a \$49,550 civil penalty with \$35,000 suspended on the condition of full compliance with the terms of the settlement.

Remodeling Group, LLC/Joshua Hickman

Franklin County Court of Common Pleas, Case No. 15CV0001985

The business offered home remodeling and repair services including window replacement and roof work. Consumers complained to the Attorney General and the Better Business Bureau that work was paid for but not completed, and work that was done was performed in a shoddy manner. The Attorney General filed a lawsuit against the business and its owner on March 6, 2015, for violations of the CSPA. Counts included failure to deliver, performing services in a shoddy and unworkmanlike manner, and entering into consumer transactions on terms the defendants knew were one-sided and in their favor. The litigation concluded on Sept. 30, 2016, with a Final Judgment Entry and Order after the previous award of a summary judgment to the Attorney General against Remodeling Group. The entry included a declaratory judgment, a permanent injunction, \$34,539 for consumer restitution, and a

\$24,000 civil penalty. A Consent Judgment with injunctive relief had previously resolved claims against Joshua Hickman.

Rotech Holdings, Ltd, dba RH Group/Sean M. Lista/Glen R. Lista

Franklin County Court of Common Pleas, Case No. 15CV009736

Rotech Holdings operates a debt collection company based in Buffalo, New York. The Attorney General initiated an investigation into the business practices of the company after consumer complaints alleged improper collection practices. The investigation revealed a pattern of illegal practices such as abusive telephone calls, threatening actions that Rotech Holdings could not legally take or did not intend to take, harassing consumers and their employers at the consumers' places of business, and threatening consumers with arrests. The Attorney General filed a lawsuit against the debt collector and its owners on Oct. 30, 2015, for violations of the CSPA and FDCPA. The litigation was resolved on July 28, 2016, with an Agreed Consent Judgment and Order. The settlement included a declaratory judgment, permanent injunctions, \$9,700 for consumer restitution, and a \$50,000 payment to the Consumer Protection Enforcement Fund, with \$25,000 suspended on the condition of full compliance with the terms of the settlement.

Joshua Schnabel, dba Schnabel Construction

Lucas County Court of Common Pleas, Case No. CIO201501409

Joshua Schnabel offered to provide home improvement goods and services under the unregistered business name Schnabel Construction. Consumers complained to the Attorney General and the Better Business Bureau that they paid Schnabel for home improvement work that was never completed, and work that was done was performed in such a shoddy manner that it caused damage to their homes. The Attorney General filed a lawsuit against Schnabel on Feb. 6, 2015, for violations of the CSPA and HSSA. Counts included failure to deliver, performing services in a shoddy and unworkmanlike manner, failure to provide proper notice of cancellation rights, and failure to register a fictitious name with the Ohio Secretary of State. The litigation concluded on Sept. 30, 2016, with a Judgment Entry and Order granting the Attorney General a default judgment. The entry included a declaratory judgment, a permanent injunction, \$18,264.26 for consumer restitution, and a \$25,000 civil penalty.

Universal Debt & Payment Solutions, LLC/Marcus Brown/Mohan Bagga

Cuyahoga County Court of Common Pleas, Case No. CV 15 845782

Universal Debt & Payment Solutions, LLC (UDPS) is a Georgia company that engaged in payment processing services for debt collectors, including Marcus Brown and his fictitious business, LRS Litigations. The Attorney General received numerous consumer complaints against the defendants and the various names they operated under for unfair, deceptive, and unconscionable debt collection practices. The Attorney General filed a lawsuit on May 19, 2015, seeking a declaratory judgment, a permanent injunction, consumer restitution and civil penalties. On Jan. 29, 2016, the Attorney General was awarded default judgments against UDPS and Marcus Brown. The entry included a declaratory judgment, permanent injunctions, \$162.50 for consumer restitution, a \$25,000 civil penalty assessed to UDPS, and a \$150,000 civil penalty assessed to Marcus Brown. The litigation concluded on Feb. 23, 2016, when the Attorney General entered into a Consent Judgment with the remaining Defendant, Mohan Bagga. The settlement included a declaratory judgment, permanent

injunctions, \$162.50 for consumer restitution, and a \$15,000 civil penalty, suspended on the condition of full compliance with the terms of the settlement.

Unmistakably Premier Homes/Stephen M. Kovack

Medina County Court of Common Pleas, Case No. 12CIV1691

Unmistakably Premier Homes was a new home builder in northeast Ohio, having been in business for approximately 20 years before running into financial problems. Consumers complained to the Attorney General that substantial deposits were made for new homes that were not completed and that the money paid was not refunded. Other consumers claimed that the new homes were poorly built and that warranties were not honored. The Attorney General filed a lawsuit against the business and its owner on Nov. 20, 2012, for violations of the CSPA. The litigation was resolved on Feb. 22, 2016, with a Consent Judgment and Final Order. The settlement included a permanent injunction, consumer restitution of \$359,196.95 assessed to Unmistakably Premier Homes, a \$100,000 civil penalty assessed to Unmistakably Premier Homes, and a \$20,000 payment from Stephen Kovack to the Consumer Protection Enforcement Fund, with \$10,000 suspended on the condition of full compliance with the terms of the settlement.

US Beef Cincinnati, LLC/Joey Lightcap Traum

Butler County Court of Common Pleas, Case No. 2015 11 2656

The business sold meat door-to-door to consumers in southwest Ohio. Consumers complained to the Attorney General that the meat was of poor quality, the weight of the product was misrepresented, and that the meat was available for reasons that were not true. The business ignored consumer complaints despite having a guarantee for their product. A lawsuit was filed on Nov. 18, 2015, against the business and its owner for violations of the CSPA and HSSA. Specific counts included misrepresenting the quality of the product, misrepresenting the reason the product was available to the consumers, failure to honor a warranty, and failure to provide proper notice of cancellation rights. The litigation concluded on June 30, 2016, with a Final Entry and Order Granting Default Judgment. The entry included a declaratory judgment, permanent injunctions, \$6,625 for consumer restitution, and a \$15,000 civil penalty.

USA Discounters

United States Bankruptcy Court, District of Delaware, Case No. 15-11755

USA Discounters sold consumer products including furniture, appliances, televisions, computers, smartphones, and jewelry. It typically sold goods on credit and marketed to service members, advertising that military, veterans, and government employees would never be denied credit. USA Discounters engaged in unfair and deceptive practices, including abusive debt collection tactics, selling overpriced goods at high interest rates, constantly contacting service members' chains-of-command, and filing lawsuits in jurisdictions where service members were unable to defend themselves. The business closed its stores in the summer of 2015 and later declared bankruptcy. On Sept. 29, 2016, Ohio joined 49 other attorneys general in a settlement to resolve claims that the retailer engaged in deceptive trade practices that especially affected military members and veterans. Under the settlement, USA Discounters agreed to write off certain customer accounts and judgments and to correct information on credit reports. Total consumer relief

is approximately \$95 million, primarily benefiting active service members and veterans. In Ohio, relief is expected to total about \$1.7 million for approximately 660 consumers.

Y-Town Auto Sales, LLC/Thomas H. Hofus, Jr.

Mahoning County Court of Common Pleas, Case No. 15CV2683

Y-Town Auto Sales 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 payments from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on Oct. 8, 2015, against the dealership and its owner for violations of the CSPA and the TDR law. The litigation concluded on March 30, 2016, with a Default Judgment Entry and Order. The judgment included a declaratory judgment, permanent injunctions, \$1,941.50 for reimbursement to the TDR Fund, and a \$5,000 civil penalty.

ASSURANCES OF VOLUNTARY COMPLIANCE

Adobe Systems Inc.

A multistate investigation was conducted by Ohio and 14 other states due to Adobe's 2013 data breach. Nearly 53,000 Ohioans were affected by the data breach. The investigation concluded on Nov. 10, 2016, when the states and Adobe announced an Assurance of Voluntary Compliance. The assurance provides injunctive relief aimed at ensuring stronger cybersecurity measures for Adobe designed to greatly reduce the likelihood of any future data breaches. The Assurance includes a \$1 million payment to the states. Ohio will receive a \$74,771.85 payment for its cost of the investigation.

Adkins Forever Safe Security

The business sold home security systems and related services. The Attorney General opened an investigation after consumers complained that they paid for services that were not delivered. The investigation concluded with an AVC entered on June 9, 2016. In the Assurance, the business agreed to operate in compliance with the CSPA. The Assurance also included \$5,775 for consumer restitution and a \$5,000 payment to the Attorney General, suspended on the condition of full compliance with the terms of the Assurance.

David Knicely, dba Knicely Contracting

The business offered to provide mobile home moving services. The Attorney General investigated the business after consumers complained that they paid the business for services that were never provided. The investigation concluded with an AVC entered on Jan. 4, 2016. In the Assurance, the business and its owner agreed to operate in compliance with the CSPA. The Assurance also included \$8,741.73 for consumer restitution and a \$5,000 payment to the Attorney General, suspended on the condition of full compliance with the terms of the Assurance.

K & K Auto Sales, LLC

K & K Auto Sales is a used car dealership that sold vehicles on their lot and through online solicitations. The Attorney General investigated the businesses after consumers complained that deposits were not returned when vehicle sales could not be completed. The investigation concluded with an AVC entered on Jan. 7, 2016. In the Assurance, the

business agreed to operate in compliance with the CSPA and provide \$3,000 for consumer restitution.

MoneyGram Payment Systems, Inc.

A multistate investigation was conducted to determine the role MoneyGram policy and procedures played in contributing to fraud-induced money transfers. The investigation focused on complaints of consumers who used MoneyGram's wire transfer service to send money to third parties involved in schemes to defraud consumers. The investigation concluded with an Assurance of Voluntary Compliance between the states and MoneyGram announced on Feb. 11, 2016. The assurance provides that MoneyGram will maintain a comprehensive and robust anti-fraud program designed to help detect and prevent consumers from suffering financial losses as a result of fraud-induced wire transfers. The assurance includes a \$13 million payment to the states, with \$9 million committed to a consumer restitution program. The Ohio Attorney General's Office will receive a \$255,000 payment for its cost of the investigation.

Joseph Glick and Glick Management, LLC, dba Tri State Auto Sales

The Attorney General investigated this used motor vehicle dealer due to the business failing to make proper disclosures when providing financing for its motor vehicle sales. The investigation concluded with an Assurance of Voluntary Compliance entered on March 25, 2016. In the assurance, the business and its owner agreed to comply with the requirements of the Retail Installment Sales Act and CSPA in all future sales of used motor vehicles. They also agreed to pay \$4,881.57 for consumer restitution and \$15,000 to the Consumer Protection Enforcement Fund, with \$10,000 suspended on the condition of strict compliance with the terms of the assurance.

C. ECONOMIC CRIMES UNIT

The Consumer Protection Section's Economic Crimes Unit was launched by Attorney General DeWine in March 2011 to work with county prosecutors and local law enforcement to investigate and prosecute economic crime. Due to the extensive cooperation of local agencies, the unit has been successful in indicting large- and small-scale criminals. Since its inception, the unit's investigations have led to 140 indictments and 117 convictions. In 2016, with the assistance of local partners, the unit obtained 21 indictments and 16 convictions.

The following are summaries of cases the Economic Crimes Unit assisted with in 2016.

State v. Robert Stevens

Hocking County Court of Common Pleas, Case No. 15-CR-0204

An investigation identified Robert Stevens as a suspect related to a multistate fraud that involved passing bad checks and theft of cattle. Stevens, an Ohio resident, traveled around Ohio, Kentucky, and West Virginia using "bad checks" to purchase livestock and a vehicle from persons advertising on Craigslist. Livestock was immediately sold for slaughter or resold for profit. Stevens pleaded guilty to felony offenses including attempted engaging in a pattern of corrupt activity, receiving stolen property, and theft by deception. Stevens was

ordered to pay victim restitution in the amount of \$37,465. He was sentenced to community control.

State v. Kelson Hess

Harrison County Court of Common Pleas Case No. 15CR0125

Contractor Kelson Hess defrauded a Harrison County resident. Hess received a \$10,000 consumer deposit and failed to perform any of the agreed upon work and failed to provide a refund. A Harrison County grand jury returned an indictment for felony theft. Hess pleaded guilty to misdemeanor theft and made full restitution to the consumer.

State v. Shawn Lyons

Ross County Court of Common Pleas, Case No. 16CR00012

The Chillicothe Police Department requested assistance with an investigation involving elder fraud of an 83-year-old victim. The investigation determined that Shawn Lyons had defrauded the victim by using various schemes. Lyons initially developed a relationship with the victim by completing yard work and minor repairs. Lyons later took money from the victim for larger repair projects on multiple occasions and never provided any service. Additional allegations included telecommunications fraud, where another suspect electronically transferred money from the victim's bank account without her consent. Lyons pleaded guilty to telecommunications fraud and theft from the elderly. He was sentenced to 12 months in prison.

State v. Carolea Wells-Lyons

Ross County Court of Common Pleas, Case No. 16CR00013

The Chillicothe Police Department requested assistance with an investigation involving elder fraud of an 83-year-old victim. The investigation determined that Carolea Lyons participated with the co-defendant Shawn Lyons in defrauding the victim by using various schemes. Wells-Lyons pleaded guilty to one count of misdemeanor receiving stolen property and was sentenced to community control.

State v. Jerry Agostini

Warren County Court of Common Pleas, Case No. 15CR31283

On Aug. 28, 2015, Jerry Agostini was indicted on 29 felony counts related to a scam that targeted car dealerships. A subsequent indictment added two more charges, for a total of 31 counts. According to investigators, Agostini went to dealerships seeking heavy-duty trucks and equipment for his business, Engineered Environmental, which he falsely claimed was a multi-million dollar construction company. He produced fabricated financial records to secure loans and purchase vehicles worth tens of thousands of dollars. Agostini used false information and a dummy corporation to secure vehicles, heavy equipment, loans, and checks from car and equipment dealerships in Warren County, Butler County, Hamilton County, and Kenton County (KY). Agostini was sentenced to 19 years in prison on Feb. 19, 2016, by a Warren County Court of Common Pleas judge after being convicted of engaging in a pattern of corrupt activity, theft, and other crimes. The trial featured testimony from numerous finance representatives from car dealerships, an identity fraud victim, and an Economic Crimes Unit investigator.

State v. Branden Troxell

Clermont County Court of Common Pleas, Case No. 14CR660

Branden J. Troxell was indicted on counts of theft and engaging in a pattern of corrupt activity. Troxell defrauded homeowners from two states out of approximately \$16,000. Using the business front of Precision Swimming Pools, Troxell had homeowners pay him upfront deposits for pool service work. This work was never performed and deposits were not refunded. Troxell pleaded guilty to one count of theft from the elderly and five counts of theft. He was sentenced to community control and ordered to pay restitution.

State v. Sarah Curry

Warren County Court of Common Pleas, Case No. 15CR31284

Curry pleaded guilty to one count of attempted receiving stolen property (a fifth degree felony). Curry was sentenced to community control. The defendant became a cooperating witness in the companion case against Jerry Agostini related to a scam that targeted car dealerships. Agostini was convicted of his charges and sentenced to 19 years.

State v. James Stevens

Richland County Court of Common Pleas, Case No. 2015CR079

A Richland County resident paid approximately \$9,000 to Jeffrey Stevens for a roof replacement. Stevens delivered a small portion of the necessary materials to the home, but he never returned to do the work. The homeowner was never refunded. Stevens was charged with and pleaded guilty to theft from the elderly. The court sentenced Stevens to 36 months in prison.

State v. Paul Cramer

Belmont County Court of Common Pleas, Case No. 15-CR-222

Paul Cramer was indicted by a Belmont County Grand Jury, on felony charges of theft and theft from the elderly. The indictment arose from allegations that Cramer, doing business as "A-1 Cramer Construction," had swindled over \$11,000 from six Belmont County victims in a home improvement scam. In each instance, Cramer purportedly promised to conduct various repairs and improvements to the victims' home, collected substantial deposits up front, and then failed to complete the work as promised. Cramer pleaded guilty to felony theft and was sentenced to three years of community control.

State v. David Nelson

Hamilton County Court of Common Pleas, Case No. B1605976

In October 2016, David M. Nelson, of Norwood, was indicted by a Hamilton County grand jury on 30 counts including one count of engaging in a pattern of corrupt activity, 24 counts of theft, and five counts of insurance fraud. Nelson is accused of accepting money for roof work he never provided. He allegedly contacted consumers at their homes, claimed their roofs were damaged, and encouraged them to file an insurance claim. After accepting consumers' insurance money, he allegedly failed to provide any services in return. Nelson also is accused of damaging consumers' roofs to create the appearance of storm damage and providing false insurance claim information. According to investigators, Nelson swindled about \$113,000 from 23 homeowners in multiple counties within the greater Cincinnati area between 2014 and 2015. The case is currently pending.

State v. Jeffrey Smith

Richland County Court of Common Pleas, Case No. 2016CR453

Jeffrey Smith pleaded guilty to felony counts of telecommunications fraud, theft of a motor vehicle, theft from the elderly, and insurance fraud. The court sentenced Smith to 30 months in prison. Smith bilked customers out of about \$40,000 after offering to sell them cars, car parts, or auto repairs. Smith used specialized auto websites to advertise that he had classic cars or car parts available for sale. He encouraged customers to pay via wire transfer, but investigators determined that he never delivered the promised goods. He also offered car repairs through Smith Designs, an auto body shop in Mansfield, but kept vehicles illegally after accepting them for repairs. He also provided false statements when applying for insurance coverage.

State v. Christopher Fetherolf

Ross County Court of Common Pleas, Case No. 16CR232

On Sept. 12, 2016, Christopher Fetherolf pleaded guilty to felony theft, forgery, and receiving stolen property. The investigation found that Fetherolf deprived victims of money, under the guise of a property sale. The victims were presented with forged closing documents for property located in Ross County, Ohio. The forged documents were presented to induce the victims to pay the purchase price. In exchange for the property, the victims paid the suspects \$7,184.47. Fetherolf has not refunded the victims and the property, after falling into foreclosure, was sold at sheriff's sale. Fetherolf failed to appear for his sentencing hearing and is currently a fugitive.

State v. Shannon Bray

Ross County Court of Common Pleas, Case No. 16CR247

An investigation determined that Shannon Bray deprived victims of money, under the guise of a property sale. In exchange for the property, the victims paid Bray and her co-defendant Christopher Fetherolf \$5,000. Bray pleaded guilty to misdemeanor theft. Bray agreed to pay full restitution and the court made such payment a condition of her three-year community control sentence.

State v. Andres Arias

Warren County Court of Common Pleas, Case No. 16CR32256

Between December 2015 and February 2016, Andres Arias worked within a criminal network from Florida and New Jersey to steal approximately \$22,000 worth of merchandise from Walgreens stores in Cuyahoga County, Hamilton County, Summit County, and Warren County, and from CVS stores in Summit County. As part of the scheme, Arias flew to targeted cities in the United States, rented vehicles, and drove to targeted stores. Once inside the stores, he concealed store items including Rogaine, Prevagen, and Alli in false pockets in his pants and left without paying for them. Then he shipped the stolen merchandise to associates in New Jersey, who deposited money into his bank account. Arias pleaded guilty to engaging in a pattern of corrupt activity, a second degree felony, in December 2016. He paid \$22,000 in restitution and agreed to a two-year prison sentence.

State v. Tammi Buchs

Williams County Court of Common Pleas, Case No. 16CR179

In October 2016, Tammi S. Buchs, of Bryan, was indicted by a Williams County grand jury on 25 counts, including money laundering, receiving stolen property, identity fraud, telecommunications fraud, possessing criminal tools, forgery, engaging in a pattern of corrupt activity, and conspiracy to commit engaging in a pattern of corrupt activity. Buchs is accused of participating in three general scams. In the first, Buchs allegedly received thousands of dollars' worth of stolen tax refunds, the result of fraudulent tax returns filed with the Internal Revenue Service. In the second, Buchs is accused of creating and printing fraudulent checks designed to look like payroll checks from businesses. Finally, Buchs is accused of laundering money by receiving deposits in bank accounts, then transferring money overseas. According to the indictment, the alleged activities occurred in 2015. The case is pending.

State v. George Zenallis

Cuyahoga County Court of Common Pleas, Case No. 612441-16-CR

Between December 2015 and December 2016, George Zenallis entered into home improvement contracts for two Ohio consumers and failed to provide any services. He was indicted for felony theft. Zenallis failed to appear for his arraignment and is currently a fugitive. The loss amount in the case exceeds \$12,500.

State v. Eric Tischer

Morrow County Court of Common Pleas, Case No. 2016-CR0156

A Morrow County grand jury indicted Eric Tischer of theft from a person in a protected class (a third-degree felony); and theft from a person in a protected class (a fourth-degree felony). Doing business as Big Ten Construction, Tischer is alleged to have stolen \$16,900 from a quadriplegic victim. Tischer allegedly utilized a company agent to falsely promise to build a rehabilitation room for the victim, but then failed to perform any service upon receiving funds. The case is pending.

State v. Joshua Lucius

Richland County Court of Common Pleas, Case No. 2016CR448

Joshua Lucius broke into a home and stole credit cards. The credit cards and cash were used for personal use. Lucius pleaded guilty to felony counts of burglary and theft and was sentenced to 20 months prison.

State of v. Kassie Couch

Richland County Court of Common Pleas, Case No. 2016CR440

Kassie Couch stole credit cards and a wallet. Couch pleaded guilty to two counts of tampering with evidence (a third-degree felony); one count of receiving stolen property (a fifth-degree felony); one count of theft of a credit card (a fifth-degree felony); and one count of misuse of a credit card (a fifth-degree felony). Couch was sentenced to serve 18 months in prison.

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, TDR staff members administer the TDR Fund and help motor vehicle purchasers obtain automobile titles and temporary tags.

In 2016, 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 problems, and consumer complaint information may be referred for further investigation. Specialists make these referrals based on consumer complaint volume, monetary loss, egregiousness, patterns of abuse, and other factors. The ability to identify potential violations is critical to the Consumer Protection Section's efforts to protect consumers. Many complaint referrals have led to successful litigation.

TOP CONSUMER COMPLAINTS REPORTED TO THE ATTORNEY GENERAL'S OFFICE

Every year, the Attorney General compiles a list of the top complaint-generating areas. In 2016, the Consumer Protection Section received more than 24,000 complaints. The top eight areas were:

1. Motor Vehicles
2. Non-CSPA/Other
3. Professional Services
4. Shopping, Food or Beverages
5. Collections, Credit Reporting, or Financial Services
6. Utilities/Phone/Internet/TV
7. Home or Property Improvement
8. Identity Theft Unit

E. IDENTITY THEFT UNIT

The effects of identity theft can linger for years, causing damage to victims' credit reports and financial lives. The Consumer Protection Section's Identity Theft Unit, launched in 2012, helps repair the damage caused by identity theft. Since its inception, the unit has eliminated approximately \$1.8 million in fraudulent charges for victims of identity theft.

The Identity Theft Unit provides two programs. Through the Traditional Assistance program, advocates work on behalf of victims to contact credit reporting agencies, creditors, collectors, and other entities that may have information resulting from fraudulent circumstances. This option is ideal for people who do not feel comfortable attempting to rectify the effects of identity theft on their own. Under the Self-Help program, the office

provides victims the tools they need to help resolve the issues on their own. In 2016, the Identity Theft Unit received a total of 1,057 complaints and helped victims eliminate more than \$893,280 in fraudulent charges, ranging from a few hundred dollars to hundreds of thousands of dollars cleared from an individual's name.

In one complaint, a Lawrence County man discovered that his identifying information was connected to surgeries in Texas. Despite trying to work with the hospital and collection agencies, he was not able to get the issue resolved. The Identity Theft Unit contacted the hospital and was able to determine that the man never had the surgeries for which he was being held responsible. This resolved a \$211,531.96 debt for the consumer. Additionally, the consumer's tax refunds had been offset for a number of years to repay this debt. The consumer reported that all of his previous refunds were eventually sent to him.

In another case, a Cuyahoga County man discovered that a fraudulent PayPal account was set up using his identifying information, with more than \$54,000 in the account. The IRS stated that he needed to pay taxes on his extra income. The Identity Theft Unit worked with PayPal to resolve \$54,214 on behalf of the complainant, and the man did not need to pay taxes on the extra income.

Because children in the foster care system may be especially vulnerable to identity theft, Attorney General DeWine offered the Identity Theft Unit's assistance to the Ohio Department of Job and Family Services to correct errors that are discovered on the credit reports of foster youth. In 2016, the Identity Theft Unit resolved 22 complaints for minors in foster care.

On Sept. 28, 2016, Ohio's new Child Credit Freeze Law went into effect. The legislation was sponsored by Representative Ron Maag, who worked with Attorney General DeWine's Identity Theft Unit to develop the legislation. Under the new law, a parent or guardian can ask the credit reporting agencies to create and freeze a child's credit record. The freeze restricts the credit reporting agencies from releasing information about the child, making it more difficult for an imposter to use the child's personal information to be approved for credit, loans, or services. In addition, the new law also applies to protected consumers over the age of 16 for whom a guardian or conservator has been appointed.

F. EDUCATION UNIT

The goal of the Education Unit is to inform Ohioans about their rights as consumers and to warn them about scams. The Education Unit conducts consumer protection presentations throughout the state to build collaboration and awareness in the fight against fraud and to help protect Ohioans. In 2016, the Education Unit conducted 216 educational events, reaching over 9,200 attendees.

To build awareness of consumer protection issues among Ohio's youth, the Education Unit held the eighth annual Take Action High School Video Contest in 2016. 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 cybersecurity privacy and safety, imposter scams, and the importance of checking your credit report. Individuals or teams from 37 schools submitted 125 video

entries in the 2016 contest. Overall, 191 students participated in the 2016 contest. Winners will be announced in March 2017.

G. ELDER JUSTICE INITIATIVE

In 2014, Ohio Attorney General Mike DeWine established the Elder Justice Initiative to increase the investigation and prosecution of elder abuse cases and to improve victims' access to services in Ohio. Housed in the Consumer Protection Section, the Elder Justice Initiative is a collaborative effort among several sections of the Attorney General's Office, including Crime Victim Services, Consumer Protection, Health Care Fraud, and Special Prosecutions, and the Ohio Bureau of Criminal Investigation (BCI).

The team helps communities with investigations, forensic analysis, case presentation and prosecution, and training and technical assistance. The team hosts and presents at trainings, symposiums, and outreach events for professionals, including those in law enforcement, social work, adult protective services, and the financial industry. Since its inception, the Elder Justice Initiative has assisted more than 900 older Ohioans and their family members to better understand and address elder abuse and exploitation.

H. CYBEROHIO

In September, Attorney General Mike DeWine launched CyberOhio, a collection of cybersecurity initiatives aimed at helping Ohio businesses fight data security threats. The goal of CyberOhio is to help foster a legal, technical, and collaborative cybersecurity environment to help Ohio businesses thrive. DeWine announced five initiatives the Attorney General's Office would undertake as part of CyberOhio:

1. Creation of a Cybersecurity Advisory Board, composed of industry experts and business leaders, whose purpose is to provide guidance for Attorney General's Office initiatives on cybersecurity.
2. Explore draft legislation to improve the legal cybersecurity environment in Ohio for businesses and consumers.
3. Provide cybersecurity training opportunities, including a cybersecurity business summit and cybersecurity trainings for small businesses.
4. Expand the Ohio Attorney General's Consumer Protection Section to assist businesses with cybersecurity and data privacy.
5. Encouraging more cybersecurity workforce personnel, including the creation of collaborative internship opportunities between businesses and Ohio colleges and universities.



Ohio Attorney General's Office
Consumer Protection Section

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Annual Report

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