

ANNUAL
REPORT

OFFICE OF THE ATTORNEY GENERAL

**2020 CONSUMER
PROTECTION**



DAVE YOST

OHIO ATTORNEY GENERAL



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Dear Colleagues,

One of the Attorney General's foremost responsibilities is protecting Ohio consumers from unfair, deceptive or unconscionable acts or practices. On a daily basis, the Consumer Protection Section of my office protects the unprotected by fighting fraud, advancing fairness in the marketplace and working one-on-one with Ohioans to resolve their complaints.

In 2020, staff members assisted more than 24,000 consumers who contacted my office for help with identity theft, home improvement scams, problems obtaining titles to their vehicles and many other issues. On our own and in collaboration with state and federal partners, we won major settlements that yielded real benefits for consumers, and we forced bad actors to comply with the law. Through education and outreach efforts, we taught consumers to protect themselves from scams.

We also launched an important new initiative, the Robocall Enforcement Unit, to fight fraudsters who bombard Ohioans with illegal calls, hoping to get their hands on unwitting consumers' hard-earned money. As part of this effort, we established a complaint process designed to empower Ohio residents, which elicited more than 38,500 reports of unwanted calls in 2020 — information we are using to stop these fraudulent calls and texts.

And, as the COVID-19 crisis challenged consumers and businesses in 2020, we fielded more than 3,400 complaints about pandemic-related issues and scams. To comply with new COVID safety protocols, we transitioned our public-education efforts to virtual formats.

Other notable work from the year:

- Our Civil Investigative Unit opened 246 cases, and the Civil Legal Unit filed 46 lawsuits against bad actors, with the latter obtaining more than \$31 million in judgments on behalf of the Attorney General's Office and all Ohioans.
- Through our Elder Justice Unit, we helped 267 older Ohioans access law enforcement and various services, such as social workers and adult protective services.
- Our Economic Crimes Unit identified, investigated and prosecuted scam artists, opening 459 criminal investigative matters. In cooperation with local law enforcement and prosecutors, the unit filed five indictments and obtained 12 convictions.

We proudly share our accomplishments from 2020 in this annual report, and we pledge to continue doing Big Good on behalf of Ohio consumers.

Yours,

A handwritten signature in blue ink that reads "Dave Yost".

Dave Yost
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. The CSPA 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 law 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 2020 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 2020, the Consumer Protection Section opened 246 civil investigations. It also initiated 46 lawsuits for various unfair,

deceptive or unconscionable business practices and obtained 39 judgments and Assurances of Voluntary Compliance totaling more than \$31 million in consumer restitution, civil penalties, costs and other relief.

The following are summaries of the lawsuits, judgments and settlements that occurred in 2020.

LAWSUITS

Advanced Capital Solutions Inc.

Stark County Court of Common Pleas, Case No. 2020CV01259

Advance Capital systems is a debt collection company operating in Canton. The case was part of an FTC/multistate sweep to expose egregious debt collection practices. An investigation was opened against the business after consumers complained about unfair, deceptive and unconscionable collection practices. The investigation revealed a pattern of illegal practices, including calling and harassing consumers' co-workers and family members, attempting to collect debts consumers did not owe or had already paid, and failing to verify debts. On Sept. 11, 2020, the Attorney General's Office filed a lawsuit alleging violations of the Consumer Sales Practices Act and Fair Debt Collections Practices Act. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution and civil penalties. The case is pending.

Advantage Group Enterprises LLC, dba Advantage Window and Door Co./David B. Boneselaar

Franklin County Court of Common Pleas, Case No. 20CV008368

The business offered a variety of home improvement services, including replacement of windows, doors, siding and roofs, but consumers complained that they paid for services that were not provided or that services were performed in a substandard manner. The Attorney General's Office sued the business and its owner on Dec. 30, 2020, alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Allegations included failure to deliver, performing work in a shoddy manner, failure to honor 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.

AKH Development LLC/Andrew Hauss

Hamilton County Court of Common Pleas, Case No. A2002819

AKH Development offered a variety of home improvement services, specifically related to concrete installation. Consumers complained that they paid for services that were performed in a substandard manner. The Attorney General's Office filed a lawsuit against the business and its owner on Aug. 12, 2020, alleging violations of the Consumer Sales Practices Act. Allegations included performing work in a shoddy manner and failure to obtain required registration. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution and civil penalties. The case is pending.

Matthew Hoyd, dba Angeletti Overhead Door Co. LLC and Hoyd's Overhead Door Co. LLC

Licking County Court of Common Pleas, Case No. 20CV00870

Matthew Hoyd operated businesses that provided and installed garage doors, but consumers complained that they paid for services that were never provided. The Attorney General's Office sued Hoyd on Aug. 10, 2020, alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Allegations included failure to deliver 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.

Apple Inc.

Franklin County Court of Common Pleas, Case No. 20CV007479

This case involved a multistate investigation into the throttling practices of Apple. The investigation revealed that the tech company knew customers were experiencing unexpected iPhone shutdowns and that they were the result of aging batteries, which could no longer deliver sufficient power. Yet Apple would not allow consumers to replace the iPhone batteries unless they failed Apple's own diagnostic tests, which did not account for everything Apple knew was causing the issue. The investigation resulted in a lawsuit filed Nov. 18, 2020, alleging unfair and deceptive acts and practices. An Agreed Entry and Final Judgment Order was submitted to the court and was entered the next day. Under the settlement, Apple agreed to provide additional consumer information to address future software updates, iPhone battery health and power performance. In addition, the company agreed to pay the states \$113 million, including \$4,305,033.51 to Ohio. Our state was joined in the settlement by 32 others and the District of Columbia.

Anytime Auto Sales Inc./Brandon L. Adkins

Butler County Court of Common Pleas, Case No. CV2020071084

Anytime Auto Sales sold used motor vehicles to consumers but failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General's Office seeking relief from the Title Defect Recision (TDR) Fund, which resulted in payments being made. The Attorney General's Office filed a lawsuit on July 6, 2020, against the dealership and its owner for violations of the Consumer Sales Practices Act and the TDR Law. The complaint seeks a declaratory judgment, a permanent injunction and reimbursement of money paid to the consumers from the TDR Fund. The case is pending.

Buckeye Storm Solutions LLC/Brandon Valandingham

Montgomery County Court of Common Pleas, Case No. 2020CV00338

Buckeye Storm Solutions offered a variety of home improvement services, including the repair and installation of roofs, siding, gutters and flooring. Consumers complained that they paid for services that were not provided or that services were performed in a substandard manner. The Attorney General's Office sued the business and its owner on Jan. 23, 2020, alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Allegations included failure to deliver, performing work in a shoddy 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.

Capital City Custom Home Improvement LLC/Scott L. Reed II/Camie Reed

Franklin County Court of Common Pleas, Case No. 20CV002876

Capital City Custom Home Improvement offered various services, including remodeling. Consumers complained that they paid for services that were not received or that were performed in a substandard manner. The Attorney General's Office sued the business and its owners on April 23, 2020, alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Allegations included failure to deliver, performing work in a shoddy 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.

CHS/Community Health Systems Inc./CHSPC, formerly Community Health Systems Professional Services Corporation

Trumbull County Court of Common Pleas, Case No. 2020CV01155

A data breach exposing CHSPC's consumer information led to an investigation conducted by the Ohio Attorney General's Office and many other states. The result was a lawsuit filed Oct. 8, 2020, alleging violations of the Consumer Sales Practices Act and Ohio's data breach law. CHS/Community Health Systems Inc. was named as the parent corporation. An Agreed Entry and Final Judgment Order was submitted to the court and approved Oct. 14, 2020. The settlement provided robust injunctive relief to prevent similar breaches and included a \$5 million payment to the states. Ohio's share was \$162,939.76.

Patricia North, dba Cincinnati Fluteworks

Hamilton County Court of Common Pleas, Case No. A2001605

Patricia North owned and operated Cincinnati Fluteworks, an unincorporated musical instrument repair shop that also offered to sell instruments on consignment. Consumers complained that they sent instruments but never received completed repairs, money from sales or returned instruments. The Attorney General's Office sued North on April 15, 2020, alleging violations of the Consumer Sales Practices Act. Allegations included failure to deliver and failure to register the use of a fictitious name. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution and civil penalties. The case is pending.

CitywideAutoMall LLC/Arlin J. Wallace Jr.

Cuyahoga County Court of Common Pleas, Case No. CV20936968

CitywideAutoMall sold used motor vehicles but failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General's Office seeking relief from the Title Defect Recision (TDR) Fund, which resulted in payments being made. The Attorney General's Office sued the dealership and its owner on Sept. 9, 2020, alleging violations of the Consumer Sales Practices Act and the TDR Law. The complaint seeks a declaratory judgment, a permanent injunction and reimbursement of money paid to the consumers from the TDR Fund. The case is pending.

C.R. Bard Inc.

Franklin County Court of Common Pleas, Case No. 20CV006320

A multistate investigation determined that C.R. Bard misrepresented potential risks and complications while marketing surgical mesh. Ohio, 40 other states and the District of Columbia filed a lawsuit Sept. 24, 2020, alleging unfair and deceptive marketing. An Agreed Entry and Final Judgment Order was submitted to the court and entered on the same day. The settlement contained broad injunctive relief and a \$116,860,000 payment to the states. Ohio's share was \$6,347,161.72.

Anthony C. Pate, dba Crete Doctors

Hamilton County Court of Common Pleas, Case No. A2004156

Anthony Pate owned and operated Crete Doctors, a home improvement business specializing in concrete work. Consumers complained to the Attorney General's Office and BBB that they paid for services that were not received or that services were performed improperly. The Attorney General's Office sued Pate on Nov. 30, 2020, alleging violations of the Consumer Sales Practices Act. Allegations included failure to deliver, performing work in a shoddy manner, failure to register the use of a fictitious name and failure to register as a contractor when

operating in Cincinnati. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution and civil penalties. The case is pending.

D & D Properties Unlimited LLC/Douglas Richardson

Montgomery County Court of Common Pleas, Case No. 2020CV00670

D & D Properties Unlimited offered to provide various home improvement services, including home repair, remodeling and installation services. Consumers complained that they paid for services that were not received or that services were performed in an unworkmanlike manner. The Attorney General's Office sued the business and its owner on Feb. 5, 2020, alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Allegations included failure to deliver, performing work in a shoddy manner and failure to provide proper notice of cancellation rights. The litigation concluded on Sept. 9, 2020, with a Final Judgment Entry and Order, which came after the previous award of a default judgment to the Attorney General's Office. The order included a declaratory judgment, a permanent injunction, \$3,400 for consumer damages and a \$10,000 civil penalty.

Marcus Fultz, dba Danielle's on 2nd

Athens County Court of Common Pleas, Case No. 20CI0110

Marcus Fultz operated an online store on Amazon under the name Danielle's on 2nd. The site offered hand sanitizer for sale at extremely inflated prices, due to the necessity of the items and scarcity caused by the COVID-19 virus. The Attorney General's Office sued June 17, 2020, alleging violations of the Consumer Sales Practices Act. Allegations included substantially inflating prices due to a national health crisis and entering into transactions with consumers that the defendant knew were one-sided in his favor. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution and civil penalties. The case is pending.

DarlaTours LTD/Darla K. Moore

Franklin County Court of Common Pleas, Case No. 20CV001997

DarlaTours sold vacation travel packages. Consumers who paid for packages complained they were not delivered or that deposits were not refunded when trips were canceled within the timeframe allowed by the contract. The Attorney General's Office sued the business and its owner on March 10, 2020, alleging failure to deliver and failure to honor contract terms in violation of the Consumer Sales Practices Act. The litigation concluded Oct. 7, 2020, with a Final Judgment Entry and Order, which came after the previous award of a default judgment to the Attorney General's Office. The order included a declaratory judgment, a permanent injunction, \$92,726 for consumer damages and a \$25,000 civil penalty.

Mario F. Salwan, dba Donkey476

Franklin County Court of Common Pleas, Case No. 20CV002713

Mario Salwan operated an online store on e-Bay under the user name Donkey476. The site offered N95 masks for sale at extremely inflated prices, due to the necessity of the items and scarcity caused by the COVID-19 virus. The Attorney General Office's Consumer Protection Section joined an investigation, led by the Antitrust Section, of the egregious price gouging. The Attorney General sued Salwan on April 13, 2020, alleging that the price gouging constituted unfair, deceptive and unconscionable acts and practices in violation of the Consumer Sales Practices Act. The Antitrust Section raised other claims. The litigation concluded April 22, 2020, with an Agreed Final Judgment. The settlement included full refunds to all purchasers, the donation of 570 N95 masks for distribution to health care professionals and a \$1,500 payment to the Attorney General's Office.

Eastpoint Car Brokers LLC/Kimberly Godfrey

Franklin County Court of Common Pleas, Case No. 20CV003064

Eastpoint Car Brokers sold used motor vehicles but failed to transfer titles to purchasers as required by Ohio law. Consumers filed complaints with the Attorney General’s Office seeking relief from the Title Defect Recision (TDR) Fund, which resulted in payments being made. The Attorney General’s Office sued the dealership and its owner May 6, 2020, alleging violations of the Consumer Sales Practices Act and the TDR Law. The litigation concluded June 11, 2020, with a Consent Judgment and Agreed Entry and Order. The settlement included a declaratory judgment, a permanent injunction, \$17,535 for reimbursement to the TDR Fund and a \$15,000 civil penalty — with \$12,500 suspended on the condition of full compliance with the terms of the settlement.

Economy Motors LLC, dba Gas Hogs/Jeremy Skeens/Kristopher Wolff

Hamilton County Court of Common Pleas, Case No. A2000240

Gas Hogs sold used motor vehicles but failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General’s Office seeking relief from the Title Defect Recision (TDR) Fund, which resulted in payments being made. The Attorney General’s Office sued the dealership and its owners Jan. 16, 2020, alleging violations of the Consumer Sales Practices Act and the TDR Law. The complaint seeks a declaratory judgment, a permanent injunction and reimbursement of all money paid to the consumers from the TDR Fund. The case is pending.

Ralph Evans, dba EJS Tree Service

Highland County Court of Common Pleas, Case No. 20CV19

Ralph Evans owned and operated EJS Tree Service, an unincorporated business that offered tree trimming services. Consumers complained that they paid for services that were not received or that services were performed improperly. The Attorney General’s Office sued Evans on Jan. 23, 2020, alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Allegations included failure to deliver, performing work in a shoddy manner, failure to register the use of a fictitious name and failure to provide proper notice of cancellation rights. The litigation concluded July 23, 2020, with a Consent Judgment and Final Order and Entry. The settlement included a declaratory judgment, a permanent injunction, \$2,994.84 for consumer damages and a \$3,000 civil penalty — with \$2,500 suspended on the condition of full compliance with the terms of the settlement.

FBGM LLC/Franklin C. Bohanan Jr.

Delaware County Court of Common Pleas, Case No. 20CVH090395

FBGM offered various home improvement services, including driveway paving and exterior home repair. Consumers complained that they paid the business for services that were not received or that services that were performed were done in a substandard manner. The Attorney General’s Office sued the business and its owner Sept. 10, 2020, alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Allegations included failure to deliver, performing work in a shoddy manner, failure to honor 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.

Good to Go Auto Sales LLC/Brian E. Felix

Franklin County Court of Common Pleas, Case No. 20CV004123

Good to Go Auto Sales sold used motor vehicles but failed to transfer titles to the purchasers as required by Ohio law. A consumer complained to the Attorney General’s Office, seeking relief from the Title Defect Recision (TDR) Fund, which resulted in a payment being made. The Attorney General’s Office sued the dealership and its owner June 26, 2020, alleging violations of the Consumer Sales Practices Act and the TDR Law. The complaint seeks a declaratory judgment, a permanent injunction and reimbursement of the money paid to the consumer from the TDR Fund. The case is pending.

Honda of America Mfg. Inc./American Honda Motor Co. Inc.

Franklin County Court of Common Pleas, Case No. 20CV005621

This case involved a multistate investigation into Honda’s failure to warn consumers of the dangers of now-recalled frontal airbags manufactured by Takata. The airbags were equipped with dual-stage inflators, which used “phase-stabilized” ammonium nitrate as the propellant. The airbags tended to rupture during deployment, sending shrapnel into the automobile’s passenger compartment. The investigation resulted in the filing of a lawsuit Aug. 25, 2020, alleging unfair and deceptive practices in violation of the Consumer Sales Practices Act. A Consent Judgment was immediately submitted to the court and was entered on Aug. 27, 2020. Ohio was joined in the settlement by 48 other states, territories and the District of Columbia. The settlement document contains broad injunctive relief and reporting requirements, plus an \$85 million payment to the states. Ohio’s share was \$2,367,714.89.

Idea Buyer LLC/Eric J. Corl

Franklin County Court of Common Pleas, Case No. 20CV001030

Idea Buyer claimed to help entrepreneurs launch inventions in a manner similar to the television show Shark Tank and sold services nationwide via its website. Typically, a consumer sent Idea Buyer information about their invention and Idea Buyer responded with a form letter that led consumers to believe they were one of a select few chosen to partner with Idea Buyer on product development. After consumers entered into a two-year contract and paid an upfront fee ranging from \$8,000 to \$40,000, they received little assistance from Idea Buyer, which shut down in December 2019. The Attorney General’s Office sued the business and its owner on Feb. 5, 2020, alleging violations of the Consumer Sales Practices Act. Allegations included failure to deliver, misrepresentations of the uses and benefits of the service, and making misleading statements of opinion. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution and civil penalties. The case is pending.

Infinity Car Co./Jasmine Fletcher/Laron Huckleby

Franklin County Court of Common Pleas, Case No. 20CV004139

Infinity Car Company sold used motor vehicles but failed to transfer titles to purchasers as required by Ohio law. Consumers filed complaints with the Attorney General’s Office seeking relief from the Title Defect Recision (TDR) Fund, which resulted in payments being made. The Attorney General sued the dealership, its owner and its operator on June 25, 2020, alleging violations of the Consumer Sales Practices Act and the TDR Law. The complaint seeks a declaratory judgment, a permanent injunction and reimbursement of all money paid to the consumers from the TDR Fund. The case is pending.

Iron Horse Excavating LLC/Black River Farms & Contracting LLC/Brian Watkins individually and dba Dig it Deep and Black River Farms & Contracting

Delaware County Court of Common Pleas, Case No. 20CVH050230

Brian Watkins owned and operated a number of home improvement businesses, some registered with the Secretary of State and others unregistered. The businesses primarily offered pond- and general excavation-related services. Consumers complained that they paid for services that were never started and that deposits were not returned. The Attorney General's Office sued the businesses and Watkins on May 26, 2020, alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Allegations included failure to deliver, failure to register the use of fictitious names 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.

Lighthouse Auto Group Services LLC/Jerry M. Putteet/Jerry D. Putteet

Clermont County Court of Common Pleas, Case No. 2020CVH326

Lighthouse Auto Group Services sold used motor vehicles but failed to transfer titles to purchasers as required by Ohio law. Consumers filed complaints with the Attorney General's Office seeking relief from the Title Defect Recision (TDR) Fund, which resulted in payments being made. The Attorney General's Office sued the dealership and its owners on March 26, 2020, alleging violations of the Consumer Sales Practices Act and the TDR Law. The complaint seeks a declaratory judgment, a permanent injunction and reimbursement of all money paid to the consumers from the TDR Fund. The case is pending.

Kimberly Mackay, dba Little Moments to Love Photography

Butler County Court of Common Pleas, Case No. CV2020030482

Kimberly Mackay operated an unregistered business offering to provide photography services and the subsequent delivery of pictures. Consumers complained that Mackay failed to attend prepaid photography sessions or failed to deliver photographs that had been purchased. The Attorney General's Office sued Mackay on March 4, 2020, alleging failure to deliver and failure to register the use of a fictitious name in violation of the Consumer Sales Practices Act. The litigation concluded Sept. 21, 2020, with a Final Entry and Order Granting Plaintiff's Motion for Default Judgment. The order included a declaratory judgment, permanent injunctions, \$648 for consumer restitution and a \$5,000 civil penalty.

Matthew Brady, dba M&B Builders and The Black Dog Design Group

Franklin County Court of Common Pleas, Case No. 20CV004162

Matthew Brady operated unregistered businesses that offered various home improvement services, including remodeling and repairs. Consumers complained that they paid for services that were not completed or that services were performed in a substandard manner. The Attorney General's Office sued Brady on June 26, 2020, alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Allegations included failure to deliver, performing work in a shoddy 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.

Mosley's Meat Market LLC/J. Gram Mosley/Dawn Mosley

Franklin County Court of Common Pleas, Case No. 20CV007582

Mosley's Meat Market sold meat to consumers through sales on its website. Consumers complained that they paid for meat that was not delivered or that they received spoiled meat. The Attorney General's Office sued the business and its owners on Nov. 20, 2020, alleging failure to deliver in violation of the Consumer Sales Practices Act. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution and civil penalties. The case is pending.

Nationstar Mortgage

U.S. District Court for the District of Columbia, Case No. 1:20-cv-3551

This case involved a multistate investigation into Nationstar Mortgage, its robo-signing and related improper mortgage servicing from 2009 to 2012. The federal government, Ohio, every other state and the District of Columbia sued on Dec. 7, 2020, alleging violations of state consumer protection statutes and the Dodd-Frank Act. A Consent Judgment was submitted and entered on Dec. 8, 2020. Through this settlement and agreements reached with other enforcement agencies, Nationstar Mortgage agreed to adopt new standards and comply with applicable laws, make a \$3,860,900 payment to the states (Ohio's share was \$250,000), and provide \$2,128,912 in remediation to Ohio borrowers who were affected by Nationstar's harmful practices. A large portion of this remediation has already been received by Ohioans. The funds that have not already been dispersed will be provided directly to consumers through the settlement administrators, including an estimated \$219,240 to about 1,862 Ohio borrowers.

Ohio Building & Remodeling LLC/Robert T. Mills

Hamilton County Court of Common Pleas, Case No. A2004158

Ohio Building and Remodeling offered various home improvement services. Consumers complained that they paid for services that were not received or that services were performed in an unworkmanlike manner. The Attorney General's Office sued the business and its owner on Nov. 30, 2020, alleging violations of the Consumer Sales Practices Act. Allegations included failure to deliver and performing work in a shoddy manner. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution and civil penalties. The case is pending.

Bernard John Rafferty, Bernard John Rafferty (son) and John Michael Rafferty, dba Ohio Road Maintenance

Cuyahoga County Court of Common Pleas, Case No. CV20933157

Ohio Road Maintenance was an unregistered business operated by the Rafferty family. The business offered home improvement services including asphalt paving, tar and chip sealing, driveway resurfacing and resealing and painting. The Rafferty family had previously operated similar businesses under other unregistered business names. Consumers complained that they paid for services that were not received or that services were performed in an unworkmanlike manner. The Attorney General's Office sued the Raffertys on June 8, 2020, alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Allegations included failure to deliver, performing work in a shoddy manner, failure to register the use of a fictitious name 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.

Peak Construction Services LLC/Byron Ingram

Butler County Court of Common Pleas, Case No. CV2020010219

Peak Construction offered various home improvement services. Consumers complained that they paid for services that were not received or that services were performed in an unworkmanlike manner. The Attorney General's Office sued the business and its owner on Jan. 30, 2020, alleging violations of the Consumer Sales Practices Act. Allegations included failure to deliver and performing work in a shoddy manner. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution and civil penalties. The case is pending.

Prescription Hope Inc. (Ohio)/Prescription Hope Inc. (Florida)

Franklin County Court of Common Pleas, Case No. 20CV008164

Prescription Hope advertised and sold a subscription-based medication advocacy program. Many pharmaceutical companies have Patient Assistance Programs, which provide free medications to qualifying low-income patients. The businesses charged consumers a monthly fee per medication for the administrative service of assisting them with completing and submitting applications to the pharmaceutical companies' Patient Assistance Programs. Consumers complained that Prescription Hope misrepresented the benefits it provided, failed to make full delivery of the promised services and failed to provide full refunds. The Attorney General's Office sued the businesses on Dec. 17, 2020, alleging violations of the Consumer Sales Practices Act. Allegations included failure to deliver, failure to disclose material terms, making false and misleading statements and failure to provide adequate customer service. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution and civil penalties. The case is pending.

Rising Eagle Capital Group LLC/Jsquared Telecom LLC/John C. Spiller/Jakob A. Mears

United States District Court, Southern District of Texas, Case No. 4:20cv2021

In a joint investigation, Ohio Attorney General Dave Yost and Attorneys General from Arkansas, Indiana, Michigan, Missouri, North Carolina and Texas examined the business practices of Rising Eagle Capital Group and Jsquared Telecom. The businesses and their owners blasted billions of robocalls — including more than 56 million to Ohioans — offering extended automobile warranties and health care-related products. The states sued the businesses and their operators on June 9, 2020, with Ohio alleging violations of the Consumer Sales Practices Act, the Telephone Solicitation Sales Act and the Telemarketing Sales Rule. The lawsuit seeks a permanent injunction, consumer restitution and civil penalties. The case is pending.

Roofing and Paving Solutions LLC/Jonathan S. Wanko

Franklin County Court of Common Pleas, Case No. 20CV003926

Roofing and Paving Solutions offered home repairs and driveway paving. Consumers complained that they paid for services that were not received or that services were performed in a substandard manner. The Attorney General's Office sued the business and its owner on June 17, 2020, alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Allegations included failure to deliver, performing work in a shoddy manner, failure to honor a warranty, failure to register the use of a fictitious name 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.

Roofless General Contracting LLC/Gutter Downspout LLC/Weylin W. Stewart

Franklin County Court of Common Pleas, Case No. 20CV008050

Weylin Stewart owned and operated businesses that offered various home improvement services. Consumers complained that they paid for services that were not received or that services were performed in a substandard manner. The Attorney General's Office sued the businesses and Stewart on Dec. 15, 2020, alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Allegations included failure to deliver, performing work in a shoddy manner, engaging in consumer transactions while having unsatisfied judgments arising out of previous consumer transactions and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution and civil penalties. The Attorney General's Office had previously sued Stewart and been awarded a judgment for similar violations. This new case is pending.

Rt. 82 Auto Gallery LLC /Angelo M. Guzzo Jr./Sean Nightingale

Lorain County Court of Common Pleas, Case No. 20CV201543

Rt. 82 Auto Gallery sold used motor vehicles but failed to transfer titles to purchasers as required by Ohio law. Consumers filed complaints with the Attorney General's Office seeking relief from the Title Defect Recision (TDR) Fund, which resulted in payments being made. The Attorney General's Office sued the business and its owners on July 29, 2020, alleging violations of the Consumer Sales Practices Act and the TDR Law. The complaint seeks a declaratory judgment, a permanent injunction and reimbursement of all money paid to the consumers from the TDR Fund. The case is pending.

Hayes Distributors Inc., dba The Casket Store/Karen Hayes

Cuyahoga County Court of Common Pleas, Case No. CV20930576

The Casket Store sold caskets, urns and headstones, but consumers complained that they paid for goods that were not received and that the business refused to provide refunds. The Attorney General's Office sued the business and its owner on March 6, 2020, for failure to deliver in violation of the Consumer Sales Practices Act. The litigation concluded on Nov. 2, 2020, with a Journal Entry awarding a default judgment to the Attorney General's Office. The entry included a permanent injunction, \$6,625.98 for consumer restitution and a \$10,000 civil penalty.

True Quality Home Improvements LLC/Christopher Wilder/Karmella Andreu-Vivas

Franklin County Court of Common Pleas, Case No. 20CV001678

True Quality Home Improvements offered home repair and remodeling services. Consumers complained that they paid for services that were not received or that services were performed in an unworkmanlike manner. Some of the complaints involved home repairs after a severe storm. The Attorney General's Office sued the business and its owners on Feb. 27, 2020, alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Allegations included failure to deliver, performing work in a shoddy 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.

Paul Tunison, dba Tunison Construction

Lucas County Court of Common Pleas, Case No. CI202003746

Tunison Construction was an unregistered business operated by Paul Tunison. The business offered home improvement services such as renovations, roofing and gutter work. Consumers complained that they paid for services that were not received or that services were performed in an unworkmanlike manner. The Attorney General's Office sued the business and operator on Dec. 15, 2020, alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Allegations included failure to deliver, performing work in a shoddy manner, failure to register the use of a fictitious name, failure to honor 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.

Messauod Choubane, dba UNI Auto Sales

Butler County Court of Common Pleas, Case No. CV2020050860

Messauod Choubane owned and operated UNI Auto Sales, a business that sold used motor vehicles but failed to transfer titles to purchasers as required by Ohio law. Consumers filed complaints with the Attorney General's Office seeking relief from the Title Defect Recision (TDR) Fund, which resulted in payments being made. The Attorney General's Office sued Choubane on May 14, 2020, alleging violations of the Consumer Sales Practices

Act and the TDR Law. The lawsuit seeks a declaratory judgment, a permanent injunction and reimbursement of all money paid out from the TDR Fund. The case is pending.

James W. Davies Jr. and Adham Akroush, dba Wheelin N Dealin

Butler County Court of Common Pleas, Case No. CV2020030502

James Davies and Adham Akroush owned and operated Wheelin N Dealin, a business that sold used motor vehicles but failed to transfer titles to purchasers as required by Ohio law. Consumers filed complaints with the Attorney General's Office seeking relief from the Title Defect Recision (TDR) Fund, which resulted in payments being made. The Attorney General's Office sued Davies and Akroush on March 6, 2020, alleging violations of the Consumer Sales Practices Act and the TDR Law. The litigation concluded Aug. 6, 2020, when the court issued a Judgment Entry Granting Default Judgment. The entry included a declaratory judgment, permanent injunctions, \$8,882.20 for reimbursement to the TDR Fund and a \$10,000 civil penalty.

Joshua Swann, dba Window City of Cincinnati and dba Custom Window Solutions

Hamilton County Court of Common Pleas, Case No. A2001558

Window City of Cincinnati and Custom Window Solutions, unregistered businesses operated by Joshua Swann, offered home improvement services such as window repair and installation. Consumers complained that they paid for services that were not received or that services were performed in an unworkmanlike manner. The Attorney General's Office sued Swann on April 8, 2020, alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Allegations included failure to deliver, performing work in a shoddy manner, failure to register the use of fictitious names 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.

Worldwide Auto Sales and Service LLC, dba Cincinnati Auto Wholesale/Anthony Wayne Blevins/Charles W. Reynolds

Hamilton County Court of Common Pleas, Case No. A2004021

Cincinnati Auto Wholesale sold used motor vehicles but failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General's Office seeking relief from the Title Defect Recision (TDR) Fund, which resulted in payments being made. The Attorney General's Office sued the business and its owners on Nov. 17, 2020, alleging violations of the Consumer Sales Practices Act and the TDR Law. The complaint seeks a declaratory judgment, a permanent injunction and reimbursement of all money paid to the consumers from the TDR Fund. The case is pending.

OTHER JUDGMENTS

A&J's Used Auto Sales LLC/Jasmine Lynne Evans/Allan B. Trager

Belmont County Court of Common Pleas, Case No. 19CV348

A&J's Used Auto Sales sold used motor vehicles but failed to transfer titles to purchasers as required by Ohio law. Consumers filed complaints with the Attorney General's Office seeking relief from the Title Defect Recision (TDR) Fund, which resulted in payments being made. The Attorney General's Office sued the dealership and its owners on Sept. 25, 2019, alleging violations of the Consumer Sales Practices Act and the TDR Law. On Dec. 23, 2020, the court granted default judgment against the business. The judgement entry included a declaratory judgment, a permanent injunction, \$7,574 for reimbursement to the TDR Fund and a \$25,000 civil penalty. The case remains pending against the individual defendants.

George Franklin Capps Jr., dba Capps Construction

Franklin County Court of Common Pleas, Case No. 19CV006567

George Capps operated an unregistered business that offered various home improvement services such as remodeling and constructing home additions. Consumers complained that they paid for services that were not received or that services were performed improperly. The Attorney General's Office sued Capps on Aug. 13, 2019, alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Allegations included failure to deliver, performing work in a shoddy manner and failure to provide proper notice of cancellation rights. The litigation concluded Jan. 14, 2020, 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, a permanent injunction, \$224,005.11 for consumer damages and a \$75,000 civil penalty.

C. Thomas Auto Group Ltd., dba Carite Medina/Thomas D. Ciatti Sr.

Medina County Court of Common Pleas, Case No. 19CIV0490

Carite Medina sold used motor vehicles but failed to transfer titles to purchasers as required by Ohio law. Consumers filed complaints with the Attorney General's Office seeking relief from the Title Defect Recision (TDR) Fund, which resulted in payments being made. The Attorney General's Office sued the dealership and its owner on May 9, 2019, alleging violations of the Consumer Sales Practices Act and the TDR Law. The litigation concluded Jan. 22, 2020, with a Consent Judgment and Agreed Entry and Order. The settlement included a declaratory judgment, a permanent injunction, \$13,813.92 for reimbursement to the TDR Fund and a \$10,000 civil penalty suspended on the condition of full reimbursement to the TDR Fund.

CMI Waste Removal Service Inc./Daniel Shackelford Jr.

Licking County Court of Common Pleas, Case No. 19CV00553

CMI Waste Removal Service offered trash collection services in the Newark area. Consumers complained that they paid for services that were not provided in a timely manner or that were not provided at all. The Attorney General's Office sued the business and its owner on May 30, 2019, alleging violations of the Consumer Sales Practices Act. Allegations included failure to deliver and misrepresenting the subject of a consumer transaction. The litigation concluded Nov. 30, 2020, with a Final Order and Entry Granting Judgment Against Defendants, which came after the previous award of a default judgment to the Attorney General's Office. The order included a declaratory judgment, a permanent injunction, \$2,616.58 for consumer damages and a \$10,000 civil penalty.

Davis Healthy Basement Solutions LLC/Jeffrey Davis

Franklin County Court of Common Pleas, Case No. 19CV001836

Davis Healthy Basement Solutions offered basement waterproofing and concrete services. Consumers complained that they paid for services that were not received or that services were performed improperly. The Attorney General's Office sued the business and its owner on March 1, 2019, alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Allegations included failure to deliver, performing work in a shoddy manner and failure to provide proper notice of cancellation rights. The litigation concluded Feb. 14, 2020, with a Judgment Entry and Order against Jeffrey Davis, which came after the previous award of a default judgment to the Attorney General's Office. The order included a declaratory judgment, a permanent injunction, \$42,213.68 for consumer damages and a \$40,000 civil penalty.

DISH Network LLC

U.S. District Court, Central District of Illinois, Case No. 3:09-cv-03073

An investigation of satellite giant DISH Network revealed that the company, directly or indirectly through third-party telemarketers, made calls to consumers on the National Do Not Call Registry and initiated unauthorized calls using artificial or prerecorded voices. A lawsuit was filed March 25, 2009, alleging that the business made millions of these telemarketing calls to consumers. Ohio was joined in the action by the Attorneys General of California, Illinois and North Carolina, as well as the Federal Trade Commission. A trial resulted in a June 5, 2017 “Findings of Fact and Conclusions of Law” decision in favor of the governmental entities. The decision included strong injunctive relief and a total award of \$280 million to the governmental entities. After an appeal and given the likelihood of further challenges, the parties settled the litigation with a Stipulated Order for Monetary Judgment filed Dec. 4, 2020. Ohio agreed to resolve its part of the case for a payment of \$17,031,000.

Educare Centre Services Inc./Globex Telecon Inc./Prolink Vision S.R.L./Sam Madi/Mohammed Abedel Jilal/Charles Kharouf/9896988 Canada Inc.

U.S. District Court, Western District of Texas, Case No. EP19CV0196

The Ohio Attorney General’s Office and the Federal Trade Commission conducted a joint investigation into the business practices of Educare Centre Services and related entities and individuals. The case kicked off after consumers, who typically paid \$1,000-\$2,000 for credit card rate-reduction services and debt consolidation services, complained about misrepresentation of those services or failure to deliver such services. The investigation found a clear pattern, and the Attorney General’s Office and FTC jointly sued the businesses and their operators on July 18, 2019. The Ohio portion of the lawsuit alleged violations of the Consumer Sales Practices Act, the Telephone Solicitation Sales Act and the Telemarketing Sales Rule. The litigation concluded Sept. 22, 2020, with a Stipulated Order. The agreement enjoins the defendants from offering debt settlement services via telemarketing that violates state and federal laws. Equitable judgments in the amounts of \$1.95 million against Globex and \$7.5 million against Soheil, Prolink Vision and 9896988 Canada were included — representing the amounts they received from consumer funds — but they were suspended in part due to the companies’ inability to pay. Payment of \$2.1 million is to be used for consumer redress, unless insufficient funds makes that impossible. There are also recordkeeping and compliance monitoring requirements.

Ideal Motorcars LLC/Saththia Lingan/Kandiah Lingan

Franklin County Court of Common Pleas, Case No. 18CV009160

Ideal Motors sold used motor vehicles but failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General’s Office seeking relief from the Title Defect Recision (TDR) Fund, which resulted in payments being made. The Attorney General’s Office sued the dealership and its owners on Nov. 1, 2018, alleging violations of the Consumer Sales Practices Act and the TDR Law. The litigation concluded March 5, 2020, with an Agreed Consent Judgment Entry and Order. The settlement included a declaratory judgment, a permanent injunction, \$186,187.08 for reimbursement to the TDR Fund and a \$100,000 civil penalty with \$60,000 suspended on the condition of full compliance with the terms of the settlement.

Innovative Remodeling LLC/Michael Foster/Holly Foster

Warren County Court of Common Pleas, Case No. 19CV92864

Innovative Remodeling offered a variety of home repair and remodeling services, including the installation of fencing and decks. Consumers complained that they paid for services that were never completed or that were performed in a substandard manner. The Attorney General’s Office sued the business and its owners on Nov. 25,

2019, alleging violations of the Consumer Sales Practices Act. Allegations included failure to deliver and performing work in a substandard manner. The litigation concluded June 19, 2020, when the court sided with the Attorney General's Office. The Final Entry and Order included a declaratory judgment, permanent injunctions, \$22,400 for consumer restitution and a \$25,000 civil penalty.

Jimmy Jo Hatfield Jr., dba James Hatfield Plumbing and Hometown Remodeling

Franklin County Court of Common Pleas, Case No. 18CV001324

Jimmy Jo Hatfield operated unregistered businesses that offered various home improvement goods and services. Consumers complained they paid for work that was never started and Hatfield refused to give refunds. The Attorney General's Office sued Hatfield on February 12, 2018, alleging violations of the Consumer Sales Practices Act and Home Solicitation Sales Act. Allegations included failure to deliver, failure to register fictitious names with the Ohio Secretary of State and failure to provide proper notice of cancellation rights. The litigation concluded on Feb. 18, 2020, with a Consent Judgment and Final Agreed Order and Entry. The settlement included a declaratory judgment, a permanent injunction, \$2,600 for consumer restitution and a \$5,000 civil penalty suspended on the condition of full compliance with the terms of the settlement.

Madera Merchant Services LLC/B&P Enterprises LLC/Bruce C. Woods/Patricia Woods

U.S. District Court, Western District of Texas, Case No. EPI9CV0195

In a joint investigation, the Ohio Attorney General's Office and the Federal Trade Commission examined Madera Merchant Services, a third-party payment processor that routinely withdrew funds from consumers' accounts for perpetrators of telemarketing schemes. The investigation resulted in a joint lawsuit filed against the business, a related entity and their owners on July 18, 2019. The Ohio portion of the lawsuit alleged violations of the Consumer Sales Practices Act and the Telemarketing Sales Rule. The litigation concluded June 4, 2020, with a Stipulated Order for Permanent Injunction and Monetary Judgment. The settlement included injunctive relief, reporting and recordkeeping requirements, and an \$8.6 million award to the plaintiffs. That amount was suspended provided the companies surrender identified assets; a receiver was appointed to facilitate the process.

Timothy D. Fannon, dba Riteway Plumbing

Franklin County Court of Common Pleas, Case No. 19CV005137

Timothy Fannon owned and operated Riteway Plumbing, an unincorporated business that offered plumbing and home remodeling services. Consumers complained that they paid for services that were not received or that services were performed improperly. The Attorney General's Office sued Fannon on June 21, 2019, alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Allegations included failure to deliver, performing work in a shoddy manner and failure to provide proper notice of cancellation rights. The litigation concluded Jan. 22, 2020, with a Judgment Entry and Order against Fannon, which came after the previous award of a default judgment to the Attorney General's Office. The order included a declaratory judgment, a permanent injunction, \$3,480 for consumer damages and a \$5,000 civil penalty.

Support by Experts LLC/Real Tech Experts LLC/Aman Sachan

Franklin County Court of Common Pleas, Case No. 19CV001988

The businesses operated a tech-support scam that deployed pop-up ads on other websites to trick consumers into believing trusted companies, such as Microsoft or Adobe, or their computer's own operating system were warning of a virus, breach of confidential information or other such problem. The ads directed consumers to get help from a call center, where the businesses misrepresented who they were in order to gain remote access to consumers' computers.

Consumers were pressured to pay \$200-\$1,000 to fix the trumped-up problems. The Attorney General's Office sued the businesses and their owner on March 7, 2019, alleging violations of the Consumer Sales Practices Act, including misrepresentations and knowingly making false statements. The litigation concluded March 3, 2020, with a Judgment Entry, which came after the previous award of a default judgment to the Attorney General's Office. The order included a declaratory judgment, permanent injunctions and a \$50,000 civil penalty.

Tommy's Auto & Performance LLC/Thomas A. Divito/Donald A. Woda

Delaware County Court of Common Pleas, Case No. 18CVH08471

Tommy's Auto & Performance sold used motor vehicles but failed to transfer titles to purchasers as required by Ohio law. Consumers filed complaints with the Attorney General's Office seeking relief from the Title Defect Recision (TDR) Fund, which resulted in payments being made. The Attorney General's Office sued the dealership, its owner and general manager on Aug. 30, 2018, alleging violations of the Consumer Sales Practices Act and the TDR Law. The litigation concluded Oct. 28, 2020, with the Attorney General's Office winning a summary judgment against Tommy's Auto & Performance and Donald Woda. Relief included declaratory judgments and permanent injunctions. Woda was ordered to pay \$47,247.58 for reimbursement to the TDR Fund and a \$25,000 civil penalty. Tommy's Auto & Performance was assessed a separate \$25,000 civil penalty.

Patrick Wilson, dba Twin Building Supply and Wilson Contracting P&E

Morgan County Court of Common Pleas, Case No. 19CV0158

Patrick Wilson operated businesses that offered a variety of home improvement services. Consumers complained that they paid for services that were never completed or that were performed in a substandard manner. The Attorney General's Office sued Wilson on Aug. 19, 2019, for violations of the Consumer Sales Practices Act, Home Solicitation Sales Act and Home Construction Service Suppliers Act. Allegations included failure to deliver, performing work in a shoddy manner, failure to provide proper notice of cancellation rights and failure to provide service contracts with required information. The litigation concluded July 27, 2020, with a Final Judgment Entry and Order, which came after the previous award of a default judgment to the Attorney General's Office. The order included a declaratory judgment, permanent injunctions, \$30,443.50 for consumer damages and a \$50,000 civil penalty.

Woda Automotive LLC/Donald Woda

Union County Court of Common Pleas, Case No. 2014CVO297

The business sold used motor vehicles but failed to transfer titles to purchasers as required by Ohio law. Consumers filed complaints with the Attorney General's Office seeking relief from the Title Defect Recision (TDR) Fund, which resulted in payments being made in excess of \$100,000. In other instances, the business failed to honor warranties for the motor vehicles. The Attorney General's Office sued the business and its owner on Nov. 24, 2014, alleging violations of the Consumer Sales Practices Act and TDR Law. The litigation concluded Dec. 17, 2020, with an Agreed Consent Judgment Entry and Order. The settlement included a declaratory judgment, a permanent injunction, \$4,085 for consumer restitution, \$89,428.34 for reimbursement to the TDR Fund and a \$75,000 civil penalty with \$30,000 suspended.

ASSURANCES OF VOLUNTARY COMPLIANCE

All Pro Communications Inc.

All Pro hired third-party marketers for LE Energy dba Utility Gas and Power. But an investigation by the Attorney General's Office revealed that the business failed to properly vet and supervise the marketers for compliance with Do Not Call laws, despite representing that it had control over those who had previous Do Not Call violations. The investigation concluded with an Assurance of Voluntary Compliance entered on June 22, 2020. In the assurance, the business agreed to: operate in compliance with telemarketing laws; require any marketers it hires to do so; pay \$2,000 for distribution to consumers who complained about the solicitations; and make a \$10,000 payment to the Consumer Protection Enforcement Fund.

Anthem

The Ohio Attorney General's Office, 42 other states and the District of Columbia joined together to investigate Anthem's 2015 data breach. The investigation revealed that Anthem failed to follow its own data security measures, ultimately contributing to the breach, which affected about 78,800,000 individuals nationwide. Information accessed included names, dates of birth, Social Security numbers, health care identification numbers, home addresses, email addresses, phone numbers and income data. Announced on Sept. 30, 2020, an Assurance of Compliance between the states and Anthem concluded the investigation. The assurance provide injunctive relief aimed at preventing similar breaches and a \$39.5 million payment to the states, of which Ohio's share was \$1,880,302.06.

Home Depot

As a result of Home Depot's 2014 data breach, the Ohio Attorney General's Office, 45 other states and the District of Columbia jointly investigated whether the retailer had reasonable procedures in place to safeguard customers' personal information. The investigation found that Home Depot failed to properly limit and monitor vendors' access, which allowed the attacker to access the network and ultimately reach customer information linked to about 40 million payment cards. Entered on Nov. 21, 2020, an Assurance of Compliance between the states and Home Depot concluded the investigation. The assurance provide injunctive relief aimed at preventing similar breaches and a \$17.5 million payment to the states, of which Ohio's share was \$656,210.31.

ITT/PEAKS

The Ohio Attorney General's Office, 45 other states and the District of Columbia joined together to investigate the student loan practices of ITT Educational Services and the PEAKS Trust, a private loan program affiliated with Deutsche Bank. The investigation focused primarily on ITT's misrepresentation of federal compliance and unfair loan practices. As a result, students were left with loans that they were unlikely to be able to pay off, resulting in many defaults. On Sept. 16, 2020, the investigation concluded with an Assurance of Compliance between the states and ITT/PEAKS. The assurance provides that PEAKS will not seek collection of the loans and will cancel all outstanding balances — loan forgiveness worth more than \$330 million. Ohio students account for \$20.6 million of the debt relief for 3,357 loans. The assurance includes a Redress Plan that requires PEAKS to notify borrowers that their debts have been canceled and to ensure that automatic payments are canceled. Adverse credit information also will be repaired.

LE Energy LLC, dba Utility Gas and Power

Utility Gas and Power offered services related to the sale and supply of consumers' retail natural gas and/or electricity products and services. The Attorney General's Office investigated the marketing practices of Utility Gas and Power, finding that the business engaged in a pattern of soliciting residential telephone subscribers whose numbers were on the National Do Not Call Registry. The investigation concluded with an Assurance of Voluntary Compliance entered on April 28, 2020. In the assurance, the business agreed to operate in compliance with telemarketing laws, pay \$8,400 for distribution to consumers who complained about the solicitations and make a \$20,000 payment to the Consumer Protection Enforcement Fund.

Sabre Inc.

The Ohio Attorney General's Office and 26 other states joined to investigate a data breach that occurred between August 2016 and March 2017 at Sabre Hospitality Solutions, a business segment of Sabre's that operated a reservation system for hotels. The breach exposed the data of about 1.3 million credit cards, but Sabre did not notify consumers, instead leaving it to hotels to contact them. Announced on Dec. 23, 2020, an Assurance of Compliance between the states and Sabre concluded the investigation. The assurance provides injunctive relief aimed at preventing similar breaches and includes a \$2.4 million payment to the states, of which Ohio's share was \$81,118.95.

Stanley Owens, dba Stan's Storehouse

Stanley Owens operated an online business offering various products, including hand sanitizers and cleaners. The Attorney General's Office investigated the business after it bought up products from local retailers and offered them for sale at extremely inflated prices, due to the necessity of the items and scarcity caused by the COVID virus. The investigation was resolved with an Assurance of Voluntary Compliance entered on Dec. 2, 2020. In the assurance, Owens agreed to operate in compliance with the Consumer Sales Practices Act and pay \$2,000 to reimburse the Attorney General's Office for the cost of the investigation. The assurance also addressed antitrust-related violations.

Unlimited Investment Group LLC, dba Unlimited Auto Group of West Chester/Abraham Falah

The Attorney General's Office investigated this used motor vehicle dealer after the business charged unauthorized fees to consumers. The unauthorized fees included title, license, registration and filing fees. The investigation concluded with an Assurance of Voluntary Compliance entered on Oct. 30, 2020. In the assurance, the business and its owner agreed to comply with the Consumer Sales Practices Act and pay \$94,345.76 to reimburse 467 consumers who paid the unauthorized fees.

VanDough LLC/Joshua VanLandingham

VanDough operated an online business offering products including hand sanitizers. The Attorney General's Office investigated the business after it bought up hand sanitizers from local retailers and offered them for sale at extremely inflated prices, due to the necessity of the items and scarcity caused by the COVID virus. The investigation was resolved with an Assurance of Voluntary Compliance entered on July 26, 2020. In the assurance, the business and its owner agreed to operate in compliance with the Consumer Sales Practices Act, pay \$4,927.19 for consumer restitution and pay \$2,000 to reimburse the Attorney General's Office for the cost of the investigation.

C. ECONOMIC CRIMES UNIT

The Consumer Protection Section's Economic Crimes Unit works with county prosecutors and local law enforcement to investigate and prosecute economic crime. Thanks to that extensive cooperation, the unit has been successful in indicting large- and small-scale criminals. In 2020, the unit and local partners obtained five indictments and 12 convictions.

The following are cases the Economic Crimes Unit assisted with in 2020.

U.S. v. Damian Polen

U.S. District Court, Southern District of Ohio, Case No. 19-CR-00228-2

From October 2015 through November 2017, Damian Polen conspired to embezzle money and other things of value from the U.S. Department of Housing and Urban Development (HUD) to enrich himself and a private business owned with other conspirators. Polen provided his personal identifying information so that he and others could submit to HUD false tenant certifications and applications for housing assistance payments. In November 2019, Polen pleaded guilty to his role in the fraud case, and in July 2020, he was sentenced to probation and ordered to pay restitution.

State v. John J. Drennan

Hamilton County Court of Common Pleas, Case No. B1902578

In June 2019, a Hamilton County grand jury indicted John Drennan, owner of the Cincinnati business Basement Boost and Bath Boost, on 49 charges, including theft and engaging in a pattern of corrupt activity. The home remodeler was accused of failing to deliver promised services or refunds after taking payments totaling \$213,000 from two dozen victims in Ohio, Kentucky and Indiana. Three of the victims were elderly. Drennan committed the crimes from November 2017 through August 2018. In December 2019, he pleaded guilty to attempted engaging in a pattern of corrupt activity, and in February 2020, he was sentenced to community control and ordered to pay \$176,496 in victim restitution.

State v. Kimberly Hernandez

Fulton County Court of Common Pleas, Case No. 19CR69

In July 2019, a Fulton County grand jury indicted Hernandez, an in-home health care provider, on one count of telecommunications fraud and two counts of theft from the elderly or a disabled adult. She was accused of deceiving her patient, a man with cerebral palsy, about the repayment of monies and payment for advance service hours. In February 2020, Hernandez pleaded guilty to three felonies, and in September 2020, she was sentenced to four years in prison and ordered to pay \$107,800 in restitution.

State v. Joshua L. Swann

Hamilton County Court of Common Pleas, Case No. B1906025

In December 2019, a Hamilton County grand jury indicted Joshua Lee Swann, whose business offered home improvement services such as window repair and installation. Swann was accused of failing to deliver supplies, promised services or refunds after accepting \$44,435 in down payments from 24 customers in Ohio, Kentucky and Indiana in July 2017 through May 2019. The charges included a second-degree felony count of engaging in a pattern of corrupt activity, 40 felony counts of theft and eight misdemeanor counts of theft. In August 2020, Swann pleaded guilty to one count of attempted pattern of corrupt activities, and in September 2020, he was sentenced to five years of community control and ordered to pay victim restitution.

State vs. Matt Young

Vinton County Court of Common Pleas, Case No. 17CR9156

This case stemmed from Matt Young misrepresenting himself as an established music label and accomplished musician, John Q. Public, who had toured internationally and sold millions of albums. He used Facebook accounts to lure aspiring musicians from Australia, Canada, Europe, South America, Thailand and throughout the United States to pay for music development, recording and distribution – services they didn't receive. In 2017, Young was indicted on charges of engaging in a pattern of corrupt activity, theft and telecommunications fraud. In December 2020, he pleaded guilty to telecommunications fraud and felony theft, was sentenced to three years of community control and ordered to pay \$8,880 in restitution.

State v. Glen Chatmon

Cuyahoga County Court of Common Pleas, Case No. CR-19-637909-H

In March 2019, a Cuyahoga County grand jury indicted Glen Chatmon along with seven co-defendants on numerous counts of identity fraud, tampering with records, grand theft and insurance fraud. The scheme involved using personal identifiers and Social Security numbers of minors to open credit accounts and fraudulently obtain vehicles from dealerships in northern Ohio. In August 2020, Chatmon was sentenced to three years of probation and ordered to pay \$5,000 in restitution to two banks.

State v. Britney Morales

Richland County Court of Common Pleas, Case No. 2019CR0281

In March 2019, a Richland County grand jury indicted Britney Morales on charges of engaging in a pattern of corrupt activity, telecommunications fraud, theft, misuse of a credit card and forgery. Morales was accused of participating in a credit card fraud ring and pleaded guilty to felony charges. In May 2020, she was sentenced to five years of community control and ordered to pay \$17,800 in restitution.

State v. Andrew Brooks

Richland County Court of Common Pleas, Case No. 2019CR0264

In March 2019, a Richland County grand jury indicted Andrew Brooks for engaging in a pattern of corrupt activity, telecommunications fraud, theft, misuse of a credit card and forgery. Brooks and others were accused of participating in a credit card fraud ring, and he pleaded guilty to felony charges. In April 2020, Brooks was sentenced to five years of community control and ordered to pay \$17,800 in restitution.

U.S. v. Dina Wilbur

U.S. District Court, Southern District of Ohio, Case No. 2:19CR00071-ALM-2

Between January 2012 and April 2016, Dina Wilbur filed false income tax returns electronically, with the total loss to the IRS amounting to \$213,054. In March 2019, Wilbur and a co-defendant were indicted on federal tax charges; she pleaded guilty to filing false federal income tax returns. In January 2020, Wilbur was sentenced to three years of probation and ordered to pay \$102,400 in restitution.

U.S. v. Deborah Leach

U.S. District Court, Southern District of Ohio, Case No. 2:18CR00071-ALM

Between January 2012 and April 2016, Deborah Leach filed false income tax returns electronically, with the total loss to the IRS amounting to \$213,054. In March 2019, Leach and a co-defendant were indicted on federal tax

charges; she pleaded guilty to filing false federal income tax returns. In January 2020, Leach was sentenced to three years of probation and ordered to pay \$102,400 in restitution.

State v. Patrick Wilson

Washington County Court of Common Pleas, Case No. 20CR69

A Washington County grand jury indicted Patrick Wilson on 68 counts of theft and one count each of engaging in a pattern of corrupt activity and telecommunications fraud. Wilson allegedly accepted large down payments from clients to buy building materials for decks, pole barns, garages and houses, but he never delivered supplies, completed work or refunded the money. A total of 34 people from Ohio and West Virginia say they lost a combined \$412,000 from January 2017 through June 2019. The case is pending.

State v. Douglas Pund

Warren County Court of Common Pleas, Case No.20CR36841

From February 2017 to January 2018, homebuilder Douglas Pund, through his business Novum Custom Homes LLC, defrauded a husband and wife who paid over \$500,000 for a new home in Warren County. Pund failed to complete the build and pay subcontractors, causing liens to be placed on the house. On June 1, 2020, Pund was indicted by a Warren County grand jury, and on Oct. 19, 2020, he pleaded guilty to one count of forgery. On Dec. 17, 2020, Pund was sentenced to five years of community control and ordered to pay restitution of \$290,710.

State v. Greg Tracy

Ross County Court of Common Pleas 20CR299

Greg Tracy agreed to replace an individual’s roof for \$8,400. The individual, who had a disability, gave Tracy \$4,000 to perform the repair, but he never performed any work and did not refund any money. On Sept. 25, 2020, the defendant pleaded guilty to one count of felony theft and, in November 2020, was sentenced to two years of community control and ordered to pay \$4,000 in restitution.

D. CONSUMER ASSISTANCE UNIT

The Consumer Assistance Unit includes complaint specialists, the Identity Theft Unit and Title Defect Recision Fund (TDR) personnel. The staff serves consumers, small businesses and nonprofits that file complaints against various businesses or who believe they have been the victims of identity theft.

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 2020, 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.

In 2020, the Identity Theft Unit received a total of 960 complaints. Because children in the foster care system may be especially vulnerable to identity theft, Attorney General Dave Yost has maintained a relationship with the Ohio Department of Job and Family Services to correct errors that are discovered on the credit reports of foster youth. In 2020, the Identity Theft Unit assisted with 95 complaints for minors in foster care.

TOP CONSUMER COMPLAINTS REPORTED TO THE ATTORNEY GENERAL'S OFFICE

Every year, the Attorney General's Office compiles a list of the top complaint-generating areas. In 2020, the Consumer Protection Section received more than 24,000 complaints. The top areas were:

1. Motor vehicles
2. Coronavirus-related
3. Shopping, food or beverages
4. Professional services
5. Collections, credit reporting or financial services
6. Home or property improvement
7. Utilities, phone, internet or TV services
8. Identity theft

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 2020, the Education Unit conducted 80 educational events, reaching nearly 8,000 attendees.

Because of the COVID-19 pandemic, workers in the Education Unit created new education tools. They designed four short publications and had those disseminated throughout the state, reaching millions of households. Also, four videos related to COVID-19 scams – including identity theft, common payment schemes and red flags of a scam – were created to help teach consumers.

G. ELDER JUSTICE UNIT

The Elder Justice Unit provides leadership and advocacy to combat elder abuse and exploitation throughout the state. The Attorney General's Office works with law enforcement, prosecutors, adult protective services and communities to:

- Identify, investigate and prosecute elder abuse cases.
- Improve services for victims.
- Raise awareness of the warning signs of abuse.
- Build local capacity to protect older adults.

Housed in the Consumer Protection Section, the Elder Justice Unit works in a collaborative manner and partners with several sections of the Attorney General's Office, including Crime Victim Services, Consumer Protection, Health Care Fraud, Special Prosecutions and the Ohio Bureau of Criminal Investigation.

The team helps communities with elder abuse and financial exploitation investigations, forensic analysis, case presentation and prosecution, victim advocacy and assistance, 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 Unit has assisted more than 2,182 older Ohioans and their family members to better understand and address elder abuse and exploitation. In 2020, the Elder Justice Unit conducted 33 trainings and presentations, reaching over 2,196 attendees.



DAVE YOST

OHIO ATTORNEY GENERAL

CONSUMER PROTECTION

ANNUAL REPORT

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