

ANNUAL REPORT

OFFICE OF THE ATTORNEY GENERAL

2023 CONSUMER PROTECTION



DAVE YOST
OHIO ATTORNEY GENERAL



The Attorney General's Office
protects Ohio and its families.

Our actions are driven by their interests,
guided by the rule of law
and the relentless pursuit of justice.

We seek to constrain evil and empower good,
without partisan preference
or subjective judgment, as defined
by the law and by the Constitutions
of the United States and Ohio.



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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 2023, staff members assisted 25,489 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 grew the Robocall Enforcement Unit, which combats fraudsters who bombard Ohioans with illegal calls, hoping to get their hands on unwitting consumers' hard-earned money. In 2023, the unit elicited more than 9,254 reports of unwanted calls — information we're using to stop such fraudulent calls and texts.

Other notable work from the year:

- Our Civil Investigative Unit opened 171 cases, and the Civil Legal Unit filed 33 lawsuits against bad actors, with the latter obtaining more than \$9 million in judgments on behalf of the Attorney General's Office and all Ohioans.
- Through our Elder Justice Unit, we helped 281 older Ohioans access law enforcement and various resources, such as social workers and adult protective services.
- Our Economic Crimes Unit identified, investigated and prosecuted scam artists, opening 521 criminal investigative matters. In cooperation with local law enforcement and prosecutors, the unit filed 12 indictments and obtained 10 convictions. These cases resulted in more than \$220,000 in consumer restitution orders.

We proudly share our accomplishments from 2023 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 proved 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 2023 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 2023, the Consumer Protection Section opened 171 civil investigations. It also initiated 33 lawsuits for various unfair, deceptive or unconscionable business practices and obtained 63 judgments and Assurances of Voluntary Compliance totaling more than \$9 million in consumer restitution, civil penalties, costs and other relief.

The following are summaries of the lawsuits, judgments and settlements that occurred in 2023.

LAWSUITS

614 Custom Homes Inc./Mark Koval

Franklin County Court of Common Pleas, Case No. 23CV002330

Mark Koval owned and operated 614 Custom Homes, primarily providing home-construction additions and remodels. Consumers complained to the attorney general that they paid the business for services that were not received or that services were performed in a poor or shoddy manner. The Attorney General's Office filed a lawsuit against 614 Custom Homes and Koval on April 4, 2023, for violations of the Consumer Sales Practices Act, the Home Solicitation Sales Act and the Home Construction Service Suppliers Act. Counts included failure to deliver, performing work in a shoddy manner, abandoning the worksite after partial performance, failure to provide proper notice of cancellation rights, failure to provide all statutorily required information in contracts, and requiring excessive down payments in contracts. The lawsuit seeks a declaratory judgment, permanent injunction, consumer restitution and civil penalties. The case is pending.

Affordable Monuments LLC dba Dixon Family Monuments dba Dixon Family Affordable Monuments/Amanda Carl/Marquon Ivory

Montgomery County Court of Common Pleas, Case No. 2023CV04631

Affordable Monuments and its owners, Amada Carl and Marquan Ivory, operated under the names Dixon Family Monuments and Dixon Family Affordable Monuments, selling cemetery monuments to consumers to place on cemetery plots. Consumers complained to the attorney general that they paid for monuments that were never delivered. The Attorney General's Office filed a lawsuit against the business and its owners and operators on Aug. 31, 2023, for violations of the Consumer Sales Practices Act. Counts included failure to deliver and failure to register a fictitious business name. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution and civil penalties. The case is pending.

Amazon Home Warranty LLC/Amazon Warranty Administrators LLC

Franklin County Court of Common Pleas, Case No. 23CV000331

Amazon Home Warranty and Amazon Warranty Administrators market and sell home "warranties" that purport to provide coverage on home systems and appliances. Consumers complained that when a "covered" appliance or system broke down, consumers — following the procedures outlined — would contact the defendants to send a technician to diagnose the problem. Defendants would often take days

or even weeks to send a technician, prompting some consumers to expend time and energy to find a technician on their own. Consumers who went ahead with a repair through the technician they found would then be required to pay up front and wait for approval or reimbursement from Amazon Warranty Administrators, only to learn that their claims were denied. Consumers also complained that the coverage was not as represented and that the companies denied coverage based on fine print. The Attorney General's Office filed a lawsuit against Amazon Home Warranty and Amazon Warranty Administrators on Jan. 17, 2023, for unfair, deceptive and unconscionable acts and practices under the Consumer Sales Practices Act and its Substantive Rules. The case was resolved with a consent judgment on Sept. 22, 2023. The settlement included a declaratory judgment, a permanent injunction, an agreement to cease doing business in Ohio, \$55,000 in consumer restitution, and a \$100,000 civil penalty suspended on the condition of full compliance with the terms of the settlement.

AutoMark Corp. /Mark A. Reese

Fairfield County Court of Common Pleas, Case No. 23CV046

Mark Reese and his used-car dealership, AutoMark Automotive, sold used vehicles to consumers but failed to transfer titles in a timely manner. The dealership, now closed, and our office paid a \$4,000 claim from the Title Defect Recision (TDR) Fund to resolve one consumer's title issue. The Attorney General's Office filed a lawsuit against AutoMark and Reese on Jan. 24, 2023, alleging violations of the Consumer Sales Practices Act and the Certificate of Motor Vehicle Title Act. The case was resolved with a consent judgment on Sept. 22, 2023. The settlement included a declaratory judgment, a permanent injunction against obtaining a motor vehicle dealer license in Ohio, and a \$1,000 civil penalty.

Benny R. Bryant/B.R. Bryant Custom Homes LLC

Butler County Court of Common Pleas, Case No. CV 2023 08 1686

Benny R. Bryant owned and operated B.R. Bryant Custom Homes, which built custom homes and pole barns until abruptly ceasing operations. Consumers complained to the attorney general that their houses were not finished and that subcontractors were owed money. On Aug. 22, 2023, the Attorney General's Office filed suit against Bryant and his business, alleging violations of the Home Construction Service Suppliers Act, including counts for failure to provide contracts containing all statutorily required information, failure to provide refunds, and misrepresentation. The lawsuit seeks a declaratory judgment, permanent injunctions, consumer damages and civil penalties. The case is pending.

Bulletproof Buildings LLC/Austin C. Core

Allen County Court of Common Pleas, Case No. CV 2023 0107

Austin C. Core owned and operated Bulletproof Buildings, a construction company in Allen County specializing in the construction of outbuildings. Consumers complained that the business failed to complete work or provide a refund. The Attorney General's Office sued Core and his company on March 27, 2023, for violations of the Consumer Sales Practices Act and Home Solicitation Sales Act. Counts include failure to deliver or provide a refund, violations of the direct solicitation rule, and failure to provide proper notice of cancellation rights. The case was immediately resolved with a consent

judgment filed on March 28, 2023. The settlement included a declaratory judgment, a permanent injunction, \$18,304.32 in consumer restitution, and a \$15,000 civil penalty with \$10,000 (suspended on the condition of full compliance with the terms of the settlement).

BuySmart Home Improvements LLC/Christopher Sullivan

Lake County Court of Common Pleas, Case No. 23CV001471

Christopher L. Sullivan owned and operated BuySmart Home Improvements, an Ohio incorporated business that provided home-improvement services — primarily roof replacements. Consumers complained to the attorney general that they paid the business for roof replacements that were not provided. The Attorney General’s Office filed a lawsuit against Christopher L. Sullivan and BuySmart on Oct. 26, 2023, for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Counts included failure to deliver and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, permanent injunction, consumer restitution and civil penalties. The case is pending.

Alianna Cantrell

Richland County Court of Common Pleas, Case No. 2023 CV 0270

Alianna Cantrell owned and operated a business out of her home that offered wedding planning services and products. Cantrell operated under her own name, Weddings by Alianna, and Preferred Rentals & Planning LLC. Consumers complained to the attorney general that they paid for services and products that were not delivered. The Attorney General’s Office filed a lawsuit against Cantrell on June 2, 2023, for violations of the Ohio Consumer Sales Practices Act for failure to provide services and products. The case was resolved with a consent judgment filed on Sept. 20, 2023. The settlement included a declaratory judgment, a permanent injunction, \$18,578.50 in consumer restitution and a \$12,000 civil penalty (suspended contingent on her repayment of the restitution and compliance with the terms of the consent judgment).

Joseph R. Vega/CLE Masonry LLC/Ohio City Contractors Inc.

Cuyahoga County Court of Common Pleas, Case No. CV 23 987946

Joseph Vega operated a masonry business in northeast Ohio and used various business names, including CLE Masonry and, more recently, Ohio City Masonry. Consumers complained that they paid Vega’s businesses for work that was not completed or not even started, or for work that was done in a shoddy manner. On Nov. 2, 2023, the Attorney General’s Office filed a lawsuit against Joseph Vega, CLE Masonry and Ohio City Contractors alleging violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. The complaint included counts for failure to deliver, performing work in a shoddy manner, and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, permanent injunction, consumer restitution and civil penalties. The case is pending.

CrownMe Coil Care LLC dba Arcani Coil Care/Jerricha Richardson dba CrownMe Coil Care LLC dba Arcani Coil Care

Montgomery County Court of Common Pleas, Case No. 2023 CV 05859

Jerricha Richardson and her business, CrownMe Coil Care, doing business as Arcani Coil Care, formulated, made and sold hair-care products to consumers, mainly via the internet. Consumers complained to the attorney general that they paid for hair-care products that were not delivered or for products that were incorrect, mislabeled or spoiled. Consumers also said Richardson and her company failed to provide refunds. The Attorney General's Office filed a lawsuit on Nov. 1, 2023, for failure to deliver or provide refunds and for misrepresentations regarding the quality of the products, in violation of the Consumer Sales Practices Act. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, civil penalties and any other appropriate relief. The case is pending.

Bethrand Ekeanyanwu dba Uncle B Auto

Franklin County Court of Common Pleas, Case No. 23 CV 5613

Bethrand Ekeanyanwu does business as Uncle B Auto, a central Ohio used-vehicle dealership. Consumers complained to the attorney general about Ekeanyanwu's misrepresentations in the sale of motor vehicles, including failure to deliver title, failure to disclose the salvage status of vehicles, and odometer discrepancies. The Attorney General's Office sued Ekeanyanwu on Aug. 8, 2023, for violations of the Consumer Sales Practices Act, Certificate of Motor Vehicles Title Act, and Odometer Rollback and Disclosure Act. The complaint requests declaratory and injunctive relief, and seeks to have Ekeanyanwu and his business reimburse consumers found to have been damaged, pay civil penalties, and be prohibited from maintaining, obtaining or renewing a dealer or salesperson license if not in compliance with Ohio law. The case is pending.

Diamond Ridge Construction Services, LLC/Brian Stepp/Thomas Boyd

Cuyahoga County Court of Common Pleas, Case No. CV 23 983585

Brian Stepp and Thomas Boyd own and operate Diamond Ridge Construction Services, which offers home-construction, home-improvement, and home-repair services in Cuyahoga County. Consumers complained that the business failed to complete work or provide a refund, left work incomplete, and produced shoddy work. The Attorney General's Office sued Stepp, Boyd, and Diamond Ridge on Aug. 8, 2023, for violations of the Consumer Sales Practices Act and the Home Construction Service Supplier Act. The lawsuit seeks a declaratory judgment, permanent injunction, consumer restitution and civil penalties. The case is pending.

Dixie Fence South LLC/Daryl Robert Fraley

Montgomery County Court of Common Pleas, Case No. 2023 CV 00863

Daryl Robert Fraley owns and operates Dixie Fence South, which offers fence installation and repair services in Montgomery County. Consumers complained that the business failed to complete work or provide a refund, left work incomplete, and produced shoddy work. The Attorney General's Office filed

a lawsuit against Fraley and his business on Feb. 21, 2023, for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Counts included failure to deliver, shoddy work, and failure to provide proper notice of cancellation rights. The case was resolved with a consent judgment on Dec. 5, 2023, which included a declaratory judgment, a permanent injunction, \$124,537 in consumer restitution, and a \$50,000 civil penalty (with \$40,000 suspended contingent on repayment of the restitution and compliance with the terms of the consent judgment).

EAC Auto Group LLC/Earl A. Coleman

Hamilton County Court of Common Pleas, Case No. A2300307

EAC Auto Group is a used-vehicle dealer in Cincinnati, owned by Earl A. Coleman. Consumers complained that they bought used cars from EAC Auto Group but that the dealer failed to transfer the titles to the cars they bought. Title Defect Recision (TDR) claims totaling \$4,000 were paid from the TDR Fund to resolve a title complaint. After a payment was made from the TDR Fund, the dealer failed to obtain the surety that they are required to maintain while in operation. The Attorney General's Office sued EAC Auto Group and Coleman on Jan. 23, 2023, for unfair and deceptive acts under the Consumer Sales Practices Act and the TDR law. A default judgment was granted on Aug. 29, 2023, and includes injunctive and declaratory relief, payment to the TDR Fund of \$4000, payment of a civil penalty of \$15,000, and defendant Coleman is prohibited from applying for, renewing, or maintaining a salespersons or auto dealer license.

Good Measure Contracting LLC/Jason Rocha

Cuyahoga County Court of Common Pleas, Case No. CV 2023 984428

Jason Rocha owned and operated Good Measure Contracting, which provided home-improvement goods and services, including roof and siding installation and repair. Consumers complained to the attorney general that they gave deposits to Rocha and Good Measure and did not receive any goods or services. Additionally, the defendants failed to register as a contractor in applicable jurisdictions and failed to obtain proper permits. On Aug. 23, 2023, the Attorney General's Office filed a lawsuit against Rocha and Good Measure Contracting alleging violations of the Consumer Sales Practices Act. Counts include failure to deliver, abandoning the worksite after partial performance, and failure to obtain permits or licenses. The lawsuit seeks a declaratory judgment, permanent injunction, consumer restitution and civil penalties. The case is pending.

Grizzly Buildings LLC/Jerry Weeks

Auglaize County Court of Common Pleas, Case No. 2023CV20048

Jerry Weeks owned and operated Grizzly Buildings, a business offering home-improvement repairs and services, including the installation of pole barns. Consumers complained to the attorney general that they paid the business for services that were not provided or that services were performed in a substandard manner. The Attorney General's Office sued Weeks and his company on March 30, 2023, for violations of the Consumer Sales Practices Act, the Home Construction Service Suppliers Act and the Home Solicitation Sales Act. Counts included failure to deliver, shoddy work, abandoning the worksite after

partial performance, failure to provide proper notice of cancellation rights and other required information, and requiring deposits in excess of those allowed by law. The lawsuit seeks a declaratory judgment, permanent injunction, consumer restitution and civil penalties. The case is pending.

Brian Hamilton dba Hamilton Construction

Hamilton County Court of Common Pleas, Case No. A2304047

Brian Hamilton owned and operated Hamilton Construction, a home-improvement contractor in Hamilton County. Consumers complained that the business failed to complete work, provided substandard or shoddy work, or failed to provide a refund. The Attorney General's Office sued Hamilton on Sept. 21, 2023, for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Counts include failure to deliver or provide a refund, shoddy work, operating under an unregistered business name, and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, permanent injunction, consumer restitution and civil penalties. The case is pending.

Inmediata Health Group LLC/Inmediata Technologies LLC

Franklin County Court of Common Pleas, Case No. 23CV007390

On Oct. 17, 2023, the Attorney General's Office filed a lawsuit against Inmediata, a health-care clearinghouse based in San Juan, Puerto Rico, that exposed the protected health information of more than 1.5 million consumers due to a multiyear data breach. After being notified of the breach, Inmediata waited more than three months to inform consumers and, in some cases, sent notification to incorrect addresses. The complaint alleged violations of Ohio's Data Breach Notification Act, R.C. 1349.19 *et seq.* related to Inmediata's waiting more than 45 days to notify consumers of the breach. On Oct. 26, 2023, the court entered a consent judgment that requires Inmediata to strengthen its data security and breach-notification practices. This included implementing a comprehensive information-security program, developing an incident-response plan with specific policies and procedures for notification letters, and undergoing annual third-party security assessments for five years. Inmediata agreed to pay \$1.4 million to a coalition of 33 states; Ohio will receive \$58,336.

Korite Michael Kalango dba Kalango Links

Franklin County Court of Common Pleas, Case No. 23 CV 0952

Korite Michael Kalango does business as Kalango Links, a central Ohio used-car dealership. Consumers complained to the Attorney General's Office about misrepresentations by Kalango in the sale of motor vehicles, and odometer discrepancies. The Attorney General's Office sued Kalango and his company on Feb. 13, 2023, for violations of the Consumer Sales Practices Act and Odometer Rollback and Disclosure Act. The complaint requests declaratory and injunctive relief, and seeks to have Kalango reimburse consumers found to have been damaged, pay civil penalties, and be prohibited from maintaining, obtaining, or renewing a dealership or salesperson license if not in compliance with Ohio law. The case is pending.

Lancaster Auto Sales LLC dba Route 33 Auto Sales/Travis J. Turner

Fairfield County Court of Common Pleas, Case No. 23CV00839

Travis Turner and his used-car dealership, Lancaster Auto Sales, doing business as Route 33 Auto Sales, sold used vehicles to consumers but failed to transfer titles in a timely fashion. The Ohio Attorney General’s Office paid a \$61,900 claim from the Title Defect Recision (TDR) Fund to resolve four consumers’ title issues. The Attorney General’s Office filed a lawsuit against Lancaster Auto Sales and Turner on Dec. 20, 2023, alleging violations of the Consumer Sales Practices Act and the Certificate of Motor Vehicle Title Act. The main objectives of the lawsuit are to seek reimbursement to the TDR Fund, to ensure that the Bureau of Motor Vehicles cancels the dealership’s license, and to prevent Turner from obtaining a dealership or salesperson license in the future. The case is pending.

Lonnell Jackson dba Royalty Automotive Group/Melchizedek Dubose dba Royalty Automotive Group

Clermont County Court of Common Pleas, Case No. 2023CVH846

Defendants sold motor vehicles under the name Royalty Automotive Group. Consumers said they bought used cars from the defendants but complained that the titles were not transferred to the cars they bought. The Title Defect Recision Fund (TDR) paid a total of \$34,160.42 to these consumers. The Ohio Attorney General’s Office sued Lonnell Jackson and Melchizedek Dubose on Aug. 15, 2023, for unfair and deceptive acts under the Consumer Sales Practices Act and the TDR law. The complaint seeks declaratory and injunctive relief, payment to the TDR Fund for any additional claims paid, and a civil penalty. Additionally, it seeks to prohibit Jackson and Melchizedek from engaging in consumer transactions related to motor-vehicle sales and operating as a used-car dealer or salesperson if not in compliance with the Consumer Sales Practices Act. The case is pending.

Meta Platforms Inc./Instagram LLC/Meta Payments Inc./Meta Platforms Technologies LLC

U.S. District Court for the Northern District of California, Case No. 23-CV-05448

On Oct. 24, 2023, 33 attorneys general, including Ohio Attorney General Dave Yost, filed a lawsuit against Meta Platforms, Instagram, Meta Payments and Meta Platforms Technologies in U.S. District Court for the Northern District of California. The complaint alleges a federal COPPA claim on behalf of all 33 plaintiffs — alleging that the defendants collected data without parental authorization from users known to be under 13 years old. Thirty-one plaintiffs also brought various state-related counts. The Ohio counts include unfair and deceptive violation of the Consumer Sales Practices Act, based on defendants’ misrepresentations about their platforms and their actions to knowingly design their platforms without mitigating the damaging effects on young users in order to maximize the company’s overall engagement and profits. Ohio also alleges that the defendants’ immoral, unethical, oppressive and unscrupulous acts related to designing their platforms while ignoring the impact that those platforms had on young users’ mental health were unconscionable. Ohio seeks a declaratory judgment, a permanent injunction and civil penalties. The lawsuit is currently pending as its own matter but may ultimately be consolidated within a broader multidistrict litigation encompassing similar claims against the defendants in the same district court.

Michael D. Lansky LLC, dba Avid Telecom/Michael D. Lansky/Stacey S. Reeves

U.S. District Court, District of Arizona, Case No. 4:23-cv-00233

Avid Telecom provided customized robocalling services to its customers — including tools to place extremely high volumes of calls quickly, access to phone numbers and dialing software — while also sending or helping to route illegal robocalls across the country. The Ohio Attorney General’s Office, along with 47 other states and the District of Columbia, sued the business and its owner, president and vice president on May 23, 2023, alleging violations of the Telephone Consumer Protection Act and the Telemarketing Sales Rule. The lawsuit seeks a permanent injunction, consumer restitution and civil penalties. The case is pending.

Midwest Roof Renovation LLC/NewFace Exteriors LLC/Thomas Grubb

Fairfield County Court of Common Pleas, Case No. 23 CV 148

Thomas Grubb operated two home-improvement companies, Midwest Roof Renovation and NewFace Exteriors. Consumers complained that the defendants took deposits from consumers but did not deliver the promised work. On March 8, 2023, the Attorney General’s Office filed a lawsuit against the companies and their owner for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Counts included failure to deliver, shoddy work, operating while having outstanding consumer protection judgments, and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, permanent injunction, consumer restitution and civil penalties. The case is pending.

Myriad Capital Management Inc. dba Franklin Moss & Associates and Koplan Welsh & Associates and Blackwell Mathis Group/Chris Rivera

Franklin County Court of Common Pleas, Case, No. 23CV007742

On Oct. 31, 2023, the Attorney General’s Office filed a lawsuit against Myriad Capital Management, a debt-collection company based in Orlando, Florida, and its owner, Chris Rivera. The defendants collected debts from Ohio consumers using various business names, including Franklin Moss & Associates, Koplan Welsh & Associates and Blackwell Mathis Group. The complaint alleges that Rivera frequently changed business names and purposefully used names that sound like law firms to convince consumers that a lawsuit would be filed if they did not pay the debts. The lawsuit alleges that the defendants committed illegal debt-collection practices — including engaging in abusive, harassing and deceptive conduct — that violate various provisions of the Consumer Sales Practices Act. The lawsuit seeks a declaratory judgment, permanent injunction, consumer restitution and civil penalties. The case is pending.

Ohio Mega Group LLC/Dominic Wiley

Franklin County Court of Common Pleas, Case No. 23 CV 6463

Dominic Wiley owns and operates Ohio Mega Group, a central Ohio used-car dealership. Consumers complained to the Attorney General’s Office about wrongdoing in the sale of motor vehicles, including failure to deliver titles, failure to disclose the salvage status of vehicles and odometer discrepancies. The Attorney General’s Office sued Wiley and his business on Sept. 12, 2023, for violations of the Consumer

Sales Practices Act, Certificate of Motor Vehicles Title Act, and Odometer Rollback and Disclosure Act. The complaint requests declaratory and injunctive relief, and that Wiley and his business reimburse consumers found to have been damaged, pay civil penalties and be prohibited from maintaining, obtaining or renewing a dealer or salespersons license if not in compliance with Ohio law. The case is pending.

Pelican Investment Holdings LLC, Dimension Service Corporation, Joseph E. Hill Jr., Ronald D. Eddington Jr., Stacey E. Yim, Vajira Samararatne, MB Holdings Group, Gustav C. Renny, Falcon Endeavors, National Administrative Service Co. LLC., AutoGuard Advantage Corporation, and Haytham H. Elzayn

Franklin County Court of Common Pleas, Case No. 23CV000047

The defendants marketed auto “warranties” via outbound telephone solicitations. They contracted with lead-generating companies that initiated telephone calls using artificial or prerecorded voices to deliver a message. The prerecorded voice message failed to properly identify the calling party and deceptively represented that the call was concerning extending the consumer’s auto warranty and was affiliated with auto manufacturers; in fact, the call was about the sale of vehicle service contracts. For the phone calls that resulted in the sale of these service contracts, the defendants failed to secure a signed written confirmation of a verbal agreement that included all the required information to obtain copies of signed contracts. The Attorney General’s Office filed a lawsuit against the defendants on Jan. 4, 2023, for violations of the Telephone Solicitation Sales Act and the Consumer Sales Practices Act. The case was resolved against Pelican Holdings, Gustav Renny, Vajira Samararatne, Ronald Eddington Jr., Joseph Hill Jr., Falcon Endeavors and MB Holdings Group with four separate consent judgments spanning the seven defendants on Oct. 9, 2023. The four settlements included a declaratory judgment, a permanent injunction, and a \$200,000 civil penalty with \$100,000 suspended on the condition of full compliance with the terms of the settlement. The case is pending against the remaining defendants.

Peter Ristich dba Central One Paving/Teneilla Stults dba Central One Paving

Franklin County Court of Common Pleas, Case No. 23CV000997

Peter Ristich and Teneilla Stults, doing business as Central One Paving, offer driveway repair and installation services in Franklin County. Consumers complained that the business failed to complete work or provide a refund, left work incomplete, and produced shoddy work. The Attorney General’s Office filed a lawsuit against Ristich and Stults on Feb. 14, 2023, for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Counts included failure to deliver, shoddy work, and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, permanent injunction, consumer restitution and civil penalties. The case is pending.

Resz Fabrication Inc./Michael Boresz

Lake County Court of Common Pleas, Case No. 23CV000224

Mihael Boresz owns and operates Resz Fabrication. The company made and sold custom metal fabrication, typically motor vehicle parts, in northeastern Ohio. Resz solicited consumers via its website,

social media and word of mouth. Consumers complained that they ordered parts from Resz but that the supplier failed to deliver or provide refunds. The Attorney General's Office filed a lawsuit on Feb. 17, 2023, for defendants' unfair and deceptive acts and practices under the Consumer Sales Practices Act. On Aug. 28, 2023, the court entered a final judgment that included declaratory and injunctive relief, an award of \$23,986.16 in consumer restitution and \$25,000 in civil penalties.

Rite-On Roofing and Siding LLC/ Michael Windle

Lucas County Common Pleas Court, Case No. G-4801-CI-020230 1547-000

Michael Windle owned and operated Rite-On Roofing and Siding. The Attorney General's Office received numerous complaints from consumers who submitted deposits to Windle and his company but received no goods or services. The Attorney General's Office filed a lawsuit against the defendants on Feb. 13, 2023, for failure to deliver — a violation of the Consumer Sales Practices Act. The lawsuit seeks a declaratory judgment, permanent injunction, consumer restitution, civil penalties and costs. The case is pending.

Anthony Ryan, individually, dba Ryan Roofing & Home Improvements Ltd./Ryan Roofing & Home Improvements Ltd.

Franklin County Court of Common Pleas, Case No. 23 CV 00028

Anthony Ryan operated his business under the name Ryan Roofing & Home Improvements — a registered business in Ohio since May 31, 2012. Consumers complained that, after paying Ryan and his company, the defendants failed to perform the contracted roofing jobs. The Attorney General's Office filed a lawsuit on Nov. 9, 2023, against Ryan and his company alleging violations of the Consumer Sales Practices Act. The lawsuit alleges failure to deliver and failure to provide proper notice of cancellation rights; it seeks a declaratory judgment, permanent injunction, consumer restitution, and civil penalties. The case is pending.

S Automotive Ltd./ Simon Nwaru Jr.

Franklin County Court of Common Pleas, Case No. 23 CV 0951

Simon Nwaru Jr. owns and operates S Automotive, a central Ohio used-car dealership. Consumers complained to the Attorney General's Office about the defendants' failure to deliver title, misrepresentation and odometer discrepancies. The Attorney General's Office sued on Feb. 13, 2023, for violations under the Consumer Sales Practices Act, Title Defect Recision Fund, and Odometer Rollback and Disclosure Act. The complaint requests declaratory and injunctive relief, payment to the TDR Fund, reimbursement of consumers found to have been damaged, and civil penalties. It also requests that Nwaru be prohibited from maintaining, obtaining or renewing a dealer or salespersons license if not in compliance with Ohio law. The case is pending.

Speck Custom Woodwork LLC/Trevor Speck

Greene County Court of Common Pleas, Case No. 2023 CV 0526

Speck Custom Woodwork and Trevor Speck sold custom wood cabinetry and furniture via the internet. Consumers complained to the Attorney General's Office that they paid for cabinets or furniture that were

not delivered. Speck Custom Woodwork and Speck also failed to provide refunds. The Attorney General's Office sued Speck and his company on July 20, 2023, for failure to deliver or provide refunds — violations of the Consumer Sales Practices Act. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, civil penalties and any other appropriate relief. The case is pending.

Tune Squad Entertainment LLC/Adam M. Shearer

Summit County Court of Common Pleas, Case No. 2023-02-0650

Adam M. Shearer owns and operates Tune Squad Entertainment, which provides disc jockey services at weddings and other large gatherings. Consumers complained to the attorney general that they paid the business for services that were not received or that Shearer said refunds were available but failed to provide them. The Attorney General's Office sued Shearer and his company on Feb. 27, 2023, for violations of the Consumer Sales Practices Act. Counts included failure to deliver and misrepresentation. The case was resolved with the filing of a final judgment on Aug. 14, 2023, which included a declaratory judgment, permanent injunction, \$1,898 in consumer restitution and a \$5,000 civil penalty.

OTHER JUDGMENTS OR SETTLEMENTS

American Auto Repair Coverage LLC

Franklin County Court of Common Pleas, Case No. 21CV006716

American Auto Repair Coverage marketed and sold to consumers the goods and services of third parties, including automobile service contracts. Their telephone solicitations, however, failed to comply with the requirements of the Telephone Solicitation Sales Act. The Attorney General's Office sued the business on Oct. 21, 2021. The case was resolved with a consent judgment on Jan. 27, 2023. The settlement included a declaratory judgment, a permanent injunction, a \$10,000 civil penalty for violations of the Telephone Solicitation Sales Act (with \$5,000 suspended on the condition of full compliance with the terms of the settlement), a \$10,000 civil penalty for violations of the Consumer Sales Practices Act (with \$5,000 suspended on the condition of full compliance with the terms of the settlement), and a \$1,500 payment to the state for costs and fees.

American Memorial Monuments LLC/Darren Boykin/Robert Katz/Douglas Shane Arrington

Montgomery County Court of Common Pleas, Case No. 2019CV04212

American Memorial Monuments sold cemetery monuments, including agreements to set the monuments in the cemetery. Consumers complained to the Attorney General's Office that they paid for headstones that were never delivered, were improperly designed or could not be properly set in the cemeteries. The Attorney General's Office filed a lawsuit against the business and its owners and operators on Sept. 26, 2019, for violations of the Consumer Sales Practices Act. Counts included failure to deliver and misrepresentations of the product. The case against Darren Boykin was resolved with a consent judgment on June 1, 2022. The settlement included a declaratory judgment, a permanent injunction, \$7,500 in consumer restitution, and a \$7,000 civil penalty (suspended on the condition of full compliance with the terms of the settlement). The case against Robert Katz was resolved with a consent

judgment on Aug. 5, 2022. The settlement included a declaratory judgment, a permanent injunction, \$40,000 in consumer restitution, and a \$30,000 civil penalty (suspended on the condition of full compliance with the terms of the settlement). The case against Shane Arrington was resolved with a consent judgment on Aug. 30, 2022. The settlement included a declaratory judgment, a permanent injunction, \$9033.92 in consumer restitution, and a \$7,500 civil penalty (suspended on the condition of full compliance with the terms of the settlement). The case against American Memorial Monuments was resolved on Jan. 4, 2023, with the filing of a default judgment that included a declaratory judgment, permanent injunction and \$50,000 civil penalty.

Nicholas Cooper and Joshua Nicholas, both individually and doing business as A-Z Auto Body and A-Z Auto Body Repair & Classic Restoration

Franklin County Court of Common Pleas, Case No. 21 CV 001857

Nichols Cooper and Joshua Nicholas owned and operated a vehicle-repair business in Columbus that did business under the names A-Z Auto Body and A-Z Auto Body Repair & Classic Restoration. Consumers complained to the Attorney General’s Office that they paid the business for services and products that were not provided, or that services were performed in a substandard manner. The Attorney General’s Office filed a lawsuit on March 25, 2021, naming Cooper as a defendant and amended the lawsuit on Dec. 21, 2021, adding Nicholas as a defendant. The lawsuit alleged multiple violations of the Consumer Sales Practices Act, including failure to deliver, performing work in a shoddy manner, and failure to register as a motor vehicle collision-repair operator. Separate final judgments were entered against each defendant on Feb.28, 2023. Each final judgment included a declaratory judgment, a permanent injunction, joint and several liability for \$74,301.38 in consumer restitution, and a \$70,000 civil penalty.

1st Pick Home Improvement LLC/Cowans Home Improvement LLC/Aaron Cowans

Franklin County Court of Common Pleas, Case No. 22CV003512

Aaron Cowans owned and operated 1st Pick Home Improvement and Cowans Home Improvement, both home-remodeling and home-repair businesses. Consumers complained to the Attorney General’s Office that they paid the business for services that were not provided or that services were performed in a substandard manner. The Attorney General’s Office sued Cowans and his companies on May 24, 2022, for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Counts included failure to deliver, shoddy workmanship and failure to provide proper notice of cancellation rights. A final judgment was entered against all three defendants on May 1, 2023, which included a declaratory judgment, a permanent injunction, \$92,340.67 in consumer restitution and a \$75,000 civil penalty.

Affordable Car Cure Inc.

Franklin County Court of Common Pleas, Case No. 21CV006712

Via telephone, Affordable Car Cure marketed and sold to consumers the goods and services of third parties, including automobile service contracts. The Attorney General’s Office sued the business on Oct. 21, 2021, for failure to comply with requirements of the Telephone Solicitation Sales Act. A consent

judgment was entered on June 9, 2023. It included injunctive relief, including a permanent injunction on acting as a telephone solicitor in Ohio and with Ohio consumers, a \$9,500 penalty for violations of the Telephone Solicitation Sales Act, a \$9,500 penalty for violations of the Consumer Sales Practices Act and \$1,000 in costs and fees.

American Auto Repair Coverage LLC

Franklin County Court of Common Pleas, Case No. 21CV006716

American Auto Repair Coverage marketed and sold to consumers, via telephone, the goods and services of third parties, including automobile service contracts. The Attorney General's Office sued the business on Oct. 21, 2021, for failure to comply with requirements of the Telephone Solicitation Sales Act. A consent judgment was entered on Jan. 26, 2023. It included injunctive relief, including a permanent injunction, a \$10,000 penalty for violations of the Telephone Solicitation Sales Act (with \$5,000 suspended upon compliance with the consent judgment), a \$10,000 penalty for violations of the Consumer Sales Practices Act (with \$5,000 suspended upon compliance with the consent judgment) and \$1,500 in costs and fees.

Allen's Concrete LLC/George Allen Back Jr.

Montgomery County Court of Common Pleas, Case No. 2022 CV 04185

George Allen Back Jr. owns and operates Allen's Concrete, which offers concrete pouring services, including driveways and patios. Consumers complained to the Attorney General's Office that they paid the business for services that were not received or that services were performed improperly. The Attorney General's Office filed a lawsuit against Back and his company on Sept. 15, 2022, for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Counts included failure to honor warranties, operating with unpaid consumer protection judgments, performing shoddy work and failure to provide proper notice of cancellation rights. The state dismissed Allen's Concrete from the action after being unable to obtain service after months of effort. A final judgment was entered against Back on July 14, 2023, which included a declaratory judgment, a permanent injunction, \$98,500 in consumer restitution and a \$25,000 civil penalty.

CLE Door Co. LLC/Joshua Robertson/Matthew Petroff/Thomas DiNardi

Cuyahoga County Court of Common Pleas, Case No. CV-22-967092

Joshua Robertson, Matthew Petroff and Thomas DiNardi owned and operated CLE Door, which offered garage-door installation and repair. Consumers complained to the Attorney General's Office that they paid the business for new garage doors and installations that were not provided. The Attorney General's Office sued CLE Door and its owners on Aug. 8, 2022, for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Counts included failure to deliver, misrepresentation and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, permanent injunction, consumer restitution and civil penalties. The case against CLE Door and Joshua Robertson was resolved with a default judgment on April 6, 2023. The order included a declaratory judgment, permanent injunction, \$102,843 in consumer restitution, and a \$75,000 civil penalty for which the defendants are jointly and severally liable. The case against DiNardi and Petroff is pending.

James C. Boswell/Edward Boswell dba Discount Paving

Hamilton County Court of Common Pleas, Case No. A2200168

Discount Paving was an unregistered business owned by James and Edward Boswell that offered driveway paving. Consumers complained to the Attorney General's Office that they paid the business for services that were not received or that the work was performed improperly. The Attorney General's Office filed a lawsuit against the Boswells on Jan. 18, 2022, for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. On Apr. 12, 2023, the court issued a judgment entry adopting a magistrate's decision, which included declaratory and injunctive relief, and ordered that James Boswell pay \$8,070 in consumer damages; that James and Edward Boswell, jointly and severally, pay an additional \$3,087 in consumer damages; that James Boswell pay a civil penalty of \$30,000; and that Edward Boswell pay a civil penalty of \$10,000.

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 to the Attorney General's Office 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 case was resolved via consent judgment filed on Jan. 17, 2023. The settlement included declaratory and injunctive relief, and award of full restitution in the amount of \$124,244.40 and \$25,000 in civil penalties against the business. Scott Reed and Camie Reed were jointly liable for a civil penalty of \$5,000.

Dollar General Corp./DolGen Corp. LLC

Butler County Court of Common Pleas, Case No. CV 2022 11 1812

The Dollar General chain is headquartered in Tennessee and operates hundreds of stores in Ohio that sell household goods. Consumers complained that Dollar General advertised goods for a marked price on shelves in their stores but charged another price (usually higher) at the register. The Attorney General's Office sued Dollar General on Nov. 1, 2022, for violations of the Consumer Sales Practices Act. Litigation concluded on Sept. 8, 2023, with a consent judgment. The judgment included compliance provisions such as mandatory training, price checks and record-keeping; a \$750,000 payment to the Attorney General's Office, to be distributed to Ohio food banks or similar Ohio charitable organizations; \$75,000 in civil penalties; and \$175,000 for investigative fees and costs. The \$750,000 was given to the state's 88 county auditors to distribute to hunger relief agencies in their counties.

Extreme Concrete LLC/Kenneth Ira Mills Jr.

Cuyahoga County Court of Common Pleas, Case No. CV 22 962094

Kenneth Ira Mills Jr. and his company, Extreme Concrete, offered concrete installation services, including swimming pools, driveways and walkways. Consumers complained to the Attorney General's Office that they paid the business for services that were not received or that services were performed improperly. The Attorney General's Office sued Mills and Extreme Concrete on April 14, 2022, for violations of the Consumer Sales Practices Act. Counts included failure to deliver, performing shoddy work, failure to obtain necessary permits or licenses, abandoning the worksite after partial performance, and stalling and evading legal obligations. The case was resolved via consent judgment on July 25, 2023. The settlement included declaratory and injunctive relief, award of full restitution in the amount of \$430,362.16, and \$125,000 in civil penalties (suspended in full upon compliance with the consent judgment).

Eric Fabian/Fabian1 LLC dba Certainty Construction and Home Solutions

Cuyahoga County Court of Common Pleas, Case No. CV 22 967578

Eric Fabian owned and operated Certainty Construction and Home solutions, which offered home remodeling and repair. Consumers complained to the Attorney General's Office that they paid the business for services that were not provided or that services were performed in a substandard manner. The Attorney General's Office sued Fabian and his company on Aug. 18, 2022, for violations of the Consumer Sales Practices Act, the Home Construction Service Suppliers Act and the Home Solicitation Sales Act. Counts included failure to deliver, abandoning the worksite, stalling and evading legal obligations, failure to provide proper notice of cancellation rights, and failure to provide statutorily required information. A default judgment was granted on March 8, 2023, which included declaratory and injunctive relief, an award of \$44,750 in consumer damages and civil penalties of \$50,000.

Timothy D. Fannon dba Riteway Plumbing

Franklin County Court of Common Pleas, Case No. 22CV000854

Timothy Fannon owned and operated Riteway Plumbing, an unincorporated business that offered plumbing and home-remodeling services. Consumers complained to the Attorney General's Office that they paid for services that were not received or that were performed improperly. The attorney general sued Fannon on Feb. 9, 2022, for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. On Jan. 30, 2023, the court entered a final judgment, which included declaratory and injunctive relief, an award of full restitution of \$14,022.37 for six consumers and a \$40,000 civil penalty.

Samuel Darling dba Flamingo Collective

Franklin County Court of Common Pleas, Case No. 21CV007390

Ohio resident Samuel Darling ran a crowdfunding campaign on the website Kickstarter.com. In collecting \$31,753 from 101 donors, Darling promised to ship them watches and related goods and to give some of the funding to a turtle conservation charity. The Attorney General's Office sued Darling on Nov. 23, 2021, for violations of the Consumer Sales Practices Act and the Ohio Charitable

Organizations Act. The complaint seeks a declaratory judgment, a permanent injunction and reimbursement of all money paid to the consumers who paid Darling via the Kickstarter campaign. Restitution and/or corrective action was taken to issue consumer refunds during the litigation, and a consent judgment was agreed upon by the parties and entered by the court on Nov. 3, 2023. The consent judgment included a permanent injunction under both the Consumer Sales Practices Act and the Ohio Charitable Organizations Act, and payment of a \$2,000 civil penalty.

Gridiron Windows and Doors LLC/John P. Bartos III

Mahoning County Court of Common Pleas, Case No. 2022CV01100

John P. Bartos III owned and operated Gridiron Windows and Doors, a business offering home-improvement goods and services. Consumers complained to the Attorney General's Office that they paid for services that were not received or that were performed improperly. The Attorney General's Office filed a lawsuit against Gridiron and Bartos on June 27, 2022, for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Counts included failure to deliver, performing work in a shoddy manner, misrepresentation and failure to provide proper notice of cancellation rights. The defendants filed an answer that contained a general denial. The case was resolved with the court granting summary judgment for the Attorney General's Office on Sept. 20, 2023. A final judgment on damages was filed on Oct. 30, 2023, which included a declaratory judgment, permanent injunction, \$55,210 in consumer restitution, a \$100,000 civil penalty, and costs.

Heath Furniture and Mattress LLC/Rick Wallace

Licking County Court of Common Pleas, Case No. 22CV01416

Rick Wallace owned and operated Heath Furniture and Mattress in Heath. Consumers complained to the attorney general that Heath Furniture and Mattress sold consumers furniture with far-off delivery dates and misled them about the status of their orders (using the COVID-19 pandemic as cover) and failed to deliver significant portions of orders and, in some cases, delivered nothing at all. The Attorney General's Office sued the business and its owner on Dec. 28, 2022, for violations of the Consumer Sales Practices Act. On Dec. 20, 2023, the court granted default judgment, ordering injunctive relief and requiring Wallace and his business to pay \$15,664.41 in restitution and a \$25,000 civil penalty.

IM Approved Store LLC/Benny Ingram

Cuyahoga County Court of Common Pleas, Case No. CV 22 972964

Benny Ingram owned and operated IM Approved Store, a used-motor-vehicle dealership in Cleveland. Consumers complained that IM Approved Store failed to transfer the titles to the cars they bought there. Claims were paid from the Title Defect Recision (TDR) Fund to resolve three title complaints, but the claims were reimbursed by the surety. The Attorney General's Office sued the business and its owner on Dec. 21, 2022, for violations of the Consumer Sales Practices Act (CSPA) and the TDR Law. The court granted default judgment on March 24, 2023, which included declaratory and injunctive relief finding the defendants' actions of failing to transfer title and post the required surety violated the CSPA and Certificate of Motor Vehicle Act. The defendants were ordered to pay a \$25,000 civil penalty and are prohibited from applying for an auto dealer license under Chapter 4517 of the Revised Code.

Lawrence Hurst dba True 2 Finish

Warren County Court of Common Pleas, Case No. 22CV095549

Lawrence Hurst owned and operated True 2 Finish, an unincorporated business that offered concrete pouring services. Consumers complained to the Attorney General's Office that they paid the business for services that were not received or that services were performed improperly. On Oct. 18, 2022, the Attorney General's Office sued Lawrence Hurst, doing business as True 2 Finish, for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Counts included failure to deliver, performing work in a shoddy manner, operating as a supplier while having outstanding consumer protection judgments, and failure to provide proper notice of cancellation rights. On Sept. 12, 2023, the court issued a default judgment ordering Hurst to pay \$4,980 in restitution and a \$40,000 civil penalty.

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 court granted default judgment against Lighthouse Auto Group Services on March 26, 2021. A consent judgment settling the litigation with Jerry M. Putteet was filed on Jan. 25, 2023. It included injunctive and declaratory relief, a \$15,000 civil penalty (suspended in full) and payment to the TDR Fund of \$31,271.50 pursuant to his Chapter 13 bankruptcy plan. A consent judgment with Jerry D. Putteet was filed on Jan. 27, 2023, which included injunctive and declaratory relief, and a civil penalty of \$15,000 (with \$11,400 of the civil penalty suspended upon compliance with the terms of the consent judgment).

Kevin Lonseth dba MET Tours Cruises

Wood County Court of Common Pleas, Case No. 2021CV0167

MET Tours Cruises, an unregistered business operated by Kevin Lonseth, was a travel agency specializing in domestic and international vacation tour packages. Consumers complained to the Attorney General's Office that they did not receive refunds for tours that they either paid for in full or reserved with a deposit. The Attorney General's Office sued Lonseth on May 14, 2021, for violations of the Consumer Sales Practices Act. Counts included failure to deliver, failure to honor contract terms, and failure to register a business name. The case was resolved with a default judgment on July 20, 2023, which included a declaratory judgment, permanent injunction, \$22,595 in consumer restitution and a \$40,000 civil penalty.

JUCO LLC/Jimmie Wells Jr. dba Five Star Painting and Fine Line Imaging

Franklin County Court of Common Pleas, Case No. 22CV003511

Jimmie L. Wells Jr. was in the home-improvement business and contracted with consumers in multiple counties in Ohio. He owned and operated JUCO and also did business under the trade names Five Star Painting and Fine Line Imaging. Consumers complained to the Attorney General's Office that they paid the business for services and goods that were not provided, or that services were performed in an incomplete or substandard manner. The Attorney General's Office filed a lawsuit on May 24, 2022, against both JUCO and Mr. Wells. The lawsuit alleged multiple violations of the Consumer Sales Practices Act and a violation of the Home Solicitation Sales Act, including counts for failure to deliver, performing work in a shoddy manner, and failure to provide consumers proper notice of cancellation rights. A final judgment was entered against both defendants on March 7, 2023, which included a declaratory judgment, a permanent injunction, \$6,994.53 in consumer restitution and a \$15,000 civil penalty.

Mancini Plumbing LLC/Shawn Mancini

Lucas County Court of Common Pleas, Case No. G-4801-0202204171-000

Shawn Mancini owned and operated Mancini Plumbing, a business that offered plumbing and home-repair services. Consumers complained to the Attorney General's Office that they paid for services that were not received or that were performed improperly. The Attorney General's Office filed a lawsuit against Mancini and his business on Oct. 27, 2022, for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Counts included failure to deliver, failure to provide proper notice of cancellation rights, and failure to comply with the Home Solicitation Sales Act in direct solicitations. On Apr. 14, 2023, the court entered a final judgment, including declaratory and injunctive relief, and ordered the defendants to pay four consumers \$1,560 in consumer damages and \$25,000 in civil penalties.

MH&D Construction Limited/Michael Collett

Clark County Court of Common Pleas, Case No. 22 CV 0599

Michael Collett owns and operates MH&D Construction Limited, a home-improvement and construction company operating in Clark County. Consumers complained to the Attorney General's Office that they made payments for various home-improvement projects that weren't completed and for which refunds were never provided. The Attorney General's Office filed a lawsuit against Collett and his business on Dec. 29, 2022, for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Counts included failure to deliver, shoddy workmanship and failure to provide notice to consumers of their right to rescind transactions within three days. On Nov. 27, 2023, the Attorney General entered into a consent judgment with Collett requiring him to pay \$29,311 in consumer refunds and \$15,000 in civil penalties to the Ohio Attorney General. The consent judgment also included substantial injunctive relief. The case against the business is pending.

Miami Valley Remodeling & Restoration LLC/Matthew W. Maloon

Greene County Court of Common Pleas, Case No. 2022CV0068

Matthew Maloon owned and operated Miami Valley Modeling & Restoration, a business offering home remodeling and repair. Consumers complained to the Attorney General's Office that they paid the business for services that were not provided or that services were performed in a substandard manner. The Attorney General's Office sued Maloon and his company on Feb. 11, 2022, for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Counts included failure to deliver and failure to provide proper notice of cancellation rights. On March 23, 2023, the court entered a final judgment against the defendants that included declaratory judgment, injunctive relief, \$10,609.90 in consumer restitution and a \$15,000 civil penalty.

Mid Ohio Trailer LLC/Mervin Miller

Wayne County Court of Common Pleas, Case No. 2022CVC-H000434

Mid Ohio Trailer, operated by Mervin Miller, advertised and sold new trailers on consignment from other businesses. Consumers complained to the Attorney General's Office that they paid the business for the trailers but were never provided the necessary documents to title and register them. The Attorney General's Office sued Mid Ohio Trailer and Marvin Miller on Oct. 21, 2022, for unfair and deceptive acts and practices in violation of the Consumer Sales Practices Act and the Motor Vehicle Title Act. The court entered a default judgment against both defendants on April 6, 2023, which included a declaratory judgment, a permanent injunction and a \$25,000 civil penalty.

Charles D. Jeko dba Monster Resale Shop

Lucas County Court of Common Pleas, Case No. CI-0202202151

Monster Resale, an appliance-resale business operated by Charles Jeko, advertised and sold used, repaired and refurbished appliances. Consumers complained to the Attorney General's Office that they paid the business for appliances that were not in the represented condition and/or did not work. The Attorney General's Office sued Jeko on April 26, 2022, for unfair and deceptive acts and practices, failure to register, and failure to honor warranties in violation of the Consumer Sales Practices Act. The court entered a default judgment on March. 30, 2023, that included a declaratory judgment, a permanent injunction, consumer damages in the amount of \$3,554 and a \$25,000 civil penalty.

Natola Construction LLC/Sean Natola

Knox Country Court of Common Pleas, Case No. 21OT12-0297

Sean Natola owned and operated Natola Construction, a business offering home-improvement and construction services. Consumers complained to the Attorney General's Office that they paid the business for services that were not provided or that were performed in a substandard manner. The Attorney General's Office sued Natola and Natola Construction on Dec. 21, 2021, for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Counts included failure to deliver, performing work in a shoddy manner and failure to provide proper notice of cancellation rights. The

court entered a default judgment against both defendants on May 1, 2023, which referenced the declaratory judgment and permanent injunction from the Jan. 25, 2023, entry and order granting default judgment, consumer damages in the amount of \$8,624 and a \$7,500 civil penalty.

Neil Wolfe/Neil Construction Co. Inc.

Cuyahoga County Court of Common Pleas., Case No. CV-21-944245

Neil Wolfe, individually and as the sole owner of Neil Construction for more than 40 years, conducted unfair consumer practices that included contracting with consumers for home-improvement goods and services that were sometimes never delivered or refunded, sometimes started and abandoned, sometimes done in a shoddy manner, and often done without proper permitting and/or registering. The Attorney General's Office sued Wolfe and Neil Construction on Feb. 22, 2021, for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. While the case was pending, the Attorney General's Office was contacted by consumers who had given Wolfe large deposits but had no work done or for whom the work was poorly done and done without proper permitting, putting the consumers in dire straits. In September 2021, the Attorney General's Office moved for a preliminary injunction, which was granted in October 2021. A receiver was appointed to oversee Neil Construction and eventually wound down the business. Twice the Attorney General's Office returned to court for contempt actions; Wolfe spent 14 days in jail the first time, seven days in jail the second time. In December 2022, the Attorney General's Office moved for summary judgment on five of the counts alleged in the complaint. While summary judgment was pending, the receiver determined that 19 consumers were owed \$663,299.98 in refunds from Neil Construction but that the company's assets could cover only \$37,426.92 in refunds. On May 23, 2023, the court awarded the state summary judgment on the five counts; granted a permanent injunction against the defendants; ordered Neil Wolfe, individually, to pay \$625,873.06 in consumer damages; and determined that 71 violations had been established, awarding \$25,000 per violation — \$1,775,000 total — in civil penalties.

William D. Taylor Sr. Inc. dba OG10k and William D. Taylor Sr.

Delaware County Court of Common Pleas, Case No. 22CVH060319

William D. Taylor Sr. Inc., doing business as OG10k, and William D. Taylor Sr. sold computer and PC parts directly to consumers through its website and storefront. Consumers complained to the Attorney General's Office that they paid for PC parts — specifically, hard-to-find graphics processing units — that were not delivered. OG10k and Taylor also failed to provide refunds. The Attorney General's Office sued OG10k and William D. Taylor Sr. on June 30, 2022, for failure to deliver, unfair and deceptive acts and practices, and unconscionable acts and practices, in violation of the Consumer Sales Practices Act. On Aug. 11, 2023, the court entered summary judgment against William Taylor. The court granted a default judgment against OG10KTech on Sept. 14, 2023. Both orders granted declaratory judgment and permanent injunction against the defendants. In a final judgment granted on Sept. 29, 2023, the court awarded damages against the defendants in the amount of \$246,813.49 in consumer restitution and \$125,000 in civil penalties.

Ohio Contractors NM LLC/Terrance King/Mary Hall

Franklin County Court of Common Pleas, Case No. 22CV007406

Ohio Contractors NM, owned and operated by Terrance King and Mary Hall, offered home-improvement goods and services, specializing in roofing installation and repair. Consumers complained to the attorney general that they paid the business but that services that were not provided or were performed in a substandard manner. The Attorney General's Office sued the business and its owners on Oct. 24, 2022, for violations of the Consumer Sales Practices Act. Counts included failure to deliver and performing work in a shoddy manner. A default judgment was entered against all three defendants on Dec. 29, 2023; it included a declaratory judgment, a permanent injunction, \$25,194.17 in consumer restitution and a \$25,000 civil penalty.

Richard Loughman and Po-Boys Garage Doors LLC

Licking Country Court of Common Pleas, Case No. 2022 CV 00436

Richard Loughman owned and operated Po-Boys Garage Doors, a business offering to provide garage-door repairs and replacements. Consumers complained to the Attorney General's Office that they paid the business for services that were not provided. The Attorney General's Office sued Loughman and Po-Boys Garage Doors on April 25, 2022, for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Counts included failure to deliver and failure to provide proper notice of cancellation rights. The court granted a default judgment and on July 26, 2023, awarded the state declaratory and injunctive relief, \$3,553 in consumer damages and \$5,000 in civil penalties.

Prescription Hope Inc.

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. Prescription Hope 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 Prescription Hope 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. Restitution and/or corrective action was taken to resolve consumer complaints during the litigation, and a consent judgment was agreed upon by the parties and entered by the court on Aug. 10, 2023. The consent judgment included a permanent injunction and a \$20,000 payment to the Attorney General's Office.

David Morgan dba Pro Touch Remodeling & Construction LLC

Lorain County Court of Common Pleas, Case No. 22CV206957

David Morgan owned and operated Pro Touch Remodeling & Construction, a business offering home remodeling and repair. Consumers complained to the Attorney General's Office that they paid the business for services that were not provided or that services were performed in a substandard manner. The Attorney General's Office sued Morgan on Sept. 15, 2022, for violations of the Consumer Sales Practices Act, the Home Construction Service Suppliers Act and the Home Solicitation Sales Act. Counts included failure to deliver, misrepresentations, and failure to provide proper notice of cancellation rights and other required information. The court granted a default judgment on Feb. 15, 2023; it included declaratory and injunctive relief, an award of \$50,080 in consumer damages and \$5,000 in civil penalties.

Rising Eagle Capital Group LLC/Jsquared Telecom LLC/John C. Spiller/Jakob A. Mears/Michael Smith/Scott Shapiro/Health Advisors of America Inc.

U.S. District Court, Southern District of Texas, Case No. 4:20cv2021

In a joint investigation, the Ohio Attorney General's Office 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. A consent judgment with John C. Spiller was entered on March 6, 2023. It included injunctive relief, including a permanent ban on robocalling, telemarketing and other specific practices, compliance provisions and business practice changes, a \$122,339,320 penalty to the states (with all but \$50,000 of the penalty suspended). Ohio was allocated \$15,292,415 of the settlement (with nearly all of it suspended). A consent judgment with Jakob A. Mears was entered on March 6, 2023. It included injunctive relief, including a permanent ban on robocalling, telemarketing and other specific practices, compliance provisions and business practice changes, a \$122,339,320 penalty to the states (with all but \$10,000 of the penalty suspended). Ohio was allocated \$15,292,415 of the settlement (with nearly all of it suspended). A consent judgment with Scott Shapiro was entered on Aug. 15, 2023. It included injunctive relief, including a permanent ban on robocalling, limited bans on telemarketing and other specific practices, compliance provisions and business practice changes, a \$73,076,930 penalty awarded to the states (with all but \$250,000 of it suspended). Ohio was allocated \$10,439,561 (with all but \$35,714.28 suspended). A consent judgment with Michael Smith and Health Advisors of America was entered on Aug. 15, 2023. It included injunctive relief, including a permanent ban on robocalling, limited bans on telemarketing and other specific practices, compliance provisions and business practice changes, a \$73,076,930 penalty to the states (with all but \$250,000 suspended); Ohio was allocated \$10,439,561.43 (with all but \$35,714.28 suspended). The litigation has now been resolved against all defendants.

United Power Company LLC/ Marc Ryder

Franklin County Court of Common Pleas, Case No. 22CV005719

Marc Ryder owned and operated United Power Company, which offered the sale and installation of generators. Consumers complained to the Attorney General's Office that they paid the business for generators and installation services that were not provided. The Attorney General's Office sued United Power and its owner on Aug. 17, 2022, for violations of the Consumer Sales Practices Act and the Home Solicitation Sales Act. Counts included failure to deliver, performing shoddy work, engaging in consumer transactions while having an outstanding judgment arising from previous consumer transactions, and failure to provide proper notice of cancellation rights. The court granted a default judgment on May 26, 2023, awarding the state declaratory and injunctive relief, \$14,350 in consumer damages and \$30,000 in civil penalties.

Thrifty Propane Inc./William Maloof/Angela Maloof

Medina County Court of Common Pleas, Case No. 22CIV0749

Thrifty Propane sold propane and propane tanks throughout Ohio. Consumers complained that deliveries failed to come promptly and that the business refused to provide refunds for propane and tanks that were never delivered. After years of complaints and litigation, the Attorney General's Office filed a lawsuit against Thrifty Propane on Sept. 15, 2022, for violations of the Consumer Sales Practices Act. The office amended the complaint on Jan. 17, 2023, to add William Maloof and Angela Maloof as individual defendants. Counts included failure to deliver, poor customer-service practices and violations of the previous consent judgments. Both Thrifty Propane and Angela Maloof filed for bankruptcy. A consent judgment with Thrifty was approved in the Thrifty bankruptcy and was filed by the court to resolve this matter on Aug. 7, 2023. It included injunctive and declaratory relief, a civil penalty of \$100,000, and costs and fees totaling \$25,000. An undetermined amount of consumer damages will be distributed through the claim procedure in the Thrifty bankruptcy. Separate consent judgments with Angela Maloof and William Maloof were filed on Oct. 17, 2023. Both consent judgments include injunctive and declaratory relief, a permanent injunction prohibiting them from owning or operating a propane-related business for 10 years, and joint and several liability for a civil penalty of \$60,000 (suspended in full upon compliance with the consent judgment).

Window Planet/Tara Curles

Hamilton County Court of Common Pleas, Case No. A2200891

Window Planet, a Kentucky-based business located in Cincinnati and owned by Tara Curles, offered the sale and installation of windows. Consumers complained to the attorney general that they paid the business for windows that were not received or that window installations were performed improperly. The Attorney General's Office filed a lawsuit against Window Planet and Curles on March 11, 2022, for violations of the Consumer Sales Practices Act. Counts included failure to deliver, performing shoddy work and misrepresentations. On March 24, 2023, the court issued a default judgment that included declaratory and injunctive relief, \$169,985.50 in restitution for 70 consumers and a \$75,000 civil penalty.

Vehicle Protection Specialists LLC dba Vehicle Services Center

Franklin County Court of Common Pleas, Case No. 21CV006713

Vehicle Service Center marketed and sold to consumers the goods and services of third parties, including automobile service contracts. In their telephone solicitations, however, the business failed to comply with requirements of the Telephone Solicitation Sales Act and the Consumer Sales Practices Act. The Attorney General's Office sued the business on Oct. 21, 2021. A consent judgment with the defendant was entered on May 16, 2023. It included injunctive relief, including a permanent injunction on acting as a telephone solicitor in Ohio and with Ohio consumers, a \$15,000 penalty for violations of the Telephone Solicitation Sales Act and a \$15,000 penalty for violations of the Consumer Sales Practices Act, and \$750 in costs and fees.

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. On July 6, 2023, the parties entered into a consent judgment that included injunctive and declaratory relief, a \$50,000 payment to the TDR Fund, \$16,485 in consumer restitution, and a \$50,000 civil penalty (suspended in full upon compliance with the consent judgment).

ASSURANCES OF VOLUNTARY COMPLIANCE

ACI Worldwide Corp./ACI Payments Inc.

Ohio and 49 other states engaged in an investigation stemming from a payment processing error that occurred in April 2021, that resulted in attempted unauthorized withdrawals from the personal bank accounts of mortgage holders. Although most of the withdrawals were unsuccessful or later reversed, 1.4 million transactions totaling \$2.3 billion were processed, affecting an estimated 477,000 customers of Nationstar Mortgage, doing business as Mr. Cooper. By unlawfully processing erroneous and unauthorized transactions, ACI opened homeowners to overdraft fees and insufficient funds fees from their financial institutions. The states reached a multistate settlement with ACI requiring the company to pay \$10 million to the states, including \$342,803 to Ohio. As part of the settlement, ACI must take steps to avoid any similar incidents, including using artificially generated data for testing purposes instead of real consumer data. The company also must segregate its testing or development work from its consumer payment systems.

Adore Me Inc.

Ohio and 31 other states jointly investigated claims that the lingerie retailer violated state consumer protection laws in connection with its online retail sales practices. Adore Me sells its merchandise primarily online, offering discounted pricing to customers who enroll in its VIP Membership Program. The states allege that Adore Me violated consumers protection laws by:

- Failing to disclose material facts regarding the enrollment of consumers into the VIP program, including recurring charges.
- Enrolling consumers in the program without obtaining their express informed consent.
- Charging consumers unauthorized recurring charges.
- And using policies and practices designed to frustrate consumers' ability to cancel their VIP membership.

On June 27, 2023, the states entered into a \$2.35 million settlement in the form of an Assurance of Voluntary Compliance, with Ohio's share totaling \$85,495. Under the terms of the AVC, Adore Me must notify all consumers with an active VIP membership of their ability to obtain a refund of any unused store credits. Additionally, Adore Me must make specified changes to its business practices and is prohibited from engaging in any of the misconduct alleged in the AVC.

Blackbaud Inc.

Ohio and 49 other states jointly investigated the software company's data-security practices and its response to a breach in 2020 that exposed the personal information of millions of consumers. Blackbaud provides software solutions to nonprofit organizations — including charities, schools and health-care agencies — to help them connect with donors and manage data about their constituencies. The data consists of demographic information, Social Security numbers, driver's license numbers, financial data, employment and wealth information, donation histories and protected health information. The 2020 breach exposed this highly sensitive information from more than 13,000 Blackbaud business customers and those businesses' customers — affecting millions of consumers overall. On Oct. 5, 2023, the states entered into a \$49.5 million settlement in the form of an Assurance of Voluntary Compliance, with Ohio's share totaling \$1,296,502. Under the terms of the AVC, Blackbaud must make specific changes to its data security practices and breach response plan, and augment its resources and support for cybersecurity practices.

DNA Diagnostics Center Inc.

DNA Diagnostic Center conducts DNA testing, paternity tests and similar services. As part of its business, the company collects and stores personal information from customers. Its website advertises that this information is kept "private and secure" using "reasonable security technologies." The company experienced a data breach between May and August 2021 but was unreasonably slow in detecting and reacting to the attack, resulting in unauthorized access to and theft of their customers' data. After

investigating the circumstances that led to the breach, the Ohio and Pennsylvania attorneys general found that the company's poor cybersecurity practices were unfair and deceptive and exposed Ohio consumers' personal data to theft. The parties entered into an Assurance of Voluntary Compliance on Feb. 14, 2023, requiring the company to pay \$200,000 to the state of Ohio and to institute a new cybersecurity program that follows an industry standard framework. Within a year, the company must have this new program assessed by a certified third party. The Assurance of Voluntary Compliance also requires the company to comply with the Consumer Sales Practices Act in its future collection, use and protection of personal information.

Dr. Flood LLC/Chance Pounds

Chance Pounds owns and operates Dr. Flood, a restoration business. The settlement resolved an investigation of several consumer complaints involving misrepresentations related to restoration work. The parties entered into an Assurance of Voluntary Compliance on July 24, 2023, under which the suppliers must provide consumers with accurate estimates, stop threatening consumers with liens, accurately identify their company, properly provide consumers with notice of their three-day right to cancel and pay \$7,000 to the Attorney General's Office.

Smithkey Auto Industries LLC/Trevor Smith

Trevor Smith is the owner and CEO of Smithkey Auto Industries, a vehicle service contract administrator. Although Smithkey no longer sells service contracts, when it did the business contracted with dozens of direct marketers that failed to obtain registrations and surety bonds with the Attorney General's Office, as required by the Telephone Solicitation Sales Act. The Attorney General's Office also believes that the companies Smithkey contracted with called Ohio consumers whose numbers were on the national Do Not Call Registry and engaged in abusive telemarketing acts or practices. The parties entered in an Assurance of Voluntary Compliance on March 10, 2023, that prohibits Smith and Smithkey from entering into vehicle service contracts with Ohio consumers unless the marketers comply with the Telephone Solicitation Sales Act. Additionally, Smith and Smithkey are required to implement screening processes for new consumers, retain and produce documentation of compliance, and pay the Attorney General's Office \$50,000 in costs and fees.

Superior Auto Exchange Inc dba iAuto and Triumph Cincinnati/James Milby/Elena Milby

iAuto is a high-volume used-car dealership, and Triumph Cincinnati sells motorcycles. Both are in Cincinnati, operated by James and Elena Milby. Suppliers were charging consumers unauthorized fees, including a \$199 inspection fee and documentary service charges exceeding \$250 — both of which were, in some instances, financed into retail installment sales contracts. The documentary service charge exceeded the maximum permitted by R.C. 1317.07. The inspection fee was not a lawful fee that could be financed into a retail installment sales contract pursuant to R.C. 1317.04 and R.C. 1317.07. These fees were charged to at least 172 consumers who bought vehicles between Feb. 20, 2020, and Sept. 22, 2022. The unauthorized fees totaled \$36,011.41. Pursuant to the terms of the Assurance of Voluntary

Compliance, the suppliers agreed to reimburse all 172 consumers and pay the Attorney General's Office \$7,000 for investigative costs and attorney fees. They also agreed to comply with the Consumer Sales Practices Act and the Retail Installment Sales Act.

Tempoe LLC

Ohio and 41 other states jointly investigated claims that Tempoe had misled consumers into believing they were committing to an installment plan or a credit sale with the company when they were actually signing a lease agreement. The confusing structure of Tempoe's lease agreements, combined with a lack of legally required disclosures, led to widespread confusion among consumers, often requiring them to pay two to three times the purchase price for furniture, electronics, appliances and other popular brand-name goods sold through retailers nationwide. On Sept. 11, 2023, the states entered into a settlement valued at nearly \$34 million in the form of an Assurance of Voluntary Compliance, with Ohio's totaling \$15,000. Under the terms of the AVC, Tempoe's existing leases will be canceled, with consumers permitted to retain the leased merchandise without further financial obligations to Tempoe — relief that amounts to about \$33 million. In addition, Tempoe is prohibited from engaging in future leasing activities and barred from providing negative information about lessees to any consumer reporting agency. Tempoe will pay \$1 million to the states for their investigation costs and fees.

C. ECONOMIC CRIMES UNIT

The Consumer Protection Section's Economic Crimes Unit (ECU) works with county prosecutors and local law enforcement to investigate and prosecute economic crime. Thanks to that extensive cooperation, the unit has successfully indicted large- and small-scale criminals. In 2023, the unit and local partners obtained 12 indictments and 10 convictions.

The following are cases that the Economic Crimes Unit assisted with in 2023.

State of Ohio v. Helen Smith, Hamilton County Court of Common Pleas, Case No. B2202747

Helen Smith, doing business as H&K DJ and Events, contracted with consumers to provide DJ services at weddings. Smith failed to provide the services or issue refunds for 46 couples and filed for bankruptcy. The Economic Crimes Unit was appointed special prosecutor, and Smith was subsequently indicted for engaging in a pattern of corrupt activity, theft and telecommunications fraud. In January 2023, Smith was convicted of attempted engaging in a pattern of corrupt activity. And in the spring of 2023, she was sentenced to three years of community control and ordered to pay \$23,185 in restitution.

State of Ohio v. John Jackson, Hamilton County Court of Common Pleas, Case No. B2202746

John F. Jackson, doing business as Hallmarked Restorations, received \$9,500 as a down payment from a consumer to build a deck. Months later, with no work having been completed, the consumer requested a refund. Jackson repeatedly promised a refund but didn't pay it. ECU was appointed special prosecutor,

and Jackson was indicted on a felony theft charge. In March 2023, Jackson pleaded guilty to misdemeanor theft and repaid the consumer the full \$9,500.

State of Ohio v. Samuel Zawosky, Warren County Court of Common Pleas, Case No. 23CR040824

In July 2023, Samuel Zawosky, owner of Equality Contractors 1, was indicted by a Warren County grand jury on six felony counts. The indictment alleges that three homeowners who contracted with Zawosky for home-improvement services paid him roughly \$71,000. After receiving the money, Zawosky allegedly never delivered any materials or did any of the work, nor did he provide refunds. ECU was appointed special prosecutor. The case is pending.

State of Ohio v. Justin Wade, Delaware County Court of Common Pleas, Case No. 23CRI020092

Justin Wade, a self-employed handyman, was suspected of accepting \$9,420 from four Ohioans and failed to provide the agreed-upon services. ECU was appointed special prosecutor. In February 2023, Wade was indicted on numerous charges of felony theft and telecommunications fraud. In August 2023, he pleaded guilty to felony theft. He was sentenced to three years of community control and ordered to pay \$9,420 in restitution.

State of Ohio v. Michale Foster, Clinton County Court of Common Pleas, Case No. CRI20235045

A Clinton County grand jury indicted Michael Foster on three felony charges stemming from a scheme to defraud an elderly couple of more than \$50,500. Foster was charged with two counts of theft from a person in a protected class and one count of telecommunications fraud. Through his business, 513 Properties, Foster accepted the down payment to build a house for the couple but did not perform any work, deliver any materials or refund any money. ECU investigated the matter and was appointed special prosecutor. In October 2023, Foster pleaded guilty to theft charges; he will be sentenced in early 2024.

State of Ohio v. Ryan Needels, Delaware County Court of Common Pleas, Case No. 23CRI080488

In August 2023, Ryan Needels was indicted by a Delaware County grand jury on 51 felony counts, including charges of theft, money laundering, telecommunications fraud, and engaging in a pattern of corrupt activity. From June 2021 through October 2022, Needels allegedly received more than \$500,000 from 21 victims in nine Ohio counties. Needels, operating under his business Clear View Construction LLC, is accused of luring dozens of victims over social media into paying thousands of dollars from their savings, retirement accounts and small businesses with promises to build pole barns and garages and other home additions. ECU was appointed special prosecutor. The case is pending.

State of Ohio v. Angel Mollett, Ross County Court of Common Pleas, Case No. 23CR000522

A Ross County woman, Angel L. Mollett, allegedly stole about \$2,300 in cash and lottery tickets from her Chillicothe employer. ECU investigated and reviewed supporting documents and texts messages. In November 2023, Mollett was indicted on multiple counts of theft and forgery. ECU was appointed special prosecutor. The case is pending.

State of Ohio v. Kodie St. Cin, Ross County Court of Common Pleas, Case No. CR2023-000526

Ross County resident Kodie St. Cin allegedly embezzled \$13,000 from her former employer. ECU was appointed special prosecutor; in November 2023, St. Cin was indicted on theft and forgery charges. The case is pending.

State of Ohio v. Sharri Holbrook, Ross County Court of Common Pleas, Case No. CR2023-000517

In November 2023, Sharri Holbrook was indicted on charges of identity fraud, theft, tampering with evidence and telecommunications fraud. After befriending an elderly Ross County woman, Holbrook allegedly stole more than \$40,000 from her. ECU has been appointed special prosecutor. The case is pending.

State of Ohio v. Travis Powell, Athens County Court of Common Pleas, Case No. 23CR0049

Travis Powell, doing business as Powell's Paint and Body Shop, was suspected of accepting \$3,000 from a customer for vehicle repairs and then providing no service. ECU conducted interviews and issued subpoenas to the bank and phone company. In February 2023, Powell was indicted on felony theft charges. In June 2023, he pleaded guilty to a felony theft charge, was entered into a county diversion program, and was ordered to pay the victim \$3,000 in restitution.

State of Ohio v. David Kuchera, Clermont County Court of Common Pleas, Case No. 2023CR0091

A Clermont County couple paid \$5,965 to contractor David R. Kuchera, doing business as Kuchera Construction, to install a fence at their home. Kuchera never provided any materials, did the work or refunded the money. In February 2023, he was indicted on felony theft charges. In June 2023, he pleaded guilty to theft and, the next month, was sentenced to three years of community control and ordered to pay \$5,965 in restitution.

State of Ohio v. Jerry Weeks, Wood County Court of Common Pleas, Case No. CR2022-000518

Jerry Weeks, doing business as Grizzly Buildings in Wapakoneta, was suspected of accepting tens of thousands of dollars from numerous Ohio victims to build pole barn services and not doing the work. ECU was appointed special prosecutor. In December 2022, Weeks was indicted by a Wood County grand jury on 16 charges, including telecommunications fraud, engaging in a pattern of corrupt activity, and theft. In September 2023, he pleaded guilty to telecommunications fraud and multiple theft counts. He was sentenced to five years of community control and paid full restitution in the amount of \$163,805.

State of Ohio v. Jennifer Masters, Williams County Court of Common Pleas, Case. No 23CR092

Jennifer Masters was suspected of depositing \$84,600 in counterfeit personal checks into multiple bank accounts in northwest Ohio and Indiana. The counterfeit checks were drawn on a victim's business

account in another state. Masters sent most funds to unknown suspects overseas. In May 2023, Masters was indicted on felony charges related to passing bad checks. In November of that year, Masters was accepted into a diversion program and ordered to pay \$5,200 in restitution.

State of Ohio v. Tracy Bettendorf, Ross County Court of Common Pleas, Case No. 20CR000279
State of Ohio v. Carey Ackley, Ross County Court of Common Pleas, Case No. 20CR000282

Tracy Bettendorf and Carey Ackley operated a business in Chillicothe called Midwest Motoplex specializing in the sales and service of motorcycles, all-terrain vehicles and off-road utility vehicles. Midwest Motoplex sold fraudulent warranties to its customers, failed to provide titles for vehicles that it sold, intentionally sold used vehicles as new, and failed to remit \$649,369 in collected sales tax to the state of Ohio. Ackley also intentionally defrauded lenders in obtaining \$402,951 in business loans by submitting fraudulent documents. Ackley and Bettendorf were indicted in July 2020 and pleaded guilty to charges in December 2023. ECU investigated the case, which was prosecuted by the Attorney General's Special Prosecutions Section. Sentencing is scheduled for early 2024.

United States of America v. Timothy Holland, U.S. District Court for the Southern District of Ohio, Case No. 1:23-cr-104

In November 2023, Timothy Holland, executive director of the Clermont Metropolitan Housing Authority from 2012 to 2019, was indicted for allegedly stealing tens of thousands of dollars intended to assist low-income residents of Clermont County.

Clermont Metropolitan Housing Authority received more than \$5.9 million in annual federal funds in both 2018 and 2019 to operate and maintain public housing units as well as provide housing assistance to low-income families and individuals. Holland allegedly stole at least \$70,440 from the agency for his personal use during those years. He is charged with two counts of federal program theft — punishable by up to 10 years in prison. ECU investigated the case along with the U.S. Department of Housing and Urban Development. The U.S. Attorney's Office for the Southern District of Ohio is prosecuting the case, which is pending.

State of Ohio v. Jonathan Conwell, Fairfield County Court of Common Pleas, Case No. 23CR253

Jonathon Conwell, doing business as J&J Asphalt & Sealcoating, was suspected of accepting a total of \$15,200 from four Ohio customers and failing to provide services. ECU conducted interviews, requested a cellphone forensic exam, and issued multiple subpoenas. In May 2023, Conwell was indicted on numerous felony theft and telecommunications fraud charges. The Fairfield County Prosecutor's Office is prosecuting the case, which is pending.

D. CONSUMER ASSISTANCE UNIT

The Consumer Assistance Unit includes complaint specialists, the Identity Theft Unit, and Title Defect Recision (TDR) Fund 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 contact the businesses to provide informal dispute resolution 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 2023, 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 the consumer complaint information they gather 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 vital to the Consumer Protection Section's efforts to protect consumers. Many complaint referrals have led to successful litigation.

In 2023, the Identity Theft Unit received 533 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 2023, the Identity Theft Unit assisted with 80 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 areas that generate the most consumer complaints. In 2023, the Consumer Protection Section received nearly 25,489 complaints. The top areas were:

1. Motor vehicles
2. Shopping, food or beverages
3. Professional services
4. Home improvement
5. Collections, credit reporting or financial services
6. Utilities, phone, internet or TV services

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 2023, the Education Unit conducted 181 educational events, reaching 5,990 attendees.

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 cases of elder abuse.
- 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 collaboratively 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 3,147 older Ohioans and their family members to better understand and address elder abuse and exploitation. In 2023, the Elder Justice Unit conducted 56 trainings and presentations, reaching more than 3,400 attendees.



DAVE YOST

OHIO ATTORNEY GENERAL

CONSUMER PROTECTION

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