

**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

STATE OF OHIO, ex rel.
ATTORNEY GENERAL
MICHAEL DEWINE
30 EAST BROAD ST., 14TH FLOOR
COLUMBUS, OHIO 43215

Plaintiff,

v.

JEFFREY SANDERS, individually and
d/b/a
THE COMMUNITY OF FAITH
CHRISTIAN SCHOOL
356 EDDY ROAD
CLEVELAND, OH 44108

And

COMMUNITY OF FAITH CHRISTIAN
SCHOOL
356 EDDY ROAD
CLEVELAND, OH 44108

Defendants.

2011 FEB 17
CLERK OF COURT
CUYAHOGA COUNTY

CASE NO.

QUEST
JUDGE

Judge: MICHAEL ASTRAB
CV 11 748819

**COMPLAINT FOR DECLARATORY
JUDGMENT, INJUNCTIVE RELIEF,
RESTITUTION AND CIVIL
PENALTIES**

Judge: MICHAEL ASTRAB
CV 11 748819

JURISDICTION

1. Plaintiff, State of Ohio, by and through the Attorney General of Ohio, Michael DeWine, having reasonable cause to believe that violations of Ohio's consumer protection laws have occurred, brings this action in the public interest and on behalf of the State of Ohio under the authority vested in him by the Consumer Sales Practices Act, R.C. Section 1345.01 et seq.
2. Defendant Jeffrey Sanders (hereinafter "Sanders") is an individual, who was, at all times relevant herein, an agent, corporate representative, principal and officer of the business enterprise know at The Community of Faith Christian School. At all times relevant herein, Sanders' actions were authorized and sanctioned by The Community of Faith Christian School.
3. Defendant The Community of Faith Christian School (hereinafter "CoF") was at one time a "Non-chartered, non-tax supported school" established pursuant to O.A.C. Section 3301-35-08 providing instruction for pupils in accord with the provision of R.C. 3313

and subject to all the rules, regulations and laws found therein. CoF is currently unlicensed.

4. The actions of all Defendants, hereinafter described, occurred in the State of Ohio, County of Cuyahoga, and as set forth below, are in violation of R.C. 1345.01 et. seq.
5. Defendants have solicited consumers to provide educational instruction products and/or services for consumers in Ohio and other states.
6. At all times relevant herein, Sanders possessed and exercised the authority to establish, implement and amend the procedures of CoF and personally allowed, directed, ratified or caused the unlawful acts or practices described herein by employees, agents or assigns of CoF.
7. All Defendants are "suppliers", as that term is defined in R.C. 1345.01(C), as they are engaged in the business of effecting "consumer transactions" by soliciting consumers for the purchase and/or delivery of education, schooling and instruction products and services for a fee, within the meaning of R.C. 1345.01(A).
8. Defendants have misrepresented the validity, import and substance of the instruction, schooling and education provided to consumers, including the level of acceptance of the degrees and/or diplomas provided by Defendants. Defendants have misrepresented to consumers that the degrees and/or diplomas issued by Defendants would be valid for acceptance into various higher level educational institutions including but not limited to Cuyahoga Community College and Lakeland Community College.
9. Consumers have detrimentally relied on Defendants' misrepresentations and have been damaged by this reliance, including but not limited to paying for educational goods and services provided by Defendants that did not meet with Defendants' representations.
10. Defendants have stated that the education, instruction, schooling, degrees and/or diplomas issued to its graduates had sponsorship, approval, performance characteristics, accessories, uses, or benefits that they did not have.
11. Defendants knew at the time the consumer transactions were entered that the consumers were unable to receive a substantial benefit from the subject of the transactions.

PLAINTIFF'S CAUSES OF ACTION
COUNT ONE
UNFAIR OR DECEPTIVE SALES PRACTICES PROHIBITED

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

13. Defendants have committed unfair and deceptive acts and practices in violation of the Consumer Sales Practices Act, R.C. 1345.02(B)(1) by representing to consumers that the education, training and/or schooling services that it provided had sponsorship, approval, performance characteristics, accessories, uses, or benefits that it did not have.
14. Defendants have committed unfair and deceptive acts or practices in violation of the Consumer Sales Practices Act, R.C. 1345.02(B)(5) by misstating that the subject of a consumer transaction has been supplied in accordance with a previous representation.
15. The acts and practices described in Paragraphs Thirteen and Fourteen (13-14) have been previously determined by Ohio courts to violate the Consumer Sales Practices Act, R.C. 1345.01 et seq. Defendants committed said violations after such decisions were made available for public inspection pursuant to R.C. 1345.05(A)(3).

COUNT TWO
UNCONSCIONABLE CONSUMER PRACTICES PROHIBITED

16. Plaintiff incorporates by reference, as if fully rewritten herein, the allegations set forth in Paragraphs One through Fifteen (1-15) of this Complaint.
17. Defendants have committed unconscionable consumer practices in violation of the Consumer Sales Practices Act, R.C. 1345.03(A), as set forth in R.C. 1345.03(B)(3) by knowing at the time the consumer transaction was entered that the consumers were unable to receive a substantial benefit from the subject of the transaction.
18. Defendants have committed unconscionable consumer practices in violation of the Consumer Sales Practices Act, R.C. 1345.03(A), as set forth in R.C. 1345.03(B)(6) by knowingly making misleading statements to the consumers on which the consumers detrimentally relied.
19. The acts and practices described in Paragraphs Seventeen and Eighteen (17-18) have been previously determined by Ohio courts to violate the Consumer Sales Practices Act, R.C. 1345.01 et seq. Defendants committed said violations after such decisions were made available for public inspection pursuant to R.C. 1345.05(A)(3).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court:

1. **ISSUE** a permanent injunction enjoining Defendants, under the names listed in this Complaint, or any other names, their agents, servants, representatives, salesmen, employees, successors and assigns and all persons acting in concert or participation with Defendants, directly or indirectly, from engaging in the acts or practices of which Plaintiff complains;

2. **ISSUE** a declaratory judgment declaring that each act or practice complained of in this Complaint violates the Ohio Consumer Sales Practices Act in the manner set forth in this Complaint;
3. **IMPOSE** upon Defendants civil penalties in the amount of Twenty-Five Thousand Dollars (\$25,000.00) for each violation of each Count pursuant to R.C. 1345.07(D);
4. **ORDER** Defendants to reimburse consumers who have been damaged by the acts and practices of which Plaintiff complains;
5. As a means of ensuring compliance with this Court's Order and with the consumer protection laws of Ohio, **ORDER** Defendants, their successors or assigns, under these or any other names, to maintain in their possession and control for a period of five (5) years all business records relating to Defendants' solicitation or effectuation of business in Ohio and to permit the Ohio Attorney General or his representative, upon reasonable, twenty-four (24) hour notice, to inspect and/or copy any and all of said records, however stored, and further **ORDER** that copies of such records be provided at Defendants' expense to the Ohio Attorney General upon request of the Ohio Attorney General or his representatives;
6. **GRANT** Plaintiff an award of his costs in bringing this action;
7. **GRANT** any other relief that this Court feels is appropriate and consistent with applicable legal and equitable principles.

MICHAEL DEWINE
ATTORNEY GENERAL

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