

Protecting Ohio's Families



Ohio Attorney General's Office Consumer Protection Section



2014

Annual Report



MIKE DEWINE
OHIO ATTORNEY GENERAL



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★ OHIO ATTORNEY GENERAL ★

Dear Governor, Senate President, and Speaker:

In order to better protect Ohio's families, my office's Consumer Protection Section addresses unfair and deceptive business practices while helping consumers navigate new issues including cybercrime, personal data privacy, and identity theft.

In 2014, we aggressively pursued fraud while maintaining a customer-service oriented approach with consumers. Our staff worked one-on-one with individuals to resolve complaints ranging from billing disputes to identity theft, and we collaborated with local, state, and federal partners to achieve multi-million dollar settlements benefiting consumers.

Through our Economic Crimes Unit, we targeted consumer fraud of a criminal nature by assisting local law enforcement and prosecutors in identifying, investigating, and prosecuting the worst offenders. Two of the unit's biggest indictments in 2014 involved a theft ring and a "sweetheart scam," both of which targeted elderly victims.

To protect Ohioans from becoming victims, we warned consumers about scams and informed them of their rights. In 2014, through a grant obtained by the section, the office designed and implemented a Senior Advocate Fraud Education (SAFE) program, which focused on fraud targeting older adults. We distributed SAFE Toolkits to approximately 700 library locations throughout Ohio.

Our Consumer Protection Section also worked to keep the playing field fair for both consumers and businesses through its Advertisement Review and Enforcement Program. The section issued more than 105 letters, subpoenas, cease-and-desist orders, or requests for substantiation to address misleading and deceptive advertisements in 2014.

We have made significant progress in protecting Ohio's families, and you have my commitment that we will always make consumer protection a priority.

Very respectfully yours,

Mike DeWine
Ohio Attorney General

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

A. SCOPE

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

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

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

The CSPA requires the Attorney General to report annually to the Governor and the General Assembly about operations related to Chapter 1345 of the Ohio Revised Code and violations of this chapter. Here is a summary of the Consumer Protection Section's 2014 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 2014, the Consumer Protection Section opened 350 investigations. It also initiated 41 lawsuits for various unfair, deceptive, or unconscionable business practices and obtained 58 judgments and Assurances of Voluntary Compliance totaling more than \$8 million in consumer restitution, civil penalties, costs, and other relief.

The following are summaries of the lawsuits, judgments, and settlements that occurred in 2014.

LAWSUITS

A Ki Restoration LLC/Joseph M. Allen

Summit County Court of Common Pleas, Case No. 2014-12-5365

The business offered to provide home improvement services, primarily related to roof installation and repair. Consumers were solicited for the services at their residences. They complained to the Attorney General that A Ki Restoration accepted insurance checks to repair damaged roofs but performed shoddy work or failed to complete the work. The Attorney General filed a Dec. 3, 2014, lawsuit against the business and its owner for violations of the CSPA and the Home Solicitation Sales Act (HSSA). The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Clifford Duff, dba A1 Brick Work

Franklin County Court of Common Pleas, Case No. 14CV006612

Clifford Duff operated A1 Brick Work, an unincorporated business that advertised, solicited, and sold home improvement services related to brick work to consumers in central Ohio. Duff either accepted full payment from consumers and did nothing or provided incomplete and poor services. The Attorney General filed a lawsuit June 25, 2014, for violations of the CSPA and HSSA. Counts included failure to deliver, performing shoddy work, failure to comply with the Repairs or Services Rule, failure to register a business name with the Ohio Secretary of State, and failure to provide a notice of cancellation. The complaint seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

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

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

The businesses purported to provide locksmith services to consumers in Ohio by creating websites designed to look like local Ohio locksmith companies. Instead, callers were directed to an out-of-state call center that received calls from throughout the country. The call center made referrals to local locksmiths near the caller. The websites misrepresented the quality, price, and location of the services. The Attorney General filed a lawsuit Oct. 14, 2014, for violations of the CSPA. Specific counts included deceptive advertising, misrepresentation of price and affiliation, and failure to register with the Ohio Secretary of State. The complaint seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

David D. Rose, dba All-Star Powerhouse Disciples Landscaping and Tree Care
Montgomery County Court of Common Pleas, Case No. 2014 CV 01678

David Rose provided tree and landscaping services under the name All-Star Powerhouse Disciples Landscaping and Tree Care. The name was not registered with the Ohio Secretary of State. Consumers paid Rose to provide tree services including grinding out the stumps and cleaning up the mess. Instead, Rose did some work and promised to return for the stumps and clean-up but failed to do so or to refund any of the money. A lawsuit was filed March 24, 2014, for violations of the CSPA and HSSA. Specific counts included failure to deliver, shoddy work, failure to register a business name with the Ohio Secretary of State, and failure to provide a notice of cancellation. On Aug. 28, 2014, the Court adopted the Magistrate's Decision issued on Aug. 12, 2014. The Final Judgment included a declaratory judgment, permanent injunctions, and a \$5,000 civil penalty with \$3,500 suspended on the condition of full compliance with the order.

Jonathan R. Anderson, dba Anderson & Son Construction

Butler County Court of Common Pleas, Case No. 2014 06 1501

Jonathan Anderson offered to provide home improvement services related to concrete installation. Consumers complained to the Attorney General that they paid substantial amounts of money for concrete installation that was never performed, that the work was only partially completed, or that the installation was done in a substandard manner. A lawsuit was filed June 2, 2014, for violations of the CSPA and HSSA. Specific counts included failure to deliver, shoddy work, and failure to provide a notice of cancellation. The litigation concluded Nov. 25, 2014, with a Final Entry and Order against Jonathan R. Anderson following the previous award of a default judgment to the Attorney General. The entry included a declaratory judgment, a permanent injunction, \$62,330 for consumer restitution, and a \$50,000 civil penalty.

John Salim, dba Auto Bahn

Cuyahoga County Court of Common Pleas, Case No. CV 14 819772

John Salim operated Auto Bahn, offering for sale and selling used motor vehicles to consumers. Salim failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the Title Defect Recision (TDR) Fund. The complaints resulted in more than \$15,000 in payments from the TDR Fund to reimburse injured consumers. The Attorney General filed a lawsuit against Salim on Jan. 8, 2014, for violations of the CSPA and the TDR law. The litigation concluded July 24, 2014, with a Consent Judgment Entry and Final Order. The settlement included Salim's agreement to surrender his dealer license, a permanent injunction, and a \$10,000 civil penalty suspended on the condition of full compliance with the terms of the settlement.

Beltran Construction LLC/Jon Settlemire

Franklin County Court of Common Pleas, Case No. 2014 CV 000465

The business offered to provide home improvement services. Consumers complained to the Attorney General that they paid substantial amounts of money for home improvement projects, but the work was never completed. Some consumers had mechanics' liens placed on their homes by subcontractors that the business failed to pay. The Attorney General filed a lawsuit against the business and its owner on Sept. 16, 2014, for violations of the CSPA.

Counts included failure to deliver, performing shoddy work, and failure to compensate subcontractors, which resulted in mechanics' liens on consumers' property. The complaint seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Deals and Steals Furniture LLC, dba Best Buy Furniture & Mattress/Steve Museitif

Warren County Court of Common Pleas, Case No. 14CV86417

Best Buy Furniture & Mattress ran a store-closing sale in excess of the time permitted by Ohio's Distress Sale Rule. Despite warnings from the Attorney General, the business refused to timely end its sale. The Attorney General filed a lawsuit on Oct. 24, 2014, against the business and its owner for violations of the CSPA and Distress Sale Rule. Counts included operating a distress sale in excess of the permitted time, failing to disclose the opening and closing dates of the sale, and supplementing the inventory of a distress sale. The complaint seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Buckeye Exteriors/Michael Evilsizer

Franklin County Court of Common Pleas, Case No. 14CV000833

The business offered to provide a variety of home improvement services. Consumers complained to the Attorney General that they paid substantial amounts of money for home improvement projects that that were never performed, or were only partially completed and were performed in a substandard manner. A lawsuit was filed Jan. 27, 2014, for violations of the CSPA. Counts included failure to deliver, performing shoddy work, and failure to comply with the Repairs or Services Rule. The complaint seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Elijah Deckard, dba Buckeye Pro

Delaware County Court of Common Pleas, Case No. 14-CVH-12-0917

Elijah Deckard operated an unincorporated business that offered to provide a variety of home improvement services. The business accepted payments from consumers and failed to begin or complete the home improvement services. The Attorney General filed a lawsuit Dec. 18, 2014, against Deckard for violations of the CSPA and HSSA. Counts included failure to deliver, shoddy work, misrepresentation, and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Calland Auto Group LLC/Christopher Calland

Franklin County Court of Common Pleas, Case No. 14CV006833

Calland Auto Group sold motor vehicles to consumers and failed to transfer titles as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the Title Defect Recision (TDR) Fund. The complaints resulted in more than \$4,000 in payments from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit July 2, 2014, against the dealership and its operator for violations of the CSPA and the TDR law. The litigation was resolved with an Agreed Consent Judgment Entry and Order entered Sept. 17, 2014. The settlement included a declaratory judgment, a

permanent injunction, \$41,171.05 to reimburse the TDR Fund, \$1,500 for investigative costs, and a \$10,000 civil penalty with \$7,671.05 of the civil penalty suspended.

William D. Bennett, dba The Car Shack

Summit County Court of Common Pleas, Case No. 2014 01 0089

William Bennett operated The Car Shack, offering for sale and selling used motor vehicles to consumers. Bennett failed to transfer title to a purchaser as required by Ohio law. The consumer filed a complaint with the Attorney General seeking relief from the TDR Fund. The complaint resulted in more than \$2,000 in payment from the TDR Fund to reimburse the injured consumer. The Attorney General filed a lawsuit on Jan. 8, 2014, against Bennett for violations of the CSPA and the TDR law. The litigation concluded May 8, 2014, with a Judgment Entry Granting Default Judgment against William D. Bennett. The entry included a declaratory judgment, a permanent injunction, \$2,048.50 for reimbursement to the TDR Fund, and a \$5,000 civil penalty.

Credence Law Group Inc./Byron Landau

Erie County Court of Common Pleas, Case No. 2014 CV 0489

Credence Law Group was an Illinois corporation that offered to provide foreclosure rescue services to Ohio consumers. Consumers complained that they paid between \$900 and \$3,700 for the business to modify their mortgages or save their homes from foreclosure. The business failed to provide promised services, and consumers never received loan modifications or refunds. The Attorney General filed a lawsuit July 23, 2014, against the business and its owner as part of a joint federal-state sweep by the Consumer Financial Protection Bureau, the Federal Trade Commission, and 15 states targeting scam operations that prey on delinquent homeowners or those facing foreclosure. The complaint alleged violations of the CSPA and Debt Adjusters Act. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Discount Smokers & Gifts Inc.

Highland County Court of Common Pleas, Case No. 14CV0004

The Attorney General filed a Jan. 8, 2014, lawsuit against Discount Smokers & Gifts as part of a crack-down against sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendant sold illegal drugs as legal products to undercover agents who were operating under the direction of the Highland County Sheriff's Office. The lawsuit was brought pursuant to the CSPA. An Agreed Consent Judgment Entry and Order was submitted to the court at the time the lawsuit was filed and was entered Jan. 9, 2014. The Consent Judgment included a declaratory judgment, a permanent injunction, and a \$5,000 payment to the Attorney General for the purpose of drug-related enforcement and education, with \$2,500 suspended on the condition of full compliance with the terms of the Consent Judgment.

Giviton LLC

Franklin County Court of Common Pleas, Case No. 14CV006342

The business sold vouchers on its website that could be used for goods and services from local businesses. Consumers were only charged a portion of the face value of the vouchers. After accepting payments for the vouchers, Giviton went out of business. Consumers were

unable to obtain their vouchers on the defendant's website. In other instances, vouchers were not honored by local businesses because of disputes the businesses had with Giviton. The Attorney General filed a June 18, 2014, lawsuit for failure-to-deliver violations of the CSPA. The litigation concluded with a Dec. 16, 2014, Judgment Entry following the previous award of a default judgment to the Attorney General. The entry included a declaratory judgment, a permanent injunction, \$1,819.85 for consumer restitution, and a \$5,000 civil penalty.

GlaxoSmithKline LLC

Lucas County Court of Common Pleas, Case No. CI0201402690

This multi-state investigation resulted from the improper marketing of the pharmaceutical drugs Advair, Paxil, and Wellbutrin. The drugs were promoted for a number of unapproved off-label purposes. The attorneys general alleged that GlaxoSmithKline engaged in unfair and deceptive practices by misrepresenting the benefits of the drugs and providing improper financial incentives to sales representatives marketing the drugs. The investigation resulted in the filing of a lawsuit on June 4, 2014. An Agreed Entry and Final Judgment Order was immediately submitted to the court and was entered June 11, 2014. Ohio was joined by 44 other states participating in the settlement. The settlement document contained broad injunctive relief and a \$105 million payment to the states. Ohio's share of the payment was \$2,882,287.91.

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

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

GVN Michigan solicited Ohio consumers to attend sales presentations where it marketed and sold the travel membership packages of Global Connections. The Attorney General had previously entered into an Assurance of Voluntary Compliance with GVN Michigan in December of 2010. An investigation determined that GVN was violating the terms of that Assurance by using deceptive solicitations to market travel membership packages. The Attorney General filed an Oct. 7, 2014, lawsuit against the businesses for violations of the CSPA. Counts included failing to clearly disclose material terms, violation of the Prizes Rule, misrepresenting affiliations, and failing to comply with the terms of an Assurance of Voluntary Compliance. The complaint seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Michael Combs, dba Granite Designs

Butler County Court of Common Pleas, Case No. 2014 01 0226

Michael Combs operated an unregistered business that offered to provide a variety of granite installation services. Consumers complained to the Attorney General that they paid substantial amounts of money for granite installation projects that were never performed or were only partially completed and were done in a substandard manner. A lawsuit was filed Jan. 27, 2014, for violations of the CSPA and HSSA. Counts included failure to deliver, performing shoddy work, and failure to provide proper notice of cancellation rights. The litigation concluded June 17, 2014, with a Final Entry and Order following the previous award of a default judgment to the Attorney General. The entry included a declaratory judgment, a permanent injunction, \$5,047.80 for consumer restitution, and a \$15,000 civil penalty.

Heath Motor Sports/Paul Dague

Fairfield County Court of Common Pleas, Case No. 14CV252

Heath Motor Sports sold motor vehicles to consumers and failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the TDR Fund. The complaints resulted in more than \$40,000 in payments from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit April 1, 2014, against the dealership and its operator for violations of the CSPA and the TDR law. The complaint seeks a declaratory judgment, a permanent injunction, and reimbursement of all money paid to consumers from the TDR Fund. The case is pending.

Home Remedy Center/Pamela Gressier

Delaware County Court of Common Pleas, Case No. 14-CVH-020134

Home Remedy Center is a California company that offered to provide foreclosure rescue services. It did business under various names, including Home Remedy, The Remedy Center, and Remedy Center Law. Consumers complained that they paid between \$3,500 and \$5,000 for the business to modify their mortgages, but no services were provided and they were unable to obtain refunds. The Attorney General filed a lawsuit Feb. 19, 2014, against the business and its owner for violations of the CSPA and Debt Adjusters Act. The litigation concluded Aug. 25, 2014, with a Final Judgment Entry and Order granting a default judgment to the Attorney General. The order included a declaratory judgment, a permanent injunction, \$36,577 for consumer restitution, and a \$50,000 civil penalty.

Abraham Jaros, dba Jaros Enterprises

Preble County Court of Common Pleas, Case No. 14CVO30333

Abraham Jaros ran a garbage collection and disposal business. He charged consumers \$12 per month to collect the garbage once a week. Most customers paid for three months of service, but some paid for an entire year. Garbage was collected for a few weeks but service ceased, and refunds were not paid to consumers. The Attorney General filed a lawsuit Aug. 20, 2014, for violations of the CSPA and HSSA. Counts included failure to deliver and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Johnny Poe, dba Johnny Poe Construction and JP Construction

Jackson County Court of Common Pleas, Case No. 14CIV0002

Johnny Poe operated unregistered businesses that offered to provide a variety of home improvement services. Consumers complained to the Attorney General that they paid substantial amounts of money for home improvement projects that were only partially completed and were performed in a substandard manner. A lawsuit was filed Jan. 9, 2014, for violations of the CSPA and HSSA. Counts included failure to deliver, performing shoddy work, failure to register with the Secretary of State, and failure to provide proper notice of cancellation rights. The litigation concluded June 6, 2014, with a Final Judgment Entry and Order following a previous award of a default judgment to the Attorney General. The judgment included a declaratory judgment, a permanent injunction, \$93,929 for consumer restitution, and a \$100,000 civil penalty.

Letz Inc., dba Letz Sell Cars/Jeremy T. Letzelter

Franklin County Court of Common Pleas, Case No. 14CV004876

Letz Sell Cars sold motor vehicles to consumers and failed to transfer titles as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the TDR Fund. The complaints resulted in more than \$8,000 in payments from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit May 5, 2014, against the dealership and its operator for violations of the CSPA and the TDR law. The complaint seeks a declaratory judgment, a permanent injunction, and reimbursement of all money paid to consumers from the TDR Fund. The case is pending.

Midwest Retail LLC/Chad Bowerman, dba Storm Lake Tactical

Cuyahoga County Court of Common Pleas, Case No. CV 14 822249

This business sells products related to shooting, shooting technique and instruction, tactical products, shooting accessories, and firearm accessories via an online website. Consumers complained to the Attorney General that they purchased various products from the business they did not receive. The Attorney General filed a lawsuit against the business and its owner on Feb. 20, 2014, for violations of the CSPA and the Failure to Deliver Rule. The litigation concluded Nov. 7, 2014, with a Consent Judgment. The judgment included a declaratory judgment, a permanent injunction, \$3,028.71 for consumer restitution, and a \$15,000 civil penalty, with \$3,028.71 suspended on the condition of full compliance with the terms of the judgment.

Mold Foundation Specialist LLC/Scott Stidham

Warren County Court of Common Pleas, Case No. 14CV86598

The business offered to provide general contracting work including foundation repair, waterproofing, water damage repair, concrete work, and mold remediation. Consumers complained to the Attorney General that they paid for contracting work that was not completed or was completed so poorly that it had to be redone by another company. A lawsuit was filed Dec. 16, 2014, for violations of the CSPA and HSSA. Counts included failure to deliver, performing substandard work, failure to substantiate advertising complaints, and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

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

Lucas County Court of Common Pleas, Case No. CIO201401390

Monroe Dodge-Chrysler is a new and used motor vehicle dealership based in Monroe, Michigan. An Attorney General investigation revealed a number of deceptive advertisements used by the dealer in newspapers and on its website. The Attorney General and Monroe Dodge-Chrysler have a long history related to deceptive advertising, including a 2005 Assurance of Voluntary Compliance and lawsuits in 2005, 2007, and 2010. Despite the previous actions, the business continued to engage in deceptive advertising. The Attorney General filed a lawsuit against the business on Feb. 7, 2014, for violations of the CSPA, the Advertisement and Sale of Motor Vehicles Rule, and the Exclusions and Limitations in Advertising Rule. The complaint seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Old Skool Sports LLC/Christopher Sabatino

Franklin County Court of Common Pleas, Case No. 14CV002110

Old Skool Sports sold memberships to consumers for participation in league sports such as adult and youth football. Consumers complained to the Attorney General that leagues they signed up for were never formed, related goods were never received, and payments were not refunded. In other instances, consumers canceled their participation in accordance with the cancellation policy on the business' website, but did not receive refunds. The Attorney General filed a lawsuit Feb. 26, 2014, against the business and its owner for violations of the CSPA. The litigation concluded July 21, 2014, with a Consent Judgment Entry with Defendant Christopher Sabatino. The settlement included a declaratory judgment, a permanent injunction, \$3,000 for consumer restitution, and a \$10,000 civil penalty, with \$7,500 suspended on the condition of full compliance with the terms of the settlement. The corporation is no longer doing business and a default judgment against it was granted by the court.

One Technologies LP/One Technologies Management LLC/One Technologies Capital LLP

United States District Court, Northern Dist. of California, Case No. 3:14-cv-05066-JSC

The businesses advertised free credit scores online under the name of ScoreSense. They failed to disclose that consumers would be automatically enrolled in a credit monitoring service at a cost of \$30 per month. Consumers complained that they were assessed this charge without their knowledge. Ohio teamed with the Federal Trade Commission and the State of Illinois in a Nov. 17, 2014, lawsuit against the businesses. A Stipulated Order for Permanent Injunction & Monetary Judgment was simultaneously submitted to the Court for approval and was entered Nov. 21, 2014. The settlement provided strong injunctive relief and \$21.9 million for national restitution. Ohio also received \$50,000 for its costs associated with this matter.

Peak Restoration LLC/Adam Drzewiecki

Franklin County Court of Common Pleas, Case No. 14CV005863

Peak Restoration operated a roof repair company. The business solicited consumers at their residences for roofing repair and replacement services. Consumers complained that Peak Restoration accepted insurance checks to repair damaged roofs, but never returned to begin the work. Peak Restoration engaged in the same actions in Indiana and Kentucky. The Attorney General filed a lawsuit June 5, 2014, against the business and its owner for violations of the CSPA and HSSA. The litigation concluded Dec. 8, 2014, with a Final Judgment Entry and Order after the previous award of a default judgment to the Attorney General. The entry included a declaratory judgment, a permanent injunction, \$49,395.99 for consumer restitution, and a \$20,000 civil penalty.

Israel Alex Barrett, dba Pleasant Plain Lawn & Landscape

Warren County Court of Common Pleas, Case No. 14CV86416

Israel Alex Barrett was a landscaping contractor who did business in Ohio as Pleasant Plain Lawn & Landscape and various other names. He solicited new business by neighborhood canvassing and required consumers to pay in advance for a six-step lawn treatment. Barrett

closed his operation and did not refund consumers for the payments made for services that were never received. The Attorney General filed a lawsuit Oct. 24, 2014, for violations of the CSPA and HSSA. Counts included failure to deliver, performing substandard work and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Quality 1st Home Improvements LLC/Tony Logan

Franklin County Court of Common Pleas, Case No. 14CV007064

The business offered to provide home improvement services. Consumers complained to the Attorney General that they paid substantial amounts of money to have their basements remodeled, but the work was never completed. The Attorney General filed a lawsuit against the business and its owner July 9, 2014, for violations of the CSPA and HSSA. Counts included failure to deliver, performing shoddy work, violation of the Repairs or Services Rule, and failure to provide a notice of cancellation rights. The complaint seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

R&M Auto Service & Sales Inc./Michael Mankin Sr.

Cuyahoga County Court of Common Pleas, Case No. CV 14 819770

R&M Auto Service & Sales sold a motor vehicle to a consumer and failed to transfer title as required by Ohio law. The consumer filed a complaint with the Attorney General seeking relief from the TDR Fund. The complaint resulted in more than \$3,000 in payment from the TDR Fund to reimburse the injured consumer. The Attorney General filed a lawsuit Jan. 8, 2014, against the dealership and its operator for violations of the CSPA and the TDR law. The complaint seeks a declaratory judgment, a permanent injunction, and reimbursement of all money paid to consumers from the TDR Fund. The case is pending.

Round House Racing LLC

Portage County Court of Common Pleas, Case No. 2014CV00707

The business accepted payments from runners to participate in an obstacle course race. The event was scheduled to be held July 19, 2014, near Hiram, Ohio, but was canceled unexpectedly and refunds were not made to consumers who had signed up for the race. The Attorney General filed a lawsuit Sept. 2, 2014, for violations of the CSPA. Counts included failure to deliver and violation of the Deposit Rule. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Scarlet & Grey Contracting Ltd./Scarlet & Grey Builders Ltd./Kelson Hess

Belmont County Court of Common Pleas, Case No. 14CV295

Kelson Hess operated companies that provided a variety of home improvement services. Consumers complained that the businesses failed to start contracted work during scheduled times, performed substandard work, demanded money in addition to the agreed-upon prices, and failed to complete jobs. The Attorney General filed a lawsuit Sept. 30, 2014, against the businesses and Hess for violations of the CSPA. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Iris Tate, dba Selective Auto Mart

Cuyahoga County Court of Common Pleas, Case No. CV 14 819769

Iris Tate operated Selective Auto Mart, offering for sale and selling used motor vehicles to consumers. Tate failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the TDR Fund. The complaints resulted in more than \$15,000 in payments from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit Jan. 8, 2014, against Tate for violations of the CSPA and the TDR law. The litigation concluded on May 27, 2014, with a Judgment Entry Granting Default Judgment to the Attorney General. The entry included a declaratory judgment, a permanent injunction, \$15,755 for reimbursement to the TDR Fund, and a \$30,000 civil penalty.

South Beach Fitness of Westerville LLC/Steven Willis/Raphael Ortiz

Franklin County Court of Common Pleas, Case No. 14CV009122

The business sold health spa memberships to consumers for a health club and fitness facility that was to open soon. The health club failed to open and consumers filed complaints with the Attorney General when refunds were not made. The Attorney General filed a lawsuit against the business and its owners on Sept. 4, 2014, for violations of the CSPA and Prepaid Entertainment Contracts Act (PECA). Counts included failure to deliver, requiring excess payment prior to opening, failure to honor refund requests, and failure to provide adequate customer service. The complaint seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Chaunce A. Dawes, dba Sludgefactory

Ross County Court of Common Pleas, Case No. 14 CI 262

Chaunce Dawes operated Sludgefactory, a now defunct Chillicothe business. He sold apocalyptic-themed clothing to the general public via the Internet. Clothing items were custom-crafted by Dawes and given colorful names like “The Destroyer,” “The Infector,” and “Rubbish.” Consumers complained to the Attorney General that they paid Dawes money for products that were never received. The Attorney General filed a June 17, 2014, lawsuit against Dawes for failing to deliver the clothing in violation of CSPA. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Wellness Laser and Med Spa LLC/Martina Flemings

Delaware County Court of Common Pleas, Case No. 14-CVH-08-0602

Wellness Laser sold LipoLaser and other weight loss services through its website and discount purchase websites such as Groupon and Living Social. Consumers purchased packages for LipoLaser treatments, whole body vibration platforms, body firming products, and detoxification products. Consumers complained to the Attorney General that they were unable to schedule the purchased services. Messages would not be returned or the dates available to schedule treatments were often several months away. Refunds were not made when consumers were unable to redeem their purchases. Other complaints related to the poor condition of the facilities. The Attorney General filed a lawsuit against the business and its owner Aug. 13, 2014, for violations of the CSPA. Counts included deceptive advertising,

poor customer service, and failure to deliver. The complaint seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

Woda Automotive LLC/Donald Woda

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

The business offered for sale and sold used motor vehicles to consumers. Certificates of title were not transferred to purchasers as required by Ohio law, resulting in payments to purchasers from the TDR Fund in excess of \$100,000. In other instances, warranties for the motor vehicles were not honored. The Attorney General filed a lawsuit on Nov. 24, 2014, against the business and its owner for violations of the CSPA and the TDR law. The complaint seeks a declaratory judgment, a permanent injunction, consumer restitution, and reimbursement of all money paid to consumers from the TDR Fund. The case is pending.

Wyeth Pharmaceuticals Inc.

Franklin County Court of Common Pleas, Case No. 14CV008143

This multi-state investigation resulted from the improper marketing of the drug Rapamune. The drug was promoted for unapproved off-label purposes. The attorneys general alleged that Wyeth Pharmaceuticals engaged in unfair and deceptive practices by encouraging the unapproved use of Rapamune. The investigation resulted in the filing of a lawsuit Aug. 6, 2014. An Agreed Entry and Final Judgment Order was immediately submitted to the court and was entered Aug. 8, 2014. Ohio was joined by 41 other states participating in the settlement. The settlement document contains broad injunctive relief and a \$35 million payment to the states. Ohio's share of the payment is \$984,812.

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

Mahoning County Court of Common Pleas, Case No. 14 CV 43

Y-Town Auto Sales sold motor vehicles to consumers and failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the TDR Fund. The complaints resulted in more than \$2,000 in payments from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit Jan. 8, 2014, against the dealership and its operator for violations of the CSPA and the TDR law. The complaint seeks a declaratory judgment, a permanent injunction, and reimbursement of all money paid to consumers from the TDR Fund. The case is pending.

OTHER JUDGMENTS

Alan Ray Bridal/Alan Ray Church

Franklin County Court of Common Pleas, Case No. 12CV008557

Alan Ray Bridal sold bridal gowns and accessories to consumers in central Ohio until going out of business in April of 2012. Consumers complained that they paid for bridal gowns and related services that they did not receive. After Alan Ray Bridal refused to make refunds to consumers, the Attorney General filed a lawsuit July 5, 2012, against the business and its owner for violations of the CSPA. Counts included failure to deliver and engaging in unconscionable business practices. Following the conclusion of the defendants' bankruptcy proceedings, the litigation ended Nov. 5, 2014, with a Consent Judgment and Agreed Final

Entry and Order. The settlement included a declaratory judgment, a permanent injunction, and a \$3,600 payment to the Attorney General to be used for consumer restitution and costs.

All American Restoration LLC/Mark Walker

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

The business offered to provide large-scale home improvement projects such as house additions. Numerous consumers complained to the Attorney General that money was paid to the business and no work was done, or that work was performed in a substandard manner. Required building permits also were not obtained. The Attorney General filed a lawsuit against the business and its owner Nov. 14, 2013, for violations of the CSPA. Counts included failure to deliver, shoddy work, and failure to obtain building permits. The litigation concluded March 20, 2014, with a Default Judgment Entry. The entry included a declaratory judgment, a permanent injunction, \$141,435.48 for consumer restitution, and a \$75,000 civil penalty.

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

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

This case involved a large-scale home improvement scam in the Ironton area that victimized many consumers. The Attorney General received numerous complaints from consumers who suffered significant losses. Most of the complaints involved failure to deliver with a few alleging shoddy work. The Attorney General filed a lawsuit against the businesses and their husband and wife owners Sept. 27, 2013, for violations of the CSPA and HSSA. The litigation concluded July 3, 2014, with a Final Entry and Order Granting Plaintiff's Motion for Default Judgment. The Attorney General was awarded a declaratory judgment, a permanent injunction, \$169,004 for consumer restitution, and a \$75,000 civil penalty.

Wayne Given, dba Basement Waterproofing Solutions

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

Wayne Given operated Basement Waterproofing Solutions, offering to provide plumbing and basement waterproofing services. Consumers complained that they paid money to Given for plumbing and waterproofing services that were not provided or that he provided shoddy work. Refunds were not provided. The Attorney General filed a lawsuit Nov. 14, 2013, for violations of the CSPA, including failure to deliver and providing substandard work. The litigation concluded May 15, 2014, with a Default Judgment Entry and Order against defendant Wayne Given. The entry included a declaratory judgment, a permanent injunction, \$26,357 for consumer restitution, and a \$25,000 civil penalty.

The Beach at Mason Limited Partnership/Water Parks Inc./Cabana Equities Inc.

Hamilton County Court of Common Pleas, Case No. A1204177

The Beach Waterpark near Cincinnati announced in March of 2012 that it would not be operating during the 2012 season. The Beach had already sold thousands of season passes for the year. Owners of the waterpark also stated that they would not be providing refunds to consumers who had purchased the season passes. As a result of the refusal to

refund money prepaid by consumers, the Attorney General filed a May 25, 2012, lawsuit against the entities operating the waterpark, alleging failure to deliver in violation of the CSPA. The litigation concluded July 2, 2014, with a Consent Judgment Entry and Order. The settlement was done in conjunction with the bankruptcy action filed by The Beach and included a permanent injunction and a \$25,000 civil penalty. Consumers could receive refunds for the passes if they had not previously accepted waterpark passes for the 2103 season from the new owner.

Blue Dragon Leather/Richard Leavitt

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

The Attorney General filed a lawsuit Feb. 8, 2013, against Blue Dragon Leather and Richard Leavitt as part of a crack-down against sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendants sold illegal drugs as legal products to an undercover agent who was operating under the direction of the Bureau of Criminal Investigation (BCI) and the Trumbull/Ashtabula Group Law Enforcement Task Force. The lawsuit was brought pursuant to the CSPA and included a separate cause of action to declare the business a public nuisance. Separate criminal charges were also filed. The litigation concluded April 23, 2014, with an Agreed Entry on Civil Penalties following the previous award of a default judgment to the Attorney General. Relief in the case included a declaratory judgment, a permanent injunction, a declaration that the property was a public nuisance, and a \$25,000 civil penalty suspended on the condition of full compliance with the terms of the Default Judgment Entry.

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

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

Boasko's sold motor vehicles to consumers and failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the TDR Fund. The complaints resulted in more than \$37,000 in payments from the TDR Fund to reimburse injured consumers. The Attorney General filed a lawsuit June 7, 2013, against the dealership and its operators for violations of the CSPA and the TDR law. The litigation concluded Jan. 24, 2014, with a Judgment Entry Granting Default Judgment against all defendants. The entry included a declaratory judgment, a permanent injunction, \$37,455.79 for reimbursement to the TDR Fund, and a \$25,000 civil penalty.

Bob's Cheap Smokes/Robert Grimmet

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

The Attorney General filed a lawsuit March 20, 2013, against Bob's Cheap Smokes as part of a crack-down against sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendants sold illegal drugs as legal products to an undercover agent who was operating under the direction of BCI and the Belmont County Sheriff's Office. The lawsuit was brought pursuant to the CSPA and included a separate cause of action to declare the business a public nuisance. Separate criminal charges were also filed. The litigation concluded June 11, 2014, with a Judgment Entry Containing Findings of Fact and Conclusions of Law. The defendants were found liable for violations of the CSPA and assessed a \$5,000 civil penalty.

Bubby's Drive-Thru/Gregory W. Sylvis

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

The Attorney General filed a lawsuit Feb. 1, 2013, against Bubby's Drive-Thru and Gregory Sylvis as part of a crack-down against sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendants sold illegal drugs as legal products to an undercover agent who was operating under the direction of BCI and the Guernsey County Sheriff's Office. The lawsuit was brought pursuant to the CSPA and included a separate cause of action to declare the business a public nuisance. The litigation was resolved Feb. 28, 2014, with an Agreed Consent Judgment Entry and Order that included a declaratory judgment, permanent injunctions, and a \$25,000 payment to the Attorney General, with \$15,000 suspended on the condition of full compliance with the terms of the settlement.

Roger Conrad Jr., dba C&R Concrete

Fairfield County Court of Common Pleas, Case No. 13CV038

C&R Concrete was an unincorporated business operated by Roger Conrad Jr. The business provided concrete installation and related services to consumers in Fairfield County. Consumers complained to the Attorney General and the Better Business Bureau that the business provided poor work and refused to correct it. The Attorney General filed a lawsuit against Conrad on Jan. 11, 2013, for violations of the CSPA and the HSSA. Counts included shoddy work, failure to register with the Secretary of State, Repairs or Services Rule violations, and failure to provide proper notice of cancellation rights. The litigation was resolved with a Consent Judgment and Agreed Final Entry and Order entered May 21, 2014. It included a declaratory judgment, a permanent injunction, \$700 for consumer restitution, additional concrete work, and a \$10,000 civil penalty, with \$7,500 suspended on the condition of full compliance with all terms of the settlement.

Anthony Otworth, dba Custom Touch Remodel

Franklin County Court of Common Pleas, Case No. 10 CVH 04 6124

This home improvement case involved failure to deliver and poor workmanship allegations. Anthony Otworth owned and operated the unincorporated business. Consumer complaints alleged that deposits were paid and no work was done, or that the work that was performed was so poor that it was necessary to pay another contractor to correct the work. A lawsuit was filed April 21, 2010, for violations of the CSPA and HSSA. Specific counts included failure to deliver, deposit-related violations, shoddy workmanship, and failure to provide a written agreement or notice of cancellation form. The Attorney General entered into an Agreed Consent Judgment Entry and Order with Otworth July 23, 2014, that modified previous judgments against him. The Consent Judgment included a declaratory judgment, a permanent injunction, and a \$5,000 civil penalty, and it acknowledged previous consumer restitution paid by Otworth.

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

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

Dad's Car Lot was a buy-here-pay-here used car dealership. The business shut down and failed to deliver titles to consumers who purchased motor vehicles from the business. Consumers were reimbursed by the Attorney General through the TDR Fund. The Attorney

General filed a lawsuit against the business and its owners April 11, 2013, for violations of the CSPA and the Certificate of Motor Vehicle Title Act. The litigation concluded June 6, 2014, with a Judgment Entry and Order Granting Summary Judgment against defendant William Taylor. Judgments were previously obtained against defendants Dad's Car Lot and Gary Jones. The judgment against Taylor included a declaratory judgment, a permanent injunction, \$1,000 in reimbursement to the TDR Fund, and a \$1,000 civil penalty.

The Event in Orlando Inc./Andrew Andrekopoulos

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

The Event in Orlando solicited parents of children ranging in age from six to 17 who were interested in potential entertainment-related careers. Packages for tryouts in Orlando were sold for \$2,000 to \$10,000. Consumers complained to the Attorney General that the business made misrepresentations concerning its affiliation and the likelihood of acquiring a job in the entertainment field. The Attorney General filed a lawsuit June 5, 2013, for violations of the CSPA and the HSSA. Counts included misrepresentation of sponsorship and benefits, unconscionable sales practices, and failing to provide proper notice of cancellation rights. The litigation concluded Dec. 11, 2014, with a Consent Judgment and Agreed Final Entry and Order. It included a declaratory judgment, a permanent injunction, \$6,095 for consumer restitution, and a \$15,000 civil penalty suspended on the condition of full compliance with the terms of the order.

Falcon Auto Sales Inc./Mohammed Barbarwi

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

Falcon Auto Sales sold motor vehicles to consumers and failed to timely transfer titles to purchasers as required by Ohio law. Consumers filed complaints with the Attorney General and were only able to obtain motor vehicle titles after the Attorney General intervened on their behalf. The Attorney General filed a lawsuit July 23, 2013, against the dealership and its owner for violations of the CSPA and the TDR law. The litigation concluded Aug. 20, 2014, with a Final Judgment Entry and Order after the previous award of a summary judgment to the Attorney General. The order included a declaratory judgment, a permanent injunction, \$10,300 for consumer restitution, and a \$25,000 civil penalty.

Form Giant LLC/Matthew Riley

Hamilton County Court of Common Pleas, Case No. A1307550

The business operated a website, change-my-address.com, through which it changed consumers' addresses with the U.S. Postal Service for \$19.95 to \$29.95. The Postal Service charges a dollar for the same service. A Google search for "address change" resulted in change-my-address.com coming up at the top of the page. Consumers clicked on the link thinking it was the Postal Service. Consumers complained that they were unaware they had signed up for Form Giant's service. The Attorney General filed a lawsuit Nov. 13, 2013, for violations of the CSPA. The litigation concluded May 9, 2014, with an Agreed Consent Judgment Entry and Order. The settlement included a declaratory judgment, a permanent injunction, up to \$3 million in refunds disbursed among all affected consumers nationwide, new disclosure requirements, and attorney costs and fees.

Thomas Huber Jr.

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

Thomas Huber offered a variety of landscaping services to consumers under a number of different business names, none of which were registered with the Ohio Secretary of State. Consumers complained to the Attorney General that Huber failed to deliver promised services or performed work in a substandard manner. He also failed to provide required estimate and cancellation forms. The Attorney General filed a lawsuit on Nov. 21, 2013, for violations of the CSPA and HSSA. The litigation concluded Nov. 26, 2014, with a Final Judgment Entry and Order Adopting the Magistrate's Decision on Damages entered after the Attorney General was awarded a default judgment. The entry included a declaratory judgment, a permanent injunction, \$22,593.94 for consumer restitution, and a \$50,000 civil penalty.

John Boyd, dba J & M Roofing

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

John Boyd operated J & M Roofing, an unregistered business that did roofing and other home improvement work. Consumers complained to the Attorney General that they paid for services that were not delivered or that work was performed in a substandard manner. The Attorney General filed a lawsuit April 26, 2013, for violations of the CSPA. The litigation concluded Jan. 14, 2014, with a Default Judgment Entry that included a declaratory judgment, a permanent injunction, \$7,900 for consumer restitution, and a \$10,000 civil penalty.

Keep it Moving Auto Inc./Ronnie Simmons Jr./Chester Leonard

Portage County Court of Common Pleas, Case No. 2012CV442

Keep it Moving Auto Sales is a "buy-here-pay-here" used car dealership operating in northeast Ohio. An Attorney General investigation revealed that the business had engaged in multiple violations of the CSPA and consumer financing laws. The business targeted low income and vulnerable consumers. Financial paperwork was inadequate and illegal repossessions occurred. The Attorney General filed a lawsuit against the business, its owner, and a salesman April 18, 2012, for violations of the CSPA, Retail Installment Sales Act, Odometer Rollback Act, and the TDR law. The litigation concluded March 10, 2014, with a Consent Judgment and Agreed Entry and Order. The settlement included a declaratory judgment, a permanent injunction, \$6,100 for consumer restitution, \$2,500 for attorney fees and costs, and a \$30,000 civil penalty, with \$25,000 suspended on the condition of full compliance with the terms of the settlement.

Mr. Auto LLC/Dia Alasoud

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

Dia Alasoud operated two used car dealerships in Butler County. Consumers complained to the Attorney General about a variety of problems they experienced when purchasing vehicles from the dealerships. Common complaints included misrepresentations during sales presentations, failure to timely deliver motor vehicle titles, and improper conduct occurring in the financing of the purchases. The Attorney General filed a lawsuit against the business and its owner Nov. 22, 2013, for violations of the CSPA and the Retail Installment Sales Act. The litigation concluded May 12, 2014, with an Agreed Consent Judgment Entry and Order.

The settlement included a declaratory judgment, a permanent injunction, \$5,082.97 for consumer restitution, and a \$25,000 civil penalty, with \$10,000 suspended on the condition of strict compliance with the terms of the consent judgment.

Murphy & Son Inc.

Cuyahoga County Court of Common Pleas, Case No. CV 12 775325

Murphy & Son operated a home improvement business in the Cleveland area. The company had a history of generating consumer complaints to the Attorney General and the Better Business Bureau. Informal efforts to change the company's business practices in order to eliminate the complaints were unsuccessful. The consumer complaints consistently alleged shoddy work and a refusal to correct it. Murphy & Son also did not secure necessary licenses and permits before doing any work. The Attorney General filed a lawsuit Nov. 28, 2012, for unfair and deceptive acts and practices in violation of the CSPA. The litigation concluded with a Stipulation for Dismissal and Judgment Entry entered March 25, 2014, following the previous award of a summary judgment to the Attorney General. The entry included a permanent injunction, \$4,000 in consumer restitution, and a \$6,000 civil penalty.

Nelson Gamble & Associates/Jackson Hunter Morris & Knight LLP/Jeremy Nelson

Franklin County Court of Common Pleas, Case No. 12CV003049

The businesses solicited consumers to purchase debt settlement services. Their owner, Jeremy Nelson, had a history of operating debt settlement scams. Consumers complained that the businesses failed to deliver the promised debt settlement services. Nelson, a non-lawyer, misrepresented that the businesses were law firms. A lawsuit was filed March 8, 2012, against the businesses and Nelson for violations of the CSPA and Debt Adjusters Act. The litigation concluded April 3, 2014, with a Final Judgment Entry and Order pursuant to a default judgment awarded for Nelson's failure to comply with court orders. The order included a declaratory judgment, a permanent injunction, \$20,266.31 for consumer restitution, and a \$50,000 civil penalty.

Party Time Carry Out Inc./Helen J. Gladstone

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

The Attorney General filed a lawsuit on Feb. 1, 2013, against Party Time Carry Out and Helen Gladstone as part of a crack-down against sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendants sold illegal drugs as legal products to an undercover agent who was operating under the direction of BCI and the Guernsey County Sheriff's Office. The lawsuit was brought pursuant to the CSPA and included a separate cause of action to declare the business a public nuisance. Separate criminal charges also were filed. The litigation concluded with an Agreed Consent Judgment April 25, 2014. The judgment included a declaratory judgment, a permanent injunction, a declaration that the property was a public nuisance, and a \$25,000 civil penalty suspended on the condition of full compliance with the terms of the Consent Judgment.

POSuccess LLC/Princessa Brown

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

The business solicited consumers at their residences to purchase magazines. Consumers complained that they paid for magazine subscriptions, but no magazines were ever received and no refunds were provided. The Attorney General filed a lawsuit Nov. 15, 2013, for violations of the CSPA and HSSA. Counts included failure to deliver and failure to provide consumers with proper notice of cancellation rights. The litigation concluded March 14, 2014, with a Final Judgment Entry and Order following the previous award of a default judgment to the Attorney General. The entry included a declaratory judgment, a permanent injunction, \$1,649 for consumer restitution, and a \$5,000 civil penalty.

Precision Power Systems of Ohio LLC/Timothy Richards

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

This business sold and installed generators and also marketed a maintenance plan. Consumers complained to the Attorney General and the Better Business Bureau that the generators were purchased and not delivered or that maintenance plans were not honored. Total consumer loss was in excess of \$25,000. The Attorney General filed a lawsuit against the business and its owner Jan. 17, 2013, for violations of the CSPA. Timothy Richards was also indicted in Delaware County on criminal charges related to the consumer transactions. The civil litigation concluded June 3, 2014, with a Consent Judgment and Agreed Final Entry and Order. The settlement included a declaratory judgment, a permanent injunction, \$17,100.56 for consumer restitution, with \$11,750 suspended in acknowledgement of restitution ordered in the criminal matter, and a \$3,649.44 payment to the Consumer Protection Enforcement Fund.

Pro Audio Video Inc./Michael E. White

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

Pro Audio Video sold a variety of goods to consumers through online sales. Consumers throughout the country complained that they paid the business for products that were never received and that they were unable to obtain refunds. The Attorney General filed a lawsuit against the business and its owner June 12, 2013, for violations of the CSPA. Counts included failure to deliver and failure to clearly disclose material conditions. The litigation concluded Aug. 28, 2014, with a Consent Judgment and Agreed Final Entry and Order. The settlement included a declaratory judgment, a permanent injunction, and a \$40,000 payment to the Attorney General to be used for consumer restitution and reimbursement for the costs of the litigation.

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

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

Second Chance Auto sold motor vehicles to consumers and failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the TDR Fund. The complaints resulted in more than \$11,000 in payments from the TDR Fund to reimburse injured consumers. The Attorney General filed a lawsuit Nov. 1, 2013, against the dealership and an employee responsible for the illegal sales. The lawsuit was filed pursuant to the CSPA and the TDR law. The litigation concluded July 21, 2014, with a Consent Judgment and Agreed Final Entry and Order. The judgment

included a declaratory judgment, a permanent injunction, \$11,803.50 in reimbursement to the TDR Fund, and a \$10,000 civil penalty, with \$9,000 suspended on the condition of full compliance with the terms of the settlement.

Darren C. Sizemore, dba Sizemore Investments LLC

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

Darren Sizemore used hundreds of prepaid mobile services accounts and auto-dialer software to send massive quantities of unsolicited and deceptive text messages to cell phone users nationwide. The text messages contained links to websites where consumers could enter a code to receive a free gift. Once at the websites, consumers were asked to divulge personal information and to sign up for trial offers for various products or services that required money up front or enrollment in continuity programs to qualify for the free gift. These requirements were not properly disclosed and no free gifts were given. The Attorney General filed a lawsuit against Sizemore on Nov. 26, 2013, for violations of the CSPA, the Telephone Consumer Protection Act, and Ohio's Do-Not-Call law. The litigation concluded with a Consent Judgment Entry and Final Order entered Oct. 17, 2014. The settlement included a declaratory judgment, a permanent injunction, \$2,400 for consumer restitution, and a \$25,000 civil penalty, with \$17,600 suspended on the condition of strict compliance with the terms of the consent judgment.

Vision Security LLC

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

Vision Security is a Utah-based home security system seller. An investigation was initiated after the Attorney General received consumer complaints alleging a variety of unfair, deceptive, and unconscionable practices in the sale of the security systems. Common themes in the complaints included that the business misrepresented that it was affiliated with the consumers' current security companies, price misrepresentations, and failure to comply with home sales cancellation requirements. The Attorney General filed a lawsuit Aug. 2, 2013, alleging multiple violations of the CSPA and HSSA. The lawsuit was resolved on Feb. 6, 2014, with a Consent Judgment Entry and Order. The entry established new policies and procedures for Vision Security and included a declaratory judgment, a permanent injunction, and a \$20,000 payment to the Consumer Protection Enforcement Fund.

Zig Stag LTD./Shawn Stagnolia

Seneca County Court of Common Pleas, Case No. 13CV0119

The Attorney General filed a lawsuit on May 10, 2013, against Zig Stag and its owner as part of a crack-down against sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendants sold illegal drugs as legal products to an undercover agent who was operating under the direction of BCI and the Seneca County Drug Task Force-METRICH Enforcement Unit. The lawsuit was brought pursuant to the CSPA and included a separate cause of action to declare the business a public nuisance. The litigation concluded May 8, 2014, with an Agreed Consent Judgment Entry and Order that included a declaratory judgment, a finding that a nuisance was maintained, a permanent injunction, and a \$25,000 payment to the Attorney General, suspended on the condition of full compliance with the terms of the settlement.

ASSURANCES OF VOLUNTARY COMPLIANCE

Administration Plus USA LLC/Protection Plus USA LLC

The businesses marketed and sold extended service contracts for motor vehicles backed by an insurance company. The Attorney General investigated the businesses when the extended service contracts were not honored and consumers were not reimbursed for vehicle repair expenses when Western Insurance Company was put into liquidation by the Utah Department of Insurance. The investigation concluded with an Assurance of Voluntary Compliance announced April 9, 2014. In the Assurance, the suppliers agreed to pay valid claims pending recovery of any proofs of claim they were pursuing against Western Insurance Company and to pay a \$25,000 civil penalty, suspended upon timely compliance with the terms of the Assurance.

ANC Development LLC, dba Instant Tax Service/Jeff Saxton

The business offered tax preparation services and tax refund-related loan products. The Attorney General opened an investigation after consumers complained that the loan products were not provided as advertised, that fees for services were not disclosed, and that tax returns were filed without authorization. The investigation concluded with an Assurance of Voluntary Compliance entered Jan. 3, 2014. The suppliers agreed to operate in compliance with Ohio consumer laws, to provide detailed information prior to offering any loans to consumers, and to pay \$50,000 to the Attorney General for the costs of the investigation, with \$25,000 suspended on the condition of full compliance with the terms of the Assurance.

AT&T Mobility LCC

A multi-state investigation into wireless cramming resulted in an Oct. 6, 2014, Assurance of Voluntary Compliance. Mobile cramming involves the placement of unauthorized third-party charges on consumers' mobile phone bills for various products and services. The Assurance was done in conjunction with the Federal Trade Commission and Federal Communications Commission. In the settlement, AT&T agreed to significant changes to its third-party billing practices, including to bill only for third-party charges that have been authorized by consumers; to improve how third-party charges appear on consumers' mobile phone bills; to better enable consumers to block the placement of third-party charges on their bills; and to make it easier for consumers with unauthorized cramming charges to get relief. The states also received a \$20 million payment, with Ohio receiving a share of \$419,609.35.

Commonwealth Financial Systems Inc., dba NCC

The Attorney General investigated this Pennsylvania debt collector after consumers complained about repeatedly receiving erroneous debt collection calls. The investigation concluded with an Assurance of Voluntary Compliance entered June 27, 2014. Pursuant to the terms of the Assurance, the debt collector agreed to develop policies and procedures designed to instruct its employees on how to handle situations when they are told that they have failed to reach the debtor. The business also agreed to pay \$25,000 to the Attorney General's Consumer Protection Enforcement Fund.

Ohio Mulch Supply Inc.

The Attorney General investigated claims that this mulch and soil products seller sold bags of mulch that did not contain the listed quantity of product. The assertions were confirmed when the Ohio Department of Agriculture notified the business that it had identified bags of its mulch products that did not contain the stated cubic feet of mulch. The Attorney General investigation concluded with an Assurance of Voluntary Compliance entered Dec. 10, 2014. Ohio Mulch Supply agreed to implement policies and procedures designed to eliminate the problem. The assurance also included a provision to allow consumers to obtain a rebate for one free bag of Ohio Mulch Supply product. The Attorney General received \$25,000 as reimbursement for the costs of the investigation.

Phusion Projects LLC

A multi-state investigation was conducted due to the marketing of Four Loko, a flavored malt beverage. The investigation focused on the promotion of Four Loko to underage persons, resulting in dangerous and excessive consumption and misuse of alcohol, and the failure to disclose to consumers the effects and consequences of drinking alcoholic beverages combined with caffeine. The investigation concluded with an Assurance of Voluntary Compliance announced March 25, 2014. Phusion Projects agreed to not manufacture caffeinated alcoholic beverages and reform how it markets and promotes its non-caffeinated flavored malt beverages. Ohio was joined in the settlement by 19 other states and the City Attorney of San Francisco. Phusion Projects also agreed to pay \$400,000 to the group, with Ohio receiving \$92,000.

Public Auto Wholesalers LLC/Kevin Kline

The Attorney General investigated this used motor vehicle dealer due to the business failing to transfer motor vehicle titles to purchasers of vehicles. The failures resulted in the Attorney General reimbursing consumers through the TDR Fund. The investigation concluded with an Assurance of Voluntary Compliance entered Oct. 3, 2014. In the settlement, the business and its owner, Kevin Kline, agreed to comply with the TDR law and the CSPA in all future sales of used motor vehicles. They also agreed to pay \$24,192.50 to reimburse the TDR Fund.

Sirius XM Radio Inc.

The Ohio Attorney General led this multi-state investigation of consumer complaints regarding satellite radio. Consumers complained that they had difficulty canceling contracts; cancellation requests were not honored; Sirius XM misrepresented service would be canceled; contracts were automatically renewed without notice or consent; unauthorized fees were assessed; and Sirius XM failed to provide timely refunds. The investigation concluded with an Assurance of Voluntary Compliance entered Dec. 4, 2014. Sirius XM agreed to clearly and conspicuously disclose all terms and conditions at the point of sale; provide advance notice of automatic renewals for plans lasting longer than six months; revise the cancellation procedures to make it easier for consumers to cancel; and prohibit incentive compensation for customer service representatives based solely on retaining current customers. Sirius XM also agreed to provide restitution to eligible consumers and to make a \$3.8 million payment to the states, with Ohio receiving \$322,035.88.

Stewart Auto Group of Pataskala Inc.

The Attorney General investigated this used motor vehicle dealer due to concerns about advertising and title transfers. Advertisements misrepresented the terms and conditions of prizes that consumers were under the impression they had won, or misrepresented the prices of some of Stewart Auto's motor vehicles. In some instances, motor vehicle titles were not timely transferred to consumers. The investigation concluded with an Assurance of Voluntary Compliance entered June 1, 2014. Stewart Auto agreed to comply with Ohio's advertising regulations and motor vehicle transfer laws. It also agreed to pay \$15,000 to reimburse the Attorney General for the costs of the investigation.

T-Mobile USA Inc.

A multi-state investigation into wireless cramming resulted in an Assurance of Voluntary Compliance announced Dec. 19, 2014. Mobile cramming involves the placement of unauthorized third-party charges on consumers' mobile phone bills for various products and services. The assurance was done in conjunction with the Federal Trade Commission and Federal Communications Commission. In the settlement, T-Mobile USA agreed to significant changes to its third party billing practices, including to bill only for third-party charges that have been authorized by consumers; to improve how third-party charges appear on consumers' mobile phone bills; to better enable consumers to block the placement of third-party charges on their bills; and to make it easier for consumers with unauthorized crammed charges to get relief. The states also received an \$18 million payment, with Ohio receiving \$377,648.41.

Richard Shimola, dba Westshore Productions

The Attorney General investigated this auto body shop where used motor vehicles were being sold despite the business not being licensed as a motor vehicle dealer. Motor vehicle titles were not timely transferred in some of those sales and documents did not contain proper disclosures. The investigation concluded with an Assurance of Voluntary Compliance entered Dec. 2, 2014. The business agreed to no longer sell motor vehicles without a license and to provide all required documents and disclosures in any future sales. It also agreed to pay \$1,000 to reimburse the Attorney General for the costs of the investigation. An additional \$10,000 payment was suspended in its entirety on the condition of full compliance with the terms of the Assurance.

Windy City BBQ Ribs Inc.

The business provides catering and wedding planning services to consumers. The Attorney General investigated the business after consumers complained about misrepresentations related to the quality of the services and food it provided; that contracts were not provided or were not complete; and that the business failed to deliver goods and services. The investigation concluded with an Assurance of Voluntary Compliance entered May 30, 2014. Windy City agreed to operate in compliance with Ohio consumer laws, to pay \$7,714.35 for consumer restitution, and to pay \$5,000 to the Attorney General, with the amount suspended due to the financial condition of the business and on the condition of full compliance with the terms of the Assurance.

C. ECONOMIC CRIMES UNIT

The Consumer Protection Section's Economic Crimes Unit was launched by Attorney General DeWine in March 2011 to work with county prosecutors and local law enforcement to investigate economic crime. Due to the extensive cooperation of local agencies, the unit has been successful in indicting large- and small-scale criminals. Since its inception, the unit's investigations have led to 117 indictments and 94 convictions. With the assistance of local partners, in 2014 alone, the unit gained 32 indictments and 27 convictions.

The following are summaries of cases the Economic Crimes Unit assisted with in 2014.

William Cameron

Darke County Court of Common Pleas, Case No. 13CR00244

William Cameron is a Craigslist scammer. Beginning on or about June 1, 2013, Cameron began a criminal course of conduct that defrauded more than 30 victims in Ohio and 9 other states out of more than \$10,000. Cameron's scheme involved seeking out people on Craigslist who wanted to purchase very specific items — car parts, tickets, or farm equipment. Cameron would contact an unsuspecting victim, promise to deliver the item, accept payment through MoneyGram or Western Union, and then fail to deliver anything. During the time period from June 1, 2013, until his arrest Nov. 21, 2013, Cameron utilized the scheme described above, or one substantially similar, to steal more than \$10,000 from more than 30 victims. Cameron pleaded guilty to one felony count of Grand Theft on June 9, 2014. He received credit for time served.

"Circleville Theft Ring"/ Bruce McFarland, Herschel Mumaw, Mark Kitchen, Mark Christman, David Ramey, and Thristian Harding

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

One of the largest indictments in 2013 ended in February of 2014 with a guilty plea from Mark Kitchen, the final member of a group of relatives and friends who stole hundreds of thousands of dollars from elderly homeowners after claiming to perform some type of home-improvement work. In April 2013, the Economic Crimes Unit had indicted Bruce McFarland, Herschel Mumaw, Mark Christman, Mark Kitchen, Michael Fausnaugh, David Ramey, and Thristian Harding for stealing more than \$135,000 from about a dozen victims. By the close of 2013, the unit had secured guilty pleas from five of these defendants, whose sentences ranged from community control to nine years in prison. Kitchen pleaded guilty Feb. 10, 2014, to one count of Attempt to Engage in Corrupt Activity, one count of Theft from the Elderly, and one count of Money Laundering. Kitchen was sentenced to three and a half years in prison and was ordered to pay restitution. The unit obtained a total of \$137,096.50 in restitution orders from the defendants in this case.

Shawn Delong

Fairfield County Court of Common Pleas, Case No. 13CR499

On March 28, 2014, Shawn Delong pleaded guilty to four felony charges, including Theft from the Elderly. Pursuant to the plea terms, Delong agreed to a prison sentence, stipulated to owing \$31,735.07 in restitution, and promised to pay \$6,000 of that total restitution

amount up-front, at or before the time of sentencing. This case stemmed from an allegation that Delong stole \$24,230 in “investment” funds from the victim, falsely claiming he needed money to finance a roofing project in Kentucky. When Delong failed to make timely payments on the victim’s returns, he pacified the victim by agreeing to fix her elderly mother’s roof, free of labor charge. He then solicited an additional \$7,505.07 to purchase materials, failed to perform, and absconded with the funds. Delong made the agreed-upon restitution payment Sept. 11, 2014, and was sentenced to a 23-month prison term. The victim expressed great satisfaction over the outcome in this case, and lauded the unit’s efforts in a subsequent letter written to Attorney General DeWine.

Jason Hux/H. Construction

Greene County Court of Common Pleas, Case No. 14CR0524

Jason Hux operated H. Construction. In the fall of 2012, a victim in Yellow Springs, Ohio, entered into a contract with Hux to replace his roof and paid Hux \$20,000 to complete the work, but Hux failed to do any work. In September of 2013 and with help from the Greene County Prosecutor’s Office, Hux was indicted for one count of Theft. Hux pleaded guilty to the indictment Dec. 2, 2014, and will be sentenced Feb. 11, 2015.

Charles Kuhn Theft Ring/Jennifer Pummell, Susan Dowland, Mark Peoples, Brad Davis, Curtis Smith, Kevin Dunn

Ross County Court of Common Pleas, Case No. 14CR000087,14CR000076, 14CR000078, 14CR000096, 14CR000085, 14CR000084, 14CR000081

Charles Kuhn Jr. and six other accomplices were indicted in February 2014 on charges alleging that they operated a scheme that targeted at least six elderly victims from Ross, Pickaway, and Hocking counties. The group was accused of stealing approximately \$400,000 since 2011 by convincing the victims to loan them money, with the promise of large returns on their investments. Charles Kuhn Jr., 47, pleaded guilty to charges of engaging in a pattern of corrupt activity, theft, telecommunications fraud, and conspiracy. Kuhn was then immediately sentenced to an eight-year prison term. The remaining six accomplices were all convicted for their roles in the scheme. Their sentences ranged from probation to three-year prison terms.

Marvin Lewis/New Wave, aka Nu Wave Home Improvement, aka Buckeye Northern Home Improvement

Richland County Court of Common Pleas, Case No. 14CR0401

Between Aug. 1, 2012, and Nov. 31, 2013, Marvin Lewis, doing business as New Wave, also known as Nu Wave Home Improvement and Buckeye Northern Home Improvement, acted as a home improvement contractor servicing residential properties for roofing, slate repairs, coatings, powers washing, painting, plaster, drywall, and various other home improvement projects. Lewis accepted monies from disabled or elderly homeowners and failed to perform under the contract. The unit, serving in the capacity of a Special Prosecutor for the Richland County Prosecutor, secured a June 6, 2014, indictment against Lewis on three felony counts of Theft from an Elderly or Disabled Person. Lewis pleaded guilty to the indictment Sept. 4, 2014, and was sentenced Oct. 28, 2014, to two years of community control, fined \$1,000, and ordered to pay \$1,450 in restitution.

Ed Mara/USA Pool Depot

Ross County Court of Common Pleas, Case No. 14CR000023

Ed Mara pleaded guilty to Theft from an Elderly Person on June 9, 2014. Pursuant to the terms of the plea agreement, Mara agreed to pay full consumer restitution of \$13,500 at the time of sentencing. This case arose from an allegation that Mara, doing business as USA Pool Depot, stole \$13,500 from the victim under the guise that he would buy materials to install a pool. No work was completed, however, and the promised goods were not supplied. At a sentencing hearing on July 21, 2014, Mara paid the restitution in full. Mara was placed on probation and ordered to pay a fine and to complete 200 hours of community service.

William Modafari

Hamilton County Court of Common Pleas, Case No. B1404725

Modafari was indicted on 22 counts of theft on Aug. 27, 2014. Modafari is alleged to have stolen approximately \$48,000 from an 88-year-old woman. Modafari was an independent home improvement contractor who had been introduced to the victim through a series of informal referrals. Modafari allegedly gained access to the victim's credit cards and made unauthorized purchases. Modafari also is accused of purchasing water heaters and furnaces with the victim's money and then installing these items in properties that were not owned by the victim. On Jan. 6, 2015, the defendant pleaded guilty to two counts of Theft from the Elderly and two counts of Misuse of Credit Cards. The defendant will be sentenced Jan. 26, 2015. He has paid \$25,000 in restitution to the victim.

Kimberly Pack/Kimberly's Travels

Pickaway County Court of Common Pleas, Case No. 14CR111

Kimberly Pack owned and operated Kimberly's Travels based in Circleville, Ohio. In 2013, the Consumer Protection Section received numerous complaints from consumers who had contracted with Pack for vacation packages, but had received nothing. Some consumers were even left stranded at vacation locations with no hotel reservations even though they had already paid for such reservations. With the Pickaway County Sheriff's Office, the unit uncovered 13 victims who had lost more than \$30,000 to Pack/Kimberly's Travels. In 2014, the unit indicted Pack for two counts of Theft. Pack pleaded guilty to one count of Theft (a felony of the third degree) and was placed on community control. As part of her sentence, Pack is prohibited from working in the travel industry and was ordered to make full restitution.

Crystal Perkins

Richland County Court of Common Pleas, Case No. 14CR0810

Perkins allegedly formed a relationship with an elderly victim over the course of several months and took more than \$50,000 from him in an alleged real estate investment scheme. With extensive investigative assistance from the Richland County Sheriff's Office, the unit indicted Perkins of two felony counts of Theft of the Elderly on Dec. 3, 2014. The matter is pending.

Branden Troxell/Precision Swimming Pools

Clermont County Court of Common Pleas, Case No. 14CR00660

Branden J. Troxell was indicted on one count of Theft from an Elderly Person, seven counts of Theft, and one count of Engaging in a Pattern of Corrupt Activity Nov. 6, 2014. Troxell allegedly defrauded eight homeowners from two states out of approximately \$16,000. Using the business front of Precision Swimming Pools, Troxell had homeowners pay him upfront deposits for pool service work. This work was never performed and deposits were not refunded. Troxell then stopped communicating with the homeowners. The matter is pending. There is currently an open warrant for his arrest.

James Twaddle/Restore It USA

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

Indicted in November of 2013, this case arose from allegations that from March to November 2012, James Twaddle of Reynoldsburg, Ohio, stole more than \$150,000 from 42 victims across Ohio through his roofing repair company, Restore It USA. After receiving the victims' insurance checks, Twaddle never returned to the victims' homes to perform the work that had been promised. Instead, Twaddle used the victims' money to make frivolous purchases, including expensive clothing, outdoor sporting gear, and a \$17,000 engagement ring. The Economic Crimes Unit and Union County Prosecutor David Phillips obtained a substantial victory in this large-scale RICO case on Dec. 19, 2014, when Twaddle accepted a guilty plea requiring him to pay 100 percent of the restitution – \$153,127.82 – to all victims, at or before the time of sentencing. The felony plea also required Twaddle to plead to substantial felonies, including charges of Attempted Engaging in a Pattern of Corrupt Activity, Theft from Elderly Persons, and Grand Theft.

James Urso, aka James Fetter/Help Point Restoration

Greene County Court of Common Pleas, Case No. 14CR0229

James Urso, as known as James Fetter, pleaded guilty to all charges on an Aug. 8, 2014, felony indictment. This case arose from an allegation that on or between August 2011 and April 2014, James Urso, doing business as Help Point Restoration, stole \$21,366.83 from victims. In each instance, Urso solicited up-front payments, making false promises that he would use the funds to purchase materials needed to replace the victims' roofs and awnings. Despite his promises, Urso failed to deliver the materials and did not perform the work as promised. This case, investigated by the unit, was handled in cooperation with the Greene County Prosecutor's Office. At a sentencing hearing on Oct. 2, 2014, Urso paid \$10,000 in restitution to the victim. Despite the payment, the Court found Urso's actions to be egregious and ordered him to serve a two-year term in prison. Urso was additionally ordered to pay back the victim the remaining \$11,366.83 in restitution.

Heidi Williams/Mickie Williams

Richland County Court of Common Pleas, Case No. 14CR0164 R, 14CR0165 R

Heidi and Mickie Williams entered into a contract on or about Aug. 2, 2013, with an elderly victim to perform work on her residence and farmland. Through a pattern of deceptive actions, beginning Sept. 1, 2013, and continuing through Oct. 28, 2013, the Williamses, through deception, received a series of checks totaling \$13,460 for work that was not performed. With the investigative assistance of the Richland County Sheriff's Department,

the unit secured an indictment against the husband and wife team on two felony counts of Theft from an Elderly Person. Heidi Williams was further indicted on one count of Theft from an Elderly Person for the theft of approximately \$10,000 contained in an unlocked safe in the bedroom of an elderly person she had befriended. The Williamses pleaded guilty to all counts and were sent to prison.

In the four years since its inception, the Economic Crimes Unit has prosecuted cases in almost a third of Ohio's counties (28) and is actively involved on multi-jurisdictional task forces with local, state, and federal agencies. The unit also conducts seminars for law enforcement as well as the public on a variety of topics related to fraudulent activity. The unit thanks its agency partners for their continued support and cooperation and looks forward to its continued success in 2015.

D. CONSUMER ASSISTANCE UNIT

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

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

In 2014, the Consumer Assistance Unit continued to help small businesses and nonprofits resolve their consumer-related disputes and enhance the office's ability to monitor the marketplace for unfair and deceptive practices.

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

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

Every year, the Attorney General compiles a list of the top 10 complaint-generating areas. In 2014, the Consumer Protection Section received approximately 28,000 complaints. The top 10 areas were:

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

E. IDENTITY THEFT UNIT

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

The Identity Theft Unit provides two programs. Through the Traditional Assistance program, advocates work on behalf of victims to contact credit reporting agencies, creditors, collectors, and other entities that may have information resulting from fraudulent circumstances. This option is ideal for people who do not feel comfortable attempting to rectify the effects of identity theft on their own. Under the Self-Help program, the office provides victims the tools they need to help resolve the issues on their own. Since its inception, the Identity Theft Unit has received over 2,160 complaints, including 1,342 in 2014. As a result of the unit's efforts, in 2014, approximately \$190,000 in fraudulent charges were forgiven.

Recognizing that individuals in the foster care system may be especially vulnerable to identity theft, Attorney General DeWine has offered the Identity Theft Unit's assistance to the Ohio Department of Job and Family Services to correct errors that are discovered on the credit reports of foster youth. In 2014, the Identity Theft Union resolved 35 complaints for minors in foster care, who are particularly vulnerable to this crime.

F. EDUCATION UNIT

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

Recognizing the prevalence of identity theft, the Education Unit also created a new identity theft workshop and integrated identity theft education into all other workshops.

To build awareness of consumer protection issues among Ohio's youth, the Education Unit held the sixth annual Take Action High School Video Contest in 2014. The contest awards a total of \$5,000 in college scholarships to the top three teams or individuals who submit a 60-second video on Internet safety. Individuals or teams from over 53 schools submitted 214 video entries in the 2014 contest. Overall, 366 students participated in the 2014 contest.

Through a grant obtained by the Consumer Protection Section, the Education Unit designed and implemented a Senior Advocate Fraud Education (SAFE) Toolkit in 2014 to help promote consumer awareness and scam prevention, especially among Ohio's older adults. Attorney General DeWine helped deliver the toolkits to libraries throughout the state. In all, SAFE toolkits were sent to more than 700 Ohio libraries.

In addition to these special programs, educators conducted approximately 224 workshops or informational tables at various events, including Attorney General DeWine's 2014 Law Enforcement Conference, and provided other educational activities reaching thousands of Ohioans in 2014. Target audiences included older adults, social workers, small businesses, and students. The unit produced new publications, specifically about cybersecurity and protections for purchasing a new car. The unit also produced a special abbreviated version of its *Scams Targeting Ohioans* publication, which was distributed during National Consumer Protection Week in March to more than 40,000 individuals receiving at-home care.



Ohio Attorney General's Office
Consumer Protection Section

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Annual Report

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