



# MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★

Dear Colleagues:

My office's Consumer Protection Section targets unfair and deceptive business practices, works with other agencies to fight fraud, assists victims of identity theft, and helps Ohioans avoid scams.

In 2015, our Consumer Protection Section staff worked one-on-one with individuals to resolve thousands of complaints and collaborated with local, state, and federal partners to achieve multi-million dollar settlements benefiting consumers.

Following a multistate investigation led by my office, the three major credit reporting agencies agreed to make significant changes to their business practices under a settlement announced in May. The settlement helps ensure that credit reports are more accurate and that consumers who call with disputes receive the service they deserve.

Through our Economic Crimes Unit, we continued to work with local law enforcement and prosecutors in identifying, investigating, and prosecuting consumer fraud of a criminal nature. The unit's biggest indictment in 2015 involved a scam that targeted car dealerships and financial institutions.

To protect Ohioans from losing money to con artists, we warned consumers about scams and informed them of their rights. Through a grant obtained by the office, the Consumer Protection Section's Education Unit launched a new cybersecurity initiative in 2015 to help Ohioans protect their personal information online and avoid identity theft.

I am proud of these efforts and of the dedicated staff who carry them out. I look forward to building on the progress we've made.

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 2015 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 2015, the Consumer Protection Section opened 243 investigations. It also initiated 40 lawsuits for various unfair, deceptive, or unconscionable business practices and obtained 59 judgments and Assurances of Voluntary Compliance totaling more than \$12.4 million in consumer restitution, civil penalties, costs, and other relief.

The following are summaries of the lawsuits, judgments, and settlements that occurred in 2015.

## **LAWSUITS**

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

*Lucas County Court of Common Pleas, Case No. CI2015023660*

A2Z Vacations sells vacation travel club memberships to consumers. Great Quest Travel, World Wide Travel Resources, and Travel Supplier of America promote A2Z's travel memberships through promotions held at local hotels. Universal Concepts is a third-party payment processor that accepted payment from consumers for A2Z Vacations' travel memberships. The travel membership cost ranged from \$1,000 to more than \$8,000, with annual dues of \$200 to \$300. Consumers complained that they did not receive promised discounts and travel options for vacations, and that they were unable to cancel the membership agreements. The Attorney General filed a lawsuit against the businesses on April 24, 2015, for violations of the CSPA and Home Solicitation Sales Act (HSSA). Counts included misrepresenting the benefits of consumer transactions, Prize Rule violations, 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.

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

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

Adolfo Castaneda operated businesses that offered tree trimming and flooring services. Consumers complained to the Attorney General that Castaneda failed to complete work as promised, or performed his work in a shoddy and substandard manner. A lawsuit was filed on Oct. 27, 2015, for violations of the CSPA and HSSA. Specific counts included failure to deliver, shoddy work, Repairs and Services Rule violations, 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. Castaneda was also criminally prosecuted in Franklin County for conduct involving other consumers who were not part of the Attorney General's lawsuit.

### **AMG Auto Connection Inc./Eric Davis**

*Hamilton County Court of Common Pleas, Case No. A1504266*

AMG Auto Connection sold a used motor vehicle to a consumer and failed to transfer the title to the purchaser as required by Ohio law. The consumer filed a complaint with the Attorney General seeking relief from the Title Defect Recision (TDR) Fund. The complaint resulted in a \$3,000 payment being made from the TDR Fund to reimburse the injured consumer. AMG Auto Connection remained in business, but failed to maintain a \$25,000

bond required when the Attorney General makes a TDR payment to a consumer due to a dealer's failure to timely deliver a title. The Attorney General filed a lawsuit on Aug. 11, 2015, against the dealership and its owner for violations of the Consumer Sales Practices Act 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.

**Alan Vohs, dba Alan Able Heating and Cooling**

*Muskingum County Court of Common Pleas, Case No. CH2015-0044*

The business offered repairs and services, primarily on heating and cooling units, throughout Muskingum and Guernsey counties. In some instances, Alan Vohs inspected consumers' heating and cooling or refrigeration units and informed the consumers that he would need to order parts to perform necessary repairs. He would then fail to return after receiving payment from the consumers. In other instances, repairs were performed in a shoddy manner. The Attorney General filed a lawsuit against Vohs on Jan. 29, 2015, for violations of the CSPA. Counts included failure to deliver, performing services in a shoddy and unworkmanlike manner, and failure to register a fictitious name with the Ohio Secretary of State. The litigation concluded on June 5, 2015, with a Final Judgment Entry and Order following the previous award of a default judgment to the Attorney General. The entry included a declaratory judgment, a permanent injunction, \$7,912.66 for consumer restitution, and a \$10,000 civil penalty.

**Amgen, Inc.**

*Franklin County Court of Common Pleas, Case No. 15CV007216*

This multi-state investigation resulted from the improper marketing of the drugs Aranesp and Enbrel. Aranesp was misbranded and promoted for uses not approved by the U.S. Food and Drug Administration, and Enbrel was promoted for unapproved doses in psoriasis patients. The investigation resulted in the filing of a lawsuit on Aug. 18, 2015, for the unfair and deceptive marketing of the drugs. An Agreed Entry and Final Judgment Order was immediately submitted to the court and was entered on Aug. 19, 2015. Ohio was joined in the settlement by 47 other states and the District of Columbia. The settlement document contained broad injunctive relief and a \$71 million payment to the states. Ohio's share of the payment was \$1,856,585.22.

**Automotion Car Sales, LLC/Dimitreos Armatas**

*Stark Court of Common Pleas, Case No. 2015CV02277*

Automotion Car Sales sold used motor vehicles to consumers and failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the Title Defect Recision (TDR) Fund. The complaints resulted in \$28,871.65 in payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on Nov. 2, 2015, against the dealership and its owner for violations of the CSPA and the TDR Law. The complaint seeks a declaratory judgment, a permanent injunction, and reimbursement of all money paid to consumers from the TDR Fund. The case is pending.

**BL Concrete Construction, LLC/Lawrence M. Hurst**

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

The business offered to provide a variety of home improvement services, specializing in patios, driveways, and sidewalks. Consumers complained to the Attorney General that they paid for services that were not delivered or that work was done in a substandard manner. A lawsuit was filed on Oct. 5, 2015, against the business and its owner for violations of the CSPA. Specific counts included failure to deliver, shoddy work, and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

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

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

The Ohio Attorney General joined the Federal Trade Commission and nine state attorneys general in a March 3, 2015, action against a Florida-based cruise line company and several other companies involved in a massive telemarketing campaign resulting in billions of robocalls. Caribbean Cruise Line and other related companies improperly sold cruise vacations using political survey robocalls that generated millions of dollars for the cruise line. Consumers heard a prerecorded message that told them they were selected to participate in a survey, after which they could receive a Bahamas cruise. Instead, they were connected to a telemarketer working on behalf of Caribbean Cruise Line to market its cruise vacations. The complaint charges Caribbean Cruise Line with violating the FTC's Telemarketing Sales Rule by using robocalls to sell cruise vacations and charges Linked Service Solutions LLC and Economic Strategy LLC with violating the Telemarketing Sales Rule by placing the robocalls. A group of five interrelated companies and their owner are charged with assisting with the illegal calls. The case is pending.

**Classmates, Inc.**

*Franklin County Court of Common Pleas, Case No. 15CV004418*

This multi-state investigation of Classmates by Ohio and 21 other states related to the use of the social media site [www.classmates.com](http://www.classmates.com). Consumers purchased subscriptions to the website that automatically renewed. Consumers complained that Classmates failed to provide adequate notice of the automatic renewal and that they often faced difficulty in cancelling their subscriptions. Classmates and its partners also entered into a number of post-transaction marketing agreements that misled consumers about what business they were dealing with. As a result of the investigation, the Attorney General filed a lawsuit on May 26, 2015, for violations of the Consumer Sales Practices Act. An Agreed Entry and Final Judgment Order for Ohio was immediately submitted to the Court for approval and was entered on June 5, 2015. The agreement prohibited the practices leading to the consumer complaints and required further marketing changes to ensure that all disclosures were made in a clear and conspicuous manner. The settlement included a \$3 million restitution program for consumers who submitted eligible complaints. It also included an \$8 million payment to the group. Ohio received a \$294,333.53 share of the settlement.

**Complete Masonry & Roofing, Inc./Complete Siding & Gutters, Inc./Complete Snow Removal, Inc./Keith M. Miller**

*Cuyahoga County Court of Common Pleas, Case No. CV 15 847013*

Keith Miller operated several businesses that offered a variety of home improvement-related services. Consumers complained to the Attorney General that the businesses failed to start or complete work as promised, or performed the services in a shoddy and substandard manner. A lawsuit was filed on June 16, 2015, for violations of the CSPA and HSSA. Specific counts included failure to deliver, shoddy work, and failure to provide proper notice of cancellation rights. The litigation concluded on Aug. 28, 2015, with a Final Judgment Entry and Order of the Court Granting Default Judgment. The order included a declaratory judgment, a permanent injunction, \$13,996.12 for consumer damages, and a \$25,000 civil penalty.

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

*Perry County Court of Common Pleas, Case No. 15-CV-00032*

David Marsh owned and operated David's Mobile Home & Well Service and David's Mobile Home Transport & Repair, which provided mobile home transport, repair, and site preparation services. Consumers complained to the Attorney General and the Better Business Bureau that Marsh failed to start work during scheduled time periods, performed shoddy and substandard work, and failed to complete jobs. The Attorney General filed a lawsuit against Marsh on Feb. 6, 2015, for violations of the CSPA. Counts included failure to deliver and performing services in a shoddy and unworkmanlike manner. The litigation concluded on Oct. 14, 2015, with a Consent Judgment and Agreed Final Entry and Order. The judgment included a declaratory judgment, a permanent injunction, \$12,750 for consumer restitution, and a \$20,000 payment to the Consumer Protection Enforcement fund, with \$15,000 suspended upon payment of the consumer damages.

**Dixie Cars Concepts/Ali El Azzouzi**

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

Dixie Cars Concepts sold used motor vehicles to consumers and failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the Title Defect Recision (TDR) Fund. The complaints resulted in more than \$40,000 in payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on July 24, 2015, against the dealership and its owner for violations of the CSPA and the TDR Law. The complaint seeks a declaratory judgment, a permanent injunction, and reimbursement of all money paid to consumers from the TDR Fund. The case is pending.

**Dixie Imports, Inc./Mustapha Aitmouha/Earl Burns**

*Butler County Court of Common Pleas, Case No. 2015 05 1108*

An investigation was opened into the business practices of Dixie Imports after consumer complaints raised concerns about its sales practices. The investigation revealed a pattern of delayed title transfers, inadequate financial paperwork and illegal repossessions. A lawsuit was filed on May 12, 2015 against the business and its operators for violations of the CSPA, Retail Installment Sales Act, and the Title Defect Recision (TDR) law. The litigation was resolved with an Agreed Consent Judgment Entry and Order entered on June 3, 2015. The

settlement included a declaratory judgment, a permanent injunction, \$24,994 for consumer restitution, \$3,100 for reimbursement to the TDR Fund, and a \$50,000 payment to the Consumer Protection Enforcement Fund, with \$25,000 suspended on the conditions of strict compliance with the terms of the settlement.

### **Education Management Corporation**

*Franklin County Court of Common Pleas, Case No. 15CV010226*

This multi-state investigation resulted from student complaints about the recruitment and enrollment process for Education Management Corporation's (EDMC) online and on-ground campuses. The investigation resulted in the filing of a lawsuit on Nov. 16, 2015, for the unfair and deceptive solicitation of students. A Consent Judgment was immediately submitted to the court and was entered the same day. Ohio was joined in the settlement by 39 other states. The settlement document requires specific disclosures for future student recruitment, broad injunctive relief, and an agreement by EDMC to forgive \$102.8 million in outstanding institutional debt held by over 73,000 students nationwide.

### **John M. Capone, dba Empire Landscaping & Irrigation**

*Medina County Court of Common Pleas, Case No. 15CIV0178*

John Capone provided landscaping, irrigation and concrete patio services under the name Empire Landscaping & Irrigation. The name was not registered with the Ohio Secretary of State. Consumers complained to the Attorney General that Capone failed to start or complete work as promised, or performed his work in a shoddy and substandard manner. A lawsuit was filed on Feb. 23, 2015, 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, failure to obtain proper permits, 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.

### **Florists Transworld Delivery, Inc./FTD.COM Inc.**

*Franklin County Court of Common Pleas, Case No. 15CV0004420*

This multi-state investigation of Florists Transworld Delivery (FTD) by Ohio and 21 other states related to the website: [www.ftd.com](http://www.ftd.com). Consumers were misled into believing that they were dealing with FTD rather than its business partners while on the website. Consumers complained that they unknowingly entered into membership programs and were charged for automatic renewals. As a result of the investigation, the Attorney General filed a lawsuit on May 26, 2015, for violations of the CSPA. An Agreed Entry and Final Judgment Order was immediately submitted to the Court and was entered the following day. The agreement prohibited the practices that resulted in the consumer complaints and required further marketing changes to ensure that all disclosures were made in a clear and conspicuous manner. The settlement included a \$2,822,400 restitution program for consumers who submitted eligible complaints. It also included an \$8 million payment to the group. Ohio received a \$160,446.34 share of the settlement.

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

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

Green Tree Financial Group and Save Point Financial are California-based companies that claim to help consumers obtain loan modifications in order to avoid foreclosure. The companies promised great results, took large amounts of money up front, did little or no work, and failed to obtain loan modifications or provide refunds to consumers. Consumers paid between \$995 and \$5,495 for the services. The Attorney General filed a lawsuit against the operators of the businesses on Aug. 13, 2015. The complaint alleged violations of CSPA and Debt Adjusters Act. Counts included failure to deliver and charging fees in excess of those permitted in Ohio. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

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

*Lucas County Court of Common Pleas, Case No. CIO201504128*

John Lee Chapman and Trena White operated home improvement businesses under a variety of names, primarily operating as Home Investment Time, Inc. Consumers complained to the Attorney General, the Better Business Bureau, and their local police departments that they paid for remodeling work that was never started or was only partially completed. Significant down payments were not returned to the consumers. In instances where work was started, subcontractors who were not paid by the defendants sought payment directly from the consumer victims. The Attorney General filed a lawsuit on Sept. 21, 2015, for violations of the CSPA and HSSA. Specific counts included failure to deliver, shoddy work, and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

**Hometown Car Sales/Brian L. Vanvlerah**

*Erie County Court of Common Pleas, Case No. 2015CV0203*

Hometown Car Sales sold used motor vehicles to consumers and failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the Title Defect Recision (TDR) Fund. The complaints resulted in payments from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on April 7, 2015, against the dealership and its owner for violations of the Consumer Sales Practices Act and the TDR Law. The litigation concluded with a Consent Judgment and Agreed Entry and Order entered on Aug. 14, 2015. The agreement included a declaratory judgment, a permanent injunction, \$9,655.32 as reimbursement to the TDR Fund, and a \$10,000 civil penalty, suspended on the condition of full compliance with the terms of the settlement.

**Kody Sickles, dba KJ's Tree Specialists**

*Hamilton County Court of Common Pleas, Case No. A1503178*

Kody Sickles provided tree and lawn care services under the name KJ's Tree Specialists. The name was not registered with the Ohio Secretary of State. Consumers complained to the Attorney General that Sickles accepted full payment for services, but only partially completed the work. In other instances, he caused damage to consumers' property while trimming trees. The Attorney General filed a lawsuit on June 11, 2015, 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 proper notice of cancellation rights. The litigation concluded on Oct. 20, 2015, with an Entry and Order Adopting Magistrate's Decision that awarded a default judgment to the Attorney General. The order included a declaratory judgment, a permanent injunction, \$6,008 for consumer restitution, and a \$15,000 civil penalty.

**Kelly E. Lange, dba KL Topsoil Property**

*Hardin County Court of Common Pleas, Case No. 20151029-CVH*

The unregistered business provided home improvement goods and services in several counties in northwest Ohio. Consumers complained to the Attorney General that Lange failed to timely start work that had been paid for, failed to complete the jobs, performed work in a substandard manner, or provided no services at all. Lange refused to provide refunds to the consumers. The Attorney General filed a lawsuit against Lange on March 11, 2015, for violations of the CSPA. Counts included failure to deliver, performing services in a shoddy and unworkmanlike manner, Deposit Rule violations, and failure to register a fictitious name with the Ohio Secretary of State. The lawsuit was dismissed on May 29, 2015, due to the death of Lange.

**Legal Aid Services, Inc./Floyd George Belsito**

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

Legal Aid Services is a California-based business that claimed to help consumers obtain loan modifications in order to avoid foreclosure. The company promised great results, took large amounts of money up front, did little or no work, and failed to obtain loan modifications or provide refunds to consumers. Consumers were charged more than \$3,000 for the services. The Attorney General filed a lawsuit against the business and its owner on Nov. 19, 2015. The complaint alleged violations of CSPA and Debt Adjusters Act. Counts included failure to deliver, failure to register with the Ohio Secretary of State, misrepresenting affiliation, and charging fees in excess of those permitted in Ohio. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution and civil penalties. The case is pending.

**MAC Contracting, Inc./Brett McClafferty**

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

The business offered roof repair and installation services. Consumers complained that the business would accept insurance checks to repair damaged roofs, fail to perform the services, and refuse to make refunds. The Attorney General filed a lawsuit against the business and its owner on May 15, 2015, for violations of the CSPA. Counts included failure to deliver, failure to obtain required permits, and misrepresenting its affiliation with the Better Business Bureau. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

**MC Auto/Michael Crowe**

*Clinton County Court of Common Pleas, Case No. CVH 2015 0098*

MC Auto sold used motor vehicles to consumers and failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the Title Defect Recision (TDR) Fund. The complaints resulted in

payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on March 18, 2015, against the dealership and its owner for violations of the Consumer Sales Practices Act and the TDR Law. The litigation concluded with a Consent Judgment entered on Dec. 29, 2015. The settlement included a declaratory judgment, a permanent injunction, \$14,210.19 for reimbursement to the TDR Fund, and a \$10,000 civil penalty with \$5,000, suspended on the conditions of strict compliance with the terms of the settlement.

**McNabb Funeral Home/Ronald McNabb**

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

The business ceased operation of its funeral home. Preneed accounts had been sold to consumers prior to the closure of the business. The contracts obligated the business to provide funeral services upon the consumers' deaths. Despite the impossibility of providing the services paid for, the business failed to refund the payments or transfer the accounts to an operating funeral home. The Attorney General filed a lawsuit against the business and its owner on Sept. 23, 2015, for failure to deliver in violation of the CSPA. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

**Mr. Rooter of Youngstown/Joseph Kijowski**

*Mahoning County Court of Common Pleas, Case No. 15CV2856*

The business offers a variety of plumbing-related services in the Youngstown area. Consumers complained to the Attorney General that the cost for the services rose dramatically after work was initiated. Paperwork provided to consumers did not include an itemized list of the services rendered. Other consumers complained about the poor quality of the work. The Attorney General filed a lawsuit against the business and its operations manager on Oct. 29, 2015, for violations of the CSPA and HSSA. Counts included failure to itemize parts and labor, making unnecessary repairs, misstating the cost of the contract, failure to obtain authorization for increased costs, performing shoddy work, and commencing work during the time in which the buyer may cancel the contract. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

**Nathaniel Bibb, dba Nate Bibb Construction**

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

The unregistered business owned by Nathaniel Bibb provided a variety of home improvement goods and services, including roofing, siding, insulation, window replacement, interior drywall, and ceiling repair. Consumers complained to the Attorney General that they made large payments to the business, but work was not finished and was performed in a substandard manner. The Attorney General filed a lawsuit against Bibb on Dec. 3, 2015, for violations of the CSPA and HSSA. Counts included failure to deliver, performing services in a shoddy and unworkmanlike manner, failure to provide proper notice of cancellation rights, and failure to register a fictitious name with the Ohio Secretary of State. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

**Nationwide Recovery Group, LLC/Michael P. McCarthy**

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

Nationwide Recovery Group is a debt collection company based in Buffalo, New York. The Attorney General initiated an investigation into the business practices of the company after consumer complaints alleged improper collection practices. The investigation revealed a pattern of illegal practices, such as threatening actions the debt collector could not legally take or did not intend to take, failing to disclose the identity of the debt collector to consumers, using false telephone numbers to evade caller identification services, and threatening consumers with arrests. The Attorney General filed a lawsuit against the debt collector and its owner on Feb. 11, 2015, for violations of the CSPA and FDCPA. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

**Ohio Valley Auto Sales/Don A. Rice, III**

*Scioto County Court of Common Pleas, Case No. 15 CIH 082*

Ohio Valley Auto Sales sold used motor vehicles to consumers and failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the Title Defect Recision (TDR) Fund. The complaints resulted in \$12,063 in payments made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on May 11, 2015, against the dealership and its owner for violations of the CSPA and the TDR Law. The litigation concluded on Aug. 19, 2015, with a Judgment Entry Granting Default Judgment against the Defendants. The entry included a declaratory judgment, a permanent injunction, \$12,063 for reimbursement to the TDR Fund, and a \$25,000 civil penalty.

**Ohio Valley Motor Cars, LLC/Jason Taylor**

*Clermont County Court of Common Pleas, Case No. 2015 CVH 492*

Ohio Valley Motor Cars sold used motor vehicles to consumers and failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the Title Defect Recision (TDR) Fund. The complaints resulted in payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on April 16, 2015, against the dealership and one of its owners, Jason Taylor, for violations of the CSPA and the TDR Law. The litigation concluded on Aug. 21, 2015, with a Final Entry and Order Against Defendants after the previous award of a default judgment to the Attorney General. The order included a declaratory judgment, a permanent injunction, \$34,043.61 for reimbursement to the TDR Fund, and a \$25,000 civil penalty.

**Dean Jones, dba Premier Contractor Services**

*Summit County Court of Common Pleas, Case No. 2015 01 0167*

Dean Jones operated an unregistered business that offered to provide home improvement services, primarily related to repair of property damaged by storms. The business accepted insurance checks to provide various home improvement services, but failed to complete the work. The Attorney General filed a lawsuit against Jones on Jan. 13, 2015, for violations of the CSPA and HSSA. Counts included failure to deliver, violation of the Deposits Rule, and failure to provide proper notice of cancellation rights. The litigation concluded on July 27, 2015, with a Final Judgment Entry and Order of the Court following a previous award of a

default judgment to the Attorney General. The entry included a declaratory judgment, a permanent injunction, \$34,600 for consumer restitution, and a \$25,000 civil penalty.

**Keeonia Davis and Alan Davis, dba Quality Used Auto Sales**

*Franklin County Court of Common Pleas, Case No. 15CV0001740*

Quality Used Auto Sales sold used motor vehicles to consumers and failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the Title Defect Recision (TDR) Fund. The complaints resulted in payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit against the business and its owners on Feb. 25, 2015, for violations of the CSPA and the TDR Law. The litigation concluded on Sept. 24, 2015, with a Judgment Entry and Order following the previous award of a default judgment to the Attorney General. The order included a declaratory judgment, a permanent injunction, \$10,655 to reimburse the TDR Fund, and a \$25,000 civil penalty.

**Remodeling Group, LLC/Joshua Hickman**

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

The business offered home remodeling and repair services including window replacement and roof work. Consumers complained to the Attorney General and the Better Business Bureau that work was paid for but not completed, and work that was done was performed in a shoddy manner. The Attorney General filed a lawsuit against the business and its owner on March 6, 2015, for violations of the CSPA. Counts included failure to deliver, performing services in a shoddy and unworkmanlike manner, and entering into consumer transactions on terms defendants knew were one-sided in their favor. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

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

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

Rotech Holdings operates a debt collection company based in Buffalo, New York. The Attorney General initiated an investigation into the business practices of the company after consumer complaints alleged improper collection practices. The investigation revealed a pattern of illegal practices such as abusive telephone calls and threatening actions. Rotech Holdings could not legally take or did not intend to take, harassing consumers and their employers at the consumers' places of business, and threatening consumers with arrests. The Attorney General filed a lawsuit against the debt collector and its owners on Oct. 30, 2015, for violations of the CSPA and the FDCPA. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

**Joshua Schnabel, dba Schnabel Construction**

*Lucas County Court of Common Pleas, Case No. CIO201501409*

Joshua Schnabel offered to provide home improvement goods and services under the unregistered business name Schnabel Construction. Consumers complained to the Attorney General and the Better Business Bureau that they paid Schnabel for home improvement work that was never completed, and work that was done was performed in such a shoddy manner that it caused damage to their homes. The Attorney General filed a lawsuit against Schnabel on Feb. 6, 2015, for violations of the CSPA and HSSA. Counts included failure to

deliver, performing services in a shoddy and unworkmanlike manner, failure to provide proper notice of cancellation rights, and failure to register a fictitious name with the Ohio Secretary of State. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

**TCB Automotive Group LLC/Andrew Karabinos**

*Franklin County Court of Common Pleas, Case No. 15CV002843*

TCB Automotive Group sold used motor vehicles to consumers and failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the Title Defect Recision (TDR) Fund. The complaints resulted in \$9,200 in payments being made from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on April 1, 2015, against the dealership and its owner for violations of the CSPA and the TDR Law. The complaint seeks a declaratory judgment, a permanent injunction, and reimbursement of all money paid to consumers from the TDR Fund. The case is pending.

**Travel Ball America, LLC, dba Travel Baseball of America/Kenneth Halloy**

*Franklin County Court of Common Pleas, Case No. 15CV003881*

Travel Ball America advertised a “Buckeye Baseball Blockbuster” where youth baseball teams could participate in a week-long summer baseball tournament in Sandusky. Teams paid deposits of \$2,000 to \$5,000 to participate in the tournament. The tournament was canceled, but the business failed to refund the deposits. Despite the previous cancellation, the business continued to advertise additional tournaments. The Attorney General filed a lawsuit against the business and its owner on May 7, 2015, for failure to deliver in violation of the CSPA. The litigation concluded on Dec. 30, 2015, with a Final Judgment Entry and Order after the previous award of a default judgment to the Attorney General. The order included a declaratory judgment, a permanent injunction, \$31,860 for consumer restitution, and a \$25,000 civil penalty.

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

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

Universal Debt & Payment Solutions, LLC (“UDPS”) is a Georgia debt collection company. The Attorney General received numerous consumer complaints against the business and various names it operated under for unfair, deceptive, and unconscionable debt collection practices. Additional complaints have been filed with the Better Business Bureau, Consumer Sentinel, and other law enforcement agencies. The Attorney General filed a lawsuit on May 19, 2015, seeking a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

**US Beef Cincinnati LLC/Joey Lightcap Traum**

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

The business sold meat door-to-door to consumers in southwest Ohio. Consumers complained to the Attorney General that the meat was of poor quality, the weight of the product was misrepresented, and that the meat was available for reasons that were not true. The business ignored consumer complaints despite having a guarantee for its product. A lawsuit was filed on Nov. 18, 2015, against the business and its owner for violations of the CSPA and HSSA. Specific counts included misrepresenting the quality of the product,

misrepresenting the reason the product was available to the consumers, failure to honor a warranty, and failure to provide proper notice of cancellation rights. The lawsuit seeks a declaratory judgment, a permanent injunction, consumer restitution, and civil penalties. The case is pending.

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

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

Y-Town Auto Sales sold motor vehicles to consumers and failed to transfer titles to the purchasers as required by Ohio law. Consumers filed complaints with the Attorney General seeking relief from the Title Defect Recision (TDR) Fund. The complaints resulted in payments from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on Oct. 8, 2015, against the dealership and its owner for violations of the CSPA and the TDR Law. The 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**

**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 complained to the Attorney General that the business accepted insurance checks to repair damaged roofs, but performed shoddy work or failed to complete the work. The Attorney General filed a lawsuit on Dec. 3, 2014, against the business and its owner for violations of the CSPA and HSSA. The litigation concluded on July 24, 2015, with a Final Judgment Entry and Order of the Court following a previous award of a default judgment to the Attorney General. The entry included a declaratory judgment, a permanent injunction, \$85,148.17 for consumer restitution, and a \$50,000 civil penalty.

**American Hearing Centers Network, LLC/Southland Hearing Center, Joseph Boles/Jeffrey Jones**

*Cuyahoga County Court of Common Pleas, Case No. CV 12 794190*

American Hearing Centers Network, doing business as North American Hearing, and Southland Hearing provided hearing screenings and sold hearing aids to consumers. They shared a Parma Heights address and phone number, used the same paperwork, and co-mingled documents provided to consumers. All stores ceased operation in the spring of 2012. The Attorney General received over 40 consumer complaints alleging the businesses used deceptive solicitations, made price misrepresentations, and refused to honor cancellations within the 30-day statutory period to cancel the purchase of a hearing aid. Some consumers also had problems with repairs and warranties. The Attorney General filed a lawsuit on Oct. 24, 2012, for violations of the CSPA, Ohio's Hearing Aids Return law, and the Telephone Solicitation Sales Act. The litigation concluded on April 21, 2015, with a Final Journal Entry following a previous award of a summary judgment to the Attorney General. The entry included \$159,614 for consumer restitution, \$11,000 in investigative costs, and a \$100,000 civil penalty.

**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 on 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 litigation concluded on Jan. 5, 2015, with a Final Judgment Entry and Order following a previous award of a default judgment to the Attorney General. The entry included a declaratory judgment, a permanent injunction, \$6,985 for consumer damages, and a \$10,000 civil penalty.

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

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

The businesses purported to provide locksmith services to consumers in Ohio by creating websites designed to look like local Ohio locksmith companies. Instead, callers were directed to an out-of-state call center that received calls from throughout the country. The call center made referrals to local locksmiths near the caller. The websites misrepresented the quality, price, and location of the services. The Attorney General filed a lawsuit on Oct. 14, 2014, for violations of the CSPA. Specific counts included deceptive advertising, misrepresentation of price and affiliation, and failure to register with the Ohio Secretary of State. The litigation concluded on Feb. 11, 2015, with a Final Judgment Entry and Order awarding a default judgment to the Attorney General. The entry included a declaratory judgment, a permanent injunction, an order to make changes to the websites to bring them into compliance with the CSPA, and a \$50,000 civil penalty.

**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 money for home improvement projects, but the work was never completed. Some of the consumers had mechanics' liens placed on their homes by subcontractors that the business did not 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 litigation concluded on Jan. 21, 2015, with a Final Judgment Entry and Order awarding a default judgment to the Attorney General. The order included a declaratory judgment, a permanent injunction, \$40,562.67 for consumer restitution, and a \$25,000 civil penalty.

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

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

Best Buy Furniture and 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 litigation was resolved on Aug. 21, 2015, with an Agreed Consent Judgment Entry and Order that included a declaratory judgment, a permanent injunction, a \$5,000 payment to the Consumer Protection Enforcement Fund, and a \$15,000 civil penalty, suspended on the condition of strict compliance with the terms of the settlement.

**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 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 on 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 litigation concluded on Sept. 2, 2015, with a Decision and Entry Granting Plaintiff's Motion for Summary Judgment. The entry included a declaratory judgment, \$18,003.64 for consumer restitution, and a \$25,000 civil penalty.

**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 then failed to begin or complete the home improvement services. The Attorney General filed a lawsuit on 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 litigation concluded on Sept. 16, 2015, with a Final Judgment Entry after the previous award of a default judgment to the Attorney General. The order included a declaratory judgment, a permanent injunction, \$17,286.50 for consumer restitution, and a \$25,000 civil penalty.

**Buyer's Choice Cars/Robert Cordell**

*Franklin County Court of Common Pleas, Case No. 13CV006093*

Buyer's Choice 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 Title Defect Recision (TDR) Fund. The complaints resulted in payments from the TDR Fund to reimburse injured consumers. The Attorney General filed a lawsuit on June 3, 2013, against the dealership and its owner for violations of the CSPA and the TDR Law. The litigation concluded with a Consent Judgment entered on April 20, 2015. The agreement included a declaratory judgment, a permanent injunction, \$19,415.52 as reimbursement to the TDR Fund, and a \$10,000 civil penalty suspended on the condition of full compliance with the terms of the settlement.

**Clark Motor Company/Phillip C. Clark, Jr./David Clark/Christopher Clark**

*Licking County Court of Common Pleas, Case No. 13CV0890*

This used car dealership went out of business and failed to deliver titles to consumers who had purchased motor vehicles prior to the closure. Consumers were reimbursed by the Attorney General through the Title Defect Recision (TDR) Fund in the amount of \$93,345.



The Attorney General filed a lawsuit against the business and its owners on Sept. 4, 2013, for violations of the CSPA and the Certificate of Motor Vehicle Title Act. The litigation concluded on March 2, 2015, with a Consent Judgment and Agreed Final Entry and Order. The agreement included a declaratory judgment, a permanent injunction, \$94,345 as reimbursement to the TDR Fund, and a \$25,000 civil penalty, with \$15,000 suspended on the condition of full compliance with the terms of the settlement.

**Credence Law Group, Inc./Byron Landau**

*Summit 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, consumers did not receive loan modifications, and they were unable to obtain refunds. The Attorney General filed a lawsuit on 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 preyed on delinquent homeowners or those facing foreclosure. The litigation concluded on April 17, 2015, with a Final Order and Entry Against the Defendants after the previous award of a default judgment to the Attorney General. The order included a declaratory judgment, a permanent injunction, \$21,601.40 for consumer restitution, and a \$50,000 civil penalty.

**Fairgrove Auto Center, Inc./ John K. Brezinski**

*Butler County Court of Common Pleas, Case No. 2013 07 2056*

Fairgrove Auto Center 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 Title Defect Recision (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 on July 23, 2013, against the dealership and its owner for violations of the CSPA and the TDR Law. The litigation was resolved with a Consent Judgment Entry and Order entered on May 28, 2015, following a bankruptcy filing by Brezinski. The settlement included a declaratory judgment, \$7,000 for reimbursement to the TDR Fund, and a \$10,000 civil penalty, suspended on the condition of strict compliance with the terms of the settlement.

**Fred's Party Centers, Inc., dba Martins Ferry Party Center and Bridgeport Party Center/Frederick P. Fryman**

*Belmont County Court of Common Pleas, Case No. 13CV0263*

The Attorney General filed a lawsuit on July 23, 2013, against the businesses and their 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 undercover agents who were operating under the direction of the Belmont County Drug Task Force. 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 on March 2, 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 for the purpose of drug related enforcement and education.

**Heath Motor Sports/Paul Dague**

*Fairfield County Court of Common Pleas, Case No.14CV 252*

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 Title Defect Recision (TDR) Fund. The complaints resulted in payments from the TDR Fund to reimburse the injured consumers. The Attorney General filed a lawsuit on April 1, 2014, against the dealership and its operator for violations of the CSPA and the TDR Law. The litigation concluded with a Consent Judgment and Final Agreed Entry and Order entered on Feb. 18, 2015. The agreement included a declaratory judgment, a permanent injunction, and a \$10,000 payment as reimbursement the TDR Fund.

**Abraham Jaros, dba Jaros Enterprises**

*Preble County Court of Common Pleas, Case No. 14CV030333*

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 the service ceased and refunds were not paid to consumers. The Attorney General filed a lawsuit on 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 litigation concluded on May 15, 2015, with a Final Entry and Order Against Defendant awarding a default judgment to the Attorney General. The order included a declaratory judgment, a permanent injunction, \$10,721 for consumer restitution, and a \$15,000 civil penalty.

**Kellie Auto Sales, Inc./Raed Said/Rory C. Bowman**

*Franklin County Court of Common Pleas, Case No. 11 CVH 07 9216; and*

*Franklin County Court of Common Pleas, Case No. 13CV009729*

Kellie Auto Sales is a buy-here-pay-here used car dealership operating in central Ohio. An investigation was opened into its business practices after consumer complaints raised concerns about its sales practices. The investigation revealed that the dealer targeted low income consumers with promises of zero percent financing. In reality, the finance costs were rolled into the sales prices and vehicles were sold at extremely inflated prices. Financial paperwork was inadequate and illegal repossessions routinely occurred. Many consumers were sued for additional money owed with the business making misrepresentations to the courts through false affidavits. The Attorney General filed a lawsuit on July 26, 2011, against the business and its operators for violations of the CSPA, RISA, Odometer Rollback Act, and the TDR law. A second lawsuit was filed on Aug. 30, 2013, in order to ensure that persons who purchased vehicles from Kellie Auto Sales after the first lawsuit was filed would be included in the litigation. The cases concluded on Oct. 20, 2015, with a Consent Judgment and Agreed Entry and Order. The judgment included a declaratory judgment, a permanent injunction, up to \$250,000 for consumer restitution, and \$300,000 for Attorney General investigative costs.

**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. The consumers filed complaints with the Attorney General seeking relief from the

Title Defect Recision (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 on May 5, 2014, against the dealership and its operator for violations of the CSPA and the TDR Law. The litigation concluded on Feb. 11, 2015, with a Consent Judgment and Agreed Final Entry and Order. The settlement included a declaratory judgment, a permanent injunction, \$8,370.40 to reimburse the TDR Fund, and a \$15,000 civil penalty, suspended on the condition of full compliance with the terms of the settlement.

**N.M.M.S.R. Incorporated, dba Making Home Affordable USA/ Jason Keating**

*Lucas County Court of Common Pleas, Case No. CIO201302738*

N.M.M.S.R Incorporated, doing business as Making Home Affordable USA (Making Home Affordable), operated a scam by misrepresenting that it was affiliated with similarly named federal programs. Consumers paid initial fees that were to be placed into escrow. Instead, Making Home Affordable kept the money and provided no meaningful services to the consumers. On May 3, 2013, the Attorney General filed a lawsuit against Making Home Affordable and its owner for violations of the CSPA and TSSA. Counts included failure to deliver, misrepresentations, unconscionable acts, and failing to register with the Attorney General as a telephone solicitor. The litigation concluded with a Judgment Entry entered on Dec. 22, 2015, after the previous award of a summary judgment to the Attorney General. The entry included a declaratory judgment, a permanent injunction, \$215,638.48 for consumer restitution, and a \$50,000 civil penalty.

**MidOhio Buildings, Inc., dba Mustang Buildings Corporation/Mark Reese**

*Ross County Court of Common Pleas, Case No. 13 CI 152*

The business entered into consumer transactions to construct pole barns and similar buildings. Consumers complained to the Attorney General that the business failed to deliver services or that work was performed in a substandard manner. Required permits were not obtained. The Attorney General filed a lawsuit on March 21, 2013, against the business and its owner. The six-count complaint alleged unfair, deceptive, and unconscionable business practices in violation of the CSPA. The litigation concluded on July 9, 2015, with a Final Judgment Entry and Order following the trial of the matter. The order included a declaratory judgment, a permanent injunction, \$65,786.68 for consumer restitution, and a \$20,000 civil penalty.

**Mold Foundation Specialist, LLC/Scott Stidham**

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

The business offered to provide general contractor work including foundation repair, waterproofing, water damage repair, concrete work, and mold remediation. Consumers complained to the Attorney General that they paid for contractor work that was not completed or was completed so poorly that it had to be redone by another company. A lawsuit was filed on Dec. 16, 2014, for violations of the CSPA and HSSA. Counts included failure to deliver, performing substandard work, failure to substantiate advertising claims, and failure to provide proper notice of cancellation rights. The litigation concluded on April 14, 2015, with a Final Entry and Order Against Defendants after the previous award of a default judgment to the Attorney General. The order included a declaratory judgment, a permanent injunction, \$28,490 for consumer restitution, and a \$25,000 civil penalty.

**Now or Never Travel, Inc./Rick Kenny**

*Cuyahoga County Court of Common Pleas, Case No. CV 13 809673*

Now or Never Travel sold travel-related services through direct mail solicitations. Numerous consumers complained to the Attorney General and the Better Business Bureau that the business failed to honor valid cancellation requests and made other misrepresentations through the course of sales presentations. The Attorney General filed a lawsuit against the business and its owner on June 26, 2013, for violations of the CSPA and HSSA. The litigation concluded on June 17, 2015, with a Judgment Entry granting a summary judgment to the Attorney General. The judgment included \$800,526.45 for consumer restitution and a \$250,000 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 for new business through 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 on 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 litigation concluded on April 14, 2015, with a Final Entry and Order Against Defendant after the previous award of a default judgment to the Attorney General. The order included a declaratory judgment, a permanent injunction, \$3,648 for consumer restitution, and a \$10,000 civil penalty.

**Quality 1<sup>st</sup> Home Improvements, LLC/Tony Logan**

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

The business solicited sales for home improvement projects, primarily related to remodeling basements. Consumers complained to the Attorney General that they paid substantial money to have their basements remodeled, but the work was never completed. The Attorney General filed a lawsuit against the business and its owner on 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 proper notice of cancellation rights. The litigation was resolved on Aug. 27, 2015, with a Consent Judgment and Agreed Final Entry and Order. The settlement included a declaratory judgment, a permanent injunction, \$26,101.67 for consumer restitution, and a \$30,000 civil penalty, with \$25,000 suspended on the condition of full compliance with the terms of the settlement.

**Alhmidat Corporation, LLC and Munir F. Al Hmidat, dba Quality Food Mart**

*Clark County Court of Common Pleas, Case No. 13 CV 0117*

The Attorney General filed a lawsuit on Feb. 1, 2013, against Alhmidat Corporation and Munir Al Hmidat as part of a crack-down against sellers of illegal synthetic cannabinoids, also known as synthetic marijuana or herbal incense. The defendants, operating as Quality Food Mart, sold illegal drugs as legal products to an undercover agent who was operating under the direction of the Clark 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 on Oct. 22,

2015, with an Agreed Entry and Order. The entry included a declaratory judgment, permanent injunctions, and a \$15,000 payment to the Attorney General, with \$8,000 suspended on the condition of full compliance with the terms of the entry.

**Queencity Script Care LLC/Thomas J. Fenske/Theresa Fenske**

*Hamilton County Court of Common Pleas, Case No. A1305998*

Queencity Script operated a scam related to Patient Assistance Programs (PAPs) designed to provide free medication to low income consumers. The business charged a fee for assisting consumers with applications to PAPs, even though services were readily available elsewhere at no charge to consumers. Products were not delivered and the business failed to provide refunds. Consumers also complained of unauthorized debits to customer accounts. The Attorney General filed a lawsuit on Sept. 5, 2013, against the business and its operators for unfair, deceptive, and unconscionable acts in violation of the CSPA. The litigation was resolved on April 1, 2015, with an Agreed Consent Judgment Entry and Order. The settlement included a declaratory judgment, a permanent injunction, \$2,565.14 for consumer restitution, a \$3,434.86 payment to the Consumer Protection Enforcement Fund, and a \$15,000 civil penalty, suspended on the condition of full compliance with the terms of the judgment.

**Restore It USA, LLC/James Twaddle**

*Franklin County Court of Common Pleas, Case No. 13CV005121*

Restore It USA operated a home repair business that focused on repairing storm-damaged roofs. Numerous consumers complained to the Attorney General and the Better Business Bureau that they paid money to the business for roof repairs, but no work was done and payments were not returned. The Attorney General filed a lawsuit on May 8, 2013, for violations of the CSPA and HSSA. Counts included failure to deliver, Deposit Rule violations, and failure to provide consumers with proper notice of cancellation rights. A default judgment was awarded against Restore It USA on Nov. 27, 2013. The litigation concluded on Dec. 22, 2015, with a Judgment Entry against James Twaddle following the previous award of a summary judgment to the Attorney General. The entry included a permanent injunction, \$6,248.30 for consumer restitution, and a \$50,000 civil penalty.

**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 supposed to be held on July 19, 2014 near Hiram, Ohio, but was cancelled unexpectedly and refunds were not made to consumers who had signed-up for the race. The Attorney General filed a lawsuit on Sept. 2, 2014, for violations of the CSPA. Counts included failure to deliver and violation of the Deposits Rule. The litigation concluded on April 15, 2015, with a Default Judgment Entry and Order. The order included a declaratory judgment, a permanent injunction, \$2,393.52 for consumer restitution, and a \$5,000 civil penalty.

**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 on Sept. 30, 2014, against the businesses and Hess for violations of the CSPA. The litigation concluded on March 5, 2015, with a Final Judgment and Order following the previous award of a default judgment to the Attorney General. The order included a declaratory judgment, a permanent injunction, \$821,432.65 for consumer restitution, and a \$50,000 civil penalty.

#### **Shadyside Party Center/Stacey Heathcote**

*Belmont County Court of Common Pleas, Case No. 13CV112*

The Attorney General filed a lawsuit on March 20, 2013, against Shadyside Party Center and Stacey Heathcote 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 on March 31, 2015, with an Agreed Consent Judgment Entry and Order. The settlement included a declaratory judgment, permanent injunctions, and a \$12,500 payment to the Attorney General to be used for to be used for education or investigations related to curbing the use of synthetic drugs, with \$2,500 of the amount suspended on the condition of full compliance with the terms of the settlement.

#### **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 lawsuit on June 17, 2014, against Dawes for failing to deliver the clothing in violation of the CSPA. The litigation concluded on Jan. 28, 2015, with a Final Judgment Entry and Order after the previous award of a default judgment to the Attorney General. The order included a declaratory judgment, a permanent injunction, \$3,202.08 for consumer restitution, and a \$10,000 civil penalty, with \$6,700 suspended.

#### **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 litigation concluded on Aug. 26, 2015, with a Judgment Entry and Order following the previous award of a default judgment to the Attorney General. The order included a declaratory judgment, a permanent injunction, \$2,086.51 for consumer restitution, and a \$30,000 civil penalty.

**Marcarius, Max & Daniel, dba Stanton Optical/Vision Value, LLC, dba Stanton Optical**  
*Lucas County Court of Common Pleas, Case No. CIO201305042*

The Florida companies operated Stanton Optical stores in Ohio. The stores sell eyeglasses, contact lenses, and related goods and services. Consumer complaints alleged a variety of problems including not receiving glasses when promised; taking months to receive glasses that had been ordered and paid for; receiving glasses with the incorrect prescriptions; not making refunds when products were not provided; and deceptive advertising. The Attorney General filed a lawsuit against the businesses on Oct. 30, 2013, for unfair, deceptive, and unconscionable practices in violation of the CSPA. Counts included failure to deliver; failure to disclose material terms in advertising; shoddy work; misrepresentations during sales presentations; and failure to properly disclose refund policies. The litigation was resolved with a Consent Judgment and Agreed Final Entry and Order entered on May 14, 2015. The settlement included a declaratory judgment, a permanent injunction, \$6,588.69 for consumer restitution, and a \$6,588.69 payment to the Consumer Protection Enforcement Fund.

**Tours of the Month, Inc./Edward Haak**

*Cuyahoga County Court of Common Pleas, Case No. CV 13 816767*

The business solicited consumers to purchase vacation and tour packages through direct mail marketing. Consumers complained that the business accepted deposits for vacations that were never provided and then refused to provide refunds. On Nov. 6, 2013, the Attorney General filed a lawsuit against the business and its owner for failing to deliver services in violation of the CSPA. The litigation concluded with a Consent Judgment entered on Jan. 16, 2015. The settlement included a declaratory judgment, a permanent injunction, \$6,095 for consumer restitution, and a \$10,000 civil penalty, with \$7,000 suspended on the condition of full compliance with the terms of the settlement.

**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 they were able to schedule treatments were often several months away. Refunds were not made when consumers were unable to redeem their purchases. The Attorney General filed a lawsuit against the business and its owner on Aug. 13, 2014, for violations of the CSPA. Counts included deceptive advertising, poor customer service, and failure to deliver. The litigation concluded on Aug. 4, 2015, with a Decision on Consumer Damages and Civil Penalties after the previous award of a default judgment to the Attorney General. The Attorney General was awarded a declaratory judgment, a permanent injunction, \$1,066 for consumer restitution, and a \$52,500 civil penalty.

## **ASSURANCES OF VOLUNTARY COMPLIANCE**

### **Chase Bank, USA N.A./Chase Bankcard Services, Inc.**

State Attorneys General and the Consumer Financial Protection Bureau (CFPB) conducted an investigation into unfair, misleading, and deceptive business practices in connection with Chase's credit card debt collection business. The investigation focused on Chase's use of false, inaccurate, and deceptive affidavits in obtaining judgments in lawsuits against credit card customers. It also revealed that Chase had sold many credit card accounts to debt buyers with incomplete or inaccurate information. The investigation concluded with an Assurance of Compliance between enforcement entities and the credit reporting agencies announced on July 8, 2015. The Assurance provided significant reforms to Chase's credit card debt collection; required \$50 million in consumer restitution; imposed a payment of over \$106 million to the states; and included a \$30 million payment to the CFPB. Ohio's share of the payment to the states was \$4,549,930.48.

### **Equifax Information Services LLC/Experian Information Solutions, Inc./TransUnion LLC**

Ohio led a 31-state investigation into the business practices of the three largest credit reporting agencies. The focus of the investigation was the accuracy of consumer credit reports. The investigation concluded with an Assurance of Voluntary Compliance between the states and the credit reporting agencies announced on May 20, 2015. Under the settlement, the credit reporting agencies agreed to make a number of changes to their business practices to benefit consumers, including increased monitoring of and requiring additional data from furnishers; limiting of direct-to-consumer marketing; providing greater protections for consumers who dispute information on their credit reports; and providing additional consumer education. The credit reporting agencies also agreed to pay \$6 million to the participating states, with Ohio receiving \$459,912.80 as the lead state.

### **Hey Neighbor, LLC/The Original Ron the Furnace Man, Inc./Ron Ertle**

The businesses offered furnace-and-air-conditioning maintenance, installation, and repair. The Attorney General investigated the businesses after consumers complained that they were not provided with an itemized list of repairs made or accurate costs of the services. The investigation concluded with an Assurance of Voluntary Compliance entered on March 19, 2015. In the Assurance, the businesses and their owner agreed to operate in compliance with the CSPA and its requirements for repairs and services. The Assurance also included \$11,631.30 for consumer restitution and a \$10,000 payment to the Attorney General, suspended on the condition of full compliance with the terms of the Assurance.

### **Ohio Valley Auto Sales/Don Rice**

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 Title Defect Recision (TDR) Fund. The investigation concluded with an Assurance of Voluntary Compliance entered on Jan. 28, 2015. In the Assurance, the business and its owner agreed to comply with the TDR law and the CSPA in all future sales of used motor vehicles. They also agreed to pay \$12,041 to reimburse the TDR Fund and \$2,500 to reimburse the Attorney General for the costs of the investigation.



### **Options Plus, Inc./Camilynn Meleca**

The business, owned by Camilynn Meleca offered goods such as pet fencing and containment systems via the Internet. The Attorney General opened an investigation after consumers complained that the business ceased operation, failed to deliver the products, and did not return deposits or full payments made by consumers. The investigation concluded with an Assurance of Voluntary Compliance entered on April 22, 2015. In the Assurance, Meleca agreed to comply with the CSPA in any future business endeavors. The Assurance included \$22,563.70 for consumer restitution and a \$25,000 payment to the Attorney General, suspended on the condition of full compliance with the terms of the Assurance.

### **Phillip Norman dba Phil's Landscaping and Phil's Tree and Brush Service**

The business performed tree removal services and various other home improvement services. Consumers complained to the Attorney General that they paid for services which were not completed and refunds were not made. The investigation concluded with an Assurance of Voluntary Compliance entered on Sept. 30, 2015. The Assurance required Phillip Norman to bring his businesses into compliance with Ohio consumer laws. It also included a \$1,800 payment for consumer restitution, and a \$10,000 payment to the Attorney General, suspended on the condition of full compliance with the terms of the Assurance.

### **Sprint Corporation**

A multi-state and federal investigation into wireless cramming resulted in an Assurance of Voluntary Compliance announced on May 12, 2015. The group consisted of Ohio and the attorneys general of the other 49 states and the District of Columbia, the Federal Communications Commission, and the Consumer Financial Protection Bureau. Mobile cramming involves the placement of unauthorized third-party charges on consumers' mobile phone bills for various products and services. In the settlement, Sprint agreed to a \$50 million consumer redress program and to make significant changes to its third-party billing practices. The changes included only billing for third-party charges that have been authorized by consumers; improving how third-party charges appear on consumers' mobile phone bills; better enabling consumers to block the placement of third-party charges on their bills; and making it easier for consumers with unauthorized cramming charges to get relief. The states also received a \$12 million payment, with Ohio receiving a share of \$249,715.92.

### **Verizon Wireless**

A multi-state and federal investigation into wireless cramming resulted in an Assurance of Voluntary Compliance announced on May 12, 2015. The group consisted of Ohio and the attorneys general of the other 49 states and the District of Columbia, the Federal Communications Commission, and the Consumer Financial Protection Bureau. Mobile cramming involves the placement of unauthorized third-party charges on consumers' mobile phone bills for various products and services. In the settlement, Verizon agreed to a \$70 million consumer redress program and to make to significant changes to its third-party billing practices. The changes included only billing for third-party charges that have been authorized by consumers; improving how third-party charges appear on consumers' mobile phone bills; better enabling consumers to block the placement of third-party charges on

their bills; and making it easier for consumers with unauthorized cramming charges to get relief. The states also received a \$16 million payment, with Ohio receiving a share of \$333,052.17.

### **Zappos.com, Inc.**

In late 2011, Zappos notified the public that its online shopping systems were the subject of a breach and upwards of 24 million shoppers may have had personal information, including names, billing and shipping addresses, email addresses, phone numbers, and encrypted passwords, accessed via the breach. A multi-state investigation was initiated following the breach, resulting in an Assurance of Voluntary Compliance announced on Jan. 7, 2015. In the Assurance, Zappos agreed to implement policies and procedures designed to greatly reduce the risk of future data breaches and to periodically report to the Attorneys General regarding its compliance. Zappos also agreed to make a \$106,000 payment to the states, with Ohio receiving a share of just over \$11,000.

## **C. ECONOMIC CRIMES UNIT**

The Consumer Protection Section's Economic Crimes Unit was launched by Attorney General DeWine in March 2011 to work with county prosecutors and local law enforcement to investigate and prosecute economic crime. Due to the extensive cooperation of local agencies, the unit has been successful in indicting large- and small-scale criminals. Since its inception, the unit's investigations have led to 129 indictments and 101 convictions. With the assistance of local partners, the unit obtained 12 indictments and 7 convictions in 2015.

In the five years since its inception, the Economic Crimes Unit has prosecuted cases in almost a third of Ohio's counties (28) and has actively worked with local, state, and federal agencies. In 2015 alone, the unit generated over \$1.4 million in victim restitution orders. The unit also conducted seminars for law enforcement and 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 2016.

The following are summaries of cases the Economic Crimes Unit assisted with in 2015.

### **State v. Wayne Hunter**

*Washington County Court of Common Pleas, Case No. 15CR46*

In early August 2014, the Washington County Prosecutor's Office requested assistance with an investigation involving a local business that allegedly defrauded customers. The investigation determined that since early 2011, Wayne Hunter owned and operated a computer repair business in downtown Marietta, Ohio. Since April 2014, Hunter had accepted payments from 21 victims for new computer or video equipment and had failed to deliver any products. The investigation determined the financial loss to be approximately \$14,000. In Feb. 2015, Hunter was indicted on engaging in a pattern of corrupt activity and theft. On June 12, 2015, the defendant pleaded guilty to engaging in a pattern of corrupt activity and related theft charges. On July 23, 2015, Hunter was sentenced to 30 months in prison and ordered to pay \$14,637.87 in restitution.

**State v. Grant Wilcox**

*Licking County Court of Common Pleas, Case No. 15CR00222*

On April 15, 2015, Grant Wilcox was indicted by a Licking County grand jury for theft and telecommunications fraud. Between 2004 and 2012 Wilcox allegedly defrauded numerous people by using the Internet marketplace Ebay/PayPal. The Economic Crimes Unit assisted the Licking County Sheriff's Office in identifying and obtaining financial accounts connected to Wilcox, analyzing the financial accounts, and associating the PayPal accounts to corresponding bank account. The case is pending trial.

**State v. Brandon White**

*Hocking County Court of Common Pleas, Case No. 15CR0085*

Brandon White was indicted by a Hocking County grand jury on May 22, 2015, on charges of theft and engaging in a pattern of corrupt activity. White, an Ohio resident, traveled around Ohio, Kentucky, and West Virginia using "bad checks" to purchase livestock and a vehicle from persons advertising on Craigslist. Livestock was immediately sold for slaughter or resold for profit by White. On Sept. 1, 2015, White pleaded guilty to felony charges including attempted engaging in a pattern of corrupt activity, theft from the elderly, and theft of a motor vehicle. Per the plea agreement the defendant agreed to a six-year prison term and restitution of \$49,000. White was sentenced Dec. 17, 2015.

**State v. Frank Osborn**

*Hocking County Court of Common Pleas, Case No. 15CR0125*

On or between approximately Nov. 7, 2013, and Dec. 11, 2013, suspect Franklin S. Osborne engaged in a pattern of corrupt activities when he assisted Brandon White (doing business as B&S Trucking and Livestock LLC, also known as Brandon's Cattle Company) steal over \$22,000 worth of livestock using counterfeit checks and falsified documents. In the scam, the men contacted local farmers who had advertised the sale of cattle on Craigslist, paid with "bad checks," and then quickly sold the cattle before the checks bounced. Osborne assisted White by receiving and transporting stolen property, as well as filing and using false documents to obtain a company truck. The case was presented to a grand jury on Aug. 21, 2015. Osborne pleaded guilty on Oct. 20, 2015, to attempted RICO, attempted tampering with records and theft by deception. He was sentenced on Dec. 17, 2015, to five years of community control and ordered to pay \$17,765 in restitution.

**State v. James Stevens**

*Richland Co. Court of Common Pleas, Case No. 2015CR079*

A Richland County resident paid approximately \$9,000 to Jeffrey Stevens for a roof replacement. Stevens delivered a small portion of the necessary materials to the home, but never returned to do the work, and the homeowner did not receive a refund. On Sept. 2, 2015, the case was presented to a Richland County grand jury. The grand jury indicted Stevens for felony theft. Jury trial is scheduled for April 2016.

**State v. Jerry Agostini**

*Warren Co. Court of Common Pleas, Case No. 15CR31283*

On Aug. 28, 2015, Jerry Agostini was indicted on 29 felony counts related to a scam that targeted car dealerships. Agostini allegedly used false information and a dummy corporation to secure vehicles, heavy equipment, loans, and checks from car and equipment

dealerships in Warren County, Butler County, Hamilton County, and Kenton County (KY). Agostini was indicted by a Warren County grand jury on counts including engaging in a pattern of corrupt activity; grand theft of a motor vehicle; theft by deception; receiving stolen motor vehicles; attempted grand theft of a motor vehicle; and receiving stolen property. A jury trial began in this case on Jan. 19, 2016.

#### **State v. Sarah Curry**

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

A co-defendant of Jerry Agostini, Sarah Curry was indicted on two low-level felonies related to a scam that targeted car dealerships. Along with Agostini, Curry allegedly used false information and a dummy corporation to secure vehicles, heavy equipment, loans, and checks from car and equipment dealerships in Warren County, Butler County, Hamilton County, and Kenton County (KY). A trial date has yet to be determined.

#### **State v. Paul Cramer**

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

On Oct. 7, 2015, Paul Cramer was indicted by a Belmont County Grand Jury on felony theft and theft from the elderly charges. The indictment arose from allegations that Cramer, doing business as A-1 Cramer Construction, had swindled over \$11,000 from six Belmont County victims in a home-improvement scam. In each instance, Cramer purportedly promised to conduct various repairs and improvements to the victims' homes, collected substantial deposits up front, and then failed to complete the work as promised.

#### **State v. Robert Stevens**

*Hocking County. Court of Common Pleas, Case No. 15CR0204*

On Nov. 20, 2015, investigation findings were presented to a Hocking County grand jury. Stevens was indicted on theft and RICO charges related to a multistate fraud involving passing bad checks and theft of cattle. Stevens, an Ohio resident, allegedly traveled around Ohio, Kentucky, and West Virginia using bad checks to purchase livestock and a vehicle from persons advertising on Craigslist. Livestock was immediately sold for slaughter or resold for profit. Defendants Brandon White and Frank Osborne previously were indicted for their participation in the fraud.

#### **State v. Kelson Hess**

*Harrison County Court of Common Pleas, Case No. 15CR0125*

Contractor Kelson Hess allegedly took a deposit from a Harrison County consumer without performing any of the agreed-upon work and failing to provide a refund. On Nov. 13, 2015, the fraud allegations were presented to a Harrison County grand jury. The grand jury returned an indictment for felony theft. Hess has been arraigned and a final pretrial is scheduled for Feb. 9, 2016.

### **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.

Complaint specialists are trained to identify problem suppliers, 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 such problems is critical to the Consumer Protection Section’s efforts to protect consumers. Many complaint referrals have led to successful litigation.

## **TOP CONSUMER COMPLAINTS REPORTED TO THE ATTORNEY GENERAL’S OFFICE**

Every year, the Attorney General compiles a list of the top complaint-generating areas reported to the office’s Consumer Protection Section. In 2015, the section received more than 27,000 complaints. The top complaint categories were:

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

## **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. Since its inception, the unit has eliminated over \$1 million in fraudulent charges for victims of identity theft.

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

In 2015, the Identity Theft Unit received 1,676 complaints (of the total complaints filed with the Consumer Protection Section) and helped victims eliminate more than \$658,000 in fraudulent charges.

In one complaint, the Identity Theft Unit helped a husband and wife from Ashtabula County who discovered 12 accounts opened using their information. The Identity Theft Unit was able to address each of those accounts and resolve more than \$35,000 in disputed debt. Additional accounts surfaced months after the initial report of identity theft was filed, and the Identity Theft Unit also successfully addressed those accounts.

In another case, a central Ohio resident learned of fraudulent accounts opened out of state. After the Identity Theft Unit resolved the credit accounts, it was determined that fraudsters also rented a vehicle in another state and failed to return the vehicle, leaving the consumer indebted for the entire value of the car. The Identity Theft Unit helped to forgive the rental and the total cost of the vehicle, totaling nearly \$26,000 resolved for the consumer.

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 2015, the Identity Theft Union resolved 20 complaints for minors in foster care.

In 2015, the Attorney General also supported Ohio House Bill 317, which would allow parents or guardians to "freeze" a child's credit record to help stop identity thieves from opening accounts in the child's name. The bill was introduced in September by Rep. Ron Maag (R-Lebanon). The legislation would allow the parent or guardian of a minor younger than 16 to apply a security freeze (or "credit freeze") in the minor's name. The security freeze would help ensure that credit is not inappropriately granted in the minor's name. Currently under Ohio law, an individual must have an existing credit report in order to apply a security freeze. Adults generally have credit reports, but children generally do not, meaning children generally cannot take advantage of the protections a security freeze provides. Under HB 317, if a minor does not have a credit report when a security freeze is requested, the credit reporting agencies would create a "credit record" for the minor and then apply the freeze to that record. Rep. Maag worked with the Attorney General's Consumer Protection Section (Identity Theft Unit) in the development of HB 317.

## **F. EDUCATION UNIT**

The goal of the Consumer Protection Section's 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 to conduct consumer protection presentations throughout the state to help protect Ohioans. In 2015, the Education Unit conducted over 230 educational events, reaching more than 15,000 attendees.

To build awareness of consumer protection issues among Ohio's youth, the Education Unit held the seventh annual Take Action High School Video Contest in 2015. The contest

awards a total of \$5,000 in college scholarships to the top three teams or individuals who submit a 60-second video on cybersecurity, identity theft, or student loans. Individuals or teams from over 40 schools submitted 215 video entries in the 2015 contest. Winners will be announced in 2016.

Through a grant obtained by the Education Unit, staff members launched the Cybersecurity Help, Information, and Protection Program (CHIPP) Initiative in 2015 to help promote cybersecurity. At the core of the CHIPP program was teaching law students throughout Ohio how to conduct CHIPP presentations to members of the community. Additionally, signs promoting cybersecurity messages were placed in public transportation vehicles in Cleveland, Dayton, and Toledo, and on The Ohio State University's campus. The same signs were mailed to Ohio libraries in January 2016.