

STATE OF OHIO, ex rel.
ATTORNEY GENERAL
DAVE YOST

Plaintiff,

v.

ECONOMY MOTORS, LLC et al.

Defendants.

ENTERED

NOV 18 2021

CASE NO. A 20 00240

JUDGE CROSS

Final Judgment Order and
Entry Granting Default Judgment
Against Economy Motors, LLC
dba Gas Hogs

This matter came to be heard upon the March 11, 2020 filing of Plaintiff's Motion for Default Judgment. Plaintiff commenced this action by filing its Complaint against Economy Motors, LLC dba Gas Hogs, Jeremy Skeens, and Kristopher Wolff on January 16, 2020 for violations of the Consumer Sales Practices Act ("CSPA"), R.C. 1345.01 et seq., and the Certificate of Motor Vehicle Title Act, R.C. 4505.01 et seq. In accordance with Civ.R. 4.1(A)(1)(a), Economy Motors, LLC dba Gas Hogs was served via Certified Mail on February 12, 2020. Defendant did not respond within the 28 days allotted under the rules or otherwise defend or appear in this action. Therefore, pursuant to Civ.R. 55(A), the Court finds Plaintiff's Motion for Default Judgment well taken and hereby **GRANTS** a default judgment against Economy Motors, LLC dba Gas Hogs.

Plaintiff's Motion for Default Judgment requested that the Court order Economy Motors, LLC dba Gas Hogs to reimburse the Attorney General for the expenditures made from the Title Defect Recision Fund. The Motion for Default Judgment also set forth the basis for Plaintiff's request for injunctive relief, a declaratory judgment, and a \$25,000 civil penalty. Plaintiff submitted evidence in support of these requests, and the Court finds Plaintiff's requests well-taken.

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ATTORNEY GENERAL OF OHIO

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CONSUMER PROTECTION SECTION
PUBLIC INSPECTION FILE



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The evidence establishes that the imposition of injunctive relief, a declaratory judgment, and a \$25,000 civil penalty are all proper, appropriate, and permitted by R.C. 1345.07. Economy Motors, LLC dba Gas Hogs is also liable to reimburse the Title Defect Recision Fund in the amount of \$18,820.54. No hearing on this matter is necessary.

FINDINGS OF FACT

1. Defendant Economy Motors, LLC is a domestic limited liability company that has been registered with the Ohio Secretary of State since July 22, 2013.
2. Gas Hogs is a fictitious name that has been registered with the Ohio Secretary of State since September 20, 2018.
3. The principal place of business for Economy Motors, LLC dba Gas Hogs was 3030 Glenhills Way, Cincinnati, Ohio 45238.
4. Economy Motors, LLC dba Gas Hogs were, at all times relevant to this action, engaged in the business of soliciting, promoting, purchasing, selling, and collecting the proceeds of the sales of used motor vehicles from their location in Cincinnati, Ohio.
5. Economy Motors, LLC dba Gas Hogs solicited individual consumers to enter into consumer transactions, specifically for the sale of used motor vehicles.
6. Economy Motors, LLC dba Gas Hogs holds used motor vehicle dealer license #UD020349, issued under R.C. 4517.01 et seq., which allows it to engage in the business of displaying or selling at retail or wholesale used motor vehicles.
7. Economy Motors, LLC dba Gas Hogs displayed and sold used motor vehicles at the Economy Motors, LLC dba Gas Hogs location.
8. Economy Motors, LLC dba Gas Hogs failed to file applications for certificates of title within Thirty (30) days after the assignment or delivery of motor vehicles.

9. Economy Motors, LLC dba Gas Hogs failed to obtain certificates of title in the name of consumer purchasers on or before the Fortieth (40th) day after the sale of motor vehicles.
10. Title Defect Recision consumer claims totaling \$18,820.54 have been paid from the Title Defect Recision Fund, administered by the Ohio Attorney General's Office, after Economy Motors, LLC dba Gas Hogs failed to obtain certificates of title in the names of consumer purchasers on or before the Fortieth (40th) day after the sale of the motor vehicles.
11. After claims were paid from the Title Defect Recision ("TDR") Fund, Economy Motors, LLC dba Gas Hogs continued to offer for sale or sell used motor vehicles they did not hold certificates of title to, without first posting a \$25,000 bond with the Attorney General, as required by R.C. 4501.181(A)(2).
12. The actions of Economy Motors, LLC dba Gas Hogs have occurred in the State of Ohio, including in Hamilton County.

CONCLUSIONS OF LAW

13. The Attorney General, acting on behalf of the State of Ohio and in the public interest, is the proper party to bring this action by virtue of the authority vested in the Attorney General by R.C. 1345.07 of the CSPA.
14. Jurisdiction over the subject matter of this action lies with this Court pursuant to R.C. 1345.04 of the CSPA.
15. Venue in this Court is proper pursuant to Ohio Civ. R. 3(C)(2) and (3), in that Hamilton County is where Defendant's principal place of business was located and where Defendant conducted some of the transactions complained of herein.
16. Economy Motors, LLC dba Gas Hogs is a "supplier" as that term is defined in R.C. 1345.01(C) as Economy Motors, LLC dba Gas Hogs were, at all times relevant herein,

engaged in the business of effecting or soliciting consumer transactions by offering for sale and selling used motor vehicles to individuals for purposes that were primarily personal, family, or household within the meaning specified in R.C. 1345.01(A) and (D).

17. Economy Motors, LLC dba Gas Hogs engaged in unfair and deceptive acts and practices in violation of R.C. 1345.02 of the CSPA by failing to file applications for certificates of title within Thirty (30) days after the assignment or delivery of motor vehicles as required by R.C. 4505.06(A)(5)(b) of the Certificate of Motor Vehicle Title Act.
18. Economy Motors, LLC dba Gas Hogs engaged in unfair and deceptive acts and practices in violation of R.C. 1345.02 of the CSPA by selling motor vehicles to consumers, in the ordinary course of business, and then failing to obtain certificates of title in the names of consumer purchasers on or before the Fortieth (40th) day following the date of the sale of the motor vehicles as required by R.C. 4505.181(B)(1) of the Certificate of Motor Vehicle Title Act.
19. Economy Motors, LLC dba Gas Hogs committed unfair and deceptive acts and practices in violation of R.C. 1345.02 of the CSPA by continuing to offer for sale or sell used motor vehicles they did not hold certificates of title to after claims were paid from the TDR Fund, without first posting a \$25,000 bond with the Attorney General, as required by R.C. 4505.181(A)(2).
20. The acts and practices committed by Economy Motors, LLC dba Gas Hogs have been previously determined by Ohio courts to violate the CSPA, R.C. 1345.01 et seq. Economy Motors, LLC dba Gas Hogs committed said violations after such decisions were available for public inspection pursuant to R.C. 1345.05(A)(3).

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED THAT:

- A. Economy Motors, LLC dba Gas Hogs, doing business under their own names or any other names, their agents, representatives, salespeople, employees, successors, or assigns, and all persons acting in concert and participation with them, directly or indirectly, are **PERMANENTLY ENJOINED** from engaging in the acts and practices described in this order and from committing any unfair, deceptive, or unconscionable acts or practices that violate the CSPA or the Certificate of Motor Vehicle Title Act.
- B. It is **DECLARED** that the acts and practices committed by Economy Motors, LLC dba Gas Hogs, as set forth above, violate the CSPA, R.C. 1345.01 et seq., and the Certificate of Motor Vehicle Title Act, R.C. 4505.01 et seq.
- C. Economy Motors, LLC dba Gas Hogs is **ORDERED** to pay \$18,820.54 to the Attorney General to reimburse the TDR Fund for expenditures made to resolve consumers' motor vehicle title defects caused by Defendant. Such payment shall be made within seven days to the Attorney General via a certified check or money order payable to the "Ohio Attorney General" and delivered to:
- Finance Specialist
Consumer Protection Section
Office of the Ohio Attorney General
30 East Broad Street, 14th Floor
Columbus, Ohio 43215
- D. Based on the above findings that Economy Motors, LLC dba Gas Hogs committed unfair and deceptive acts and practices in violation of the CSPA, Economy Motors, LLC dba Gas Hogs is **ORDERED**, pursuant to R.C. 1345.07(D), to pay a civil penalty of \$25,000. Such payment shall be made within seven days to the Attorney General via a certified check or money order payable to the "Ohio Attorney General" and delivered to:

Finance Specialist
Consumer Protection Section

Office of the Ohio Attorney General
30 East Broad Street, 14th Floor
Columbus, Ohio 43215

- E. Economy Motors, LLC dba Gas Hogs is **ENJOINED** from engaging in business as suppliers in any consumer transaction in the State of Ohio until such time as they have satisfied all monetary obligations ordered herein, and until they have satisfied any monetary obligations ordered by any other Court in Ohio in connection with a consumer transaction.
- F. Economy Motors, LLC dba Gas Hogs is **ENJOINED** from displaying, offering for sale, or selling used motor vehicles that they do not hold title to until posting a \$25,000 surety bond with the Ohio Attorney General pursuant to R.C. 4501.181(A)(2).
- G. Economy Motors, LLC dba Gas Hogs is **ORDERED** to pay all court costs.
- H. Economy Motors, LLC dba Gas Hogs is **ORDERED** to pay Plaintiff's costs of collecting on this judgment.

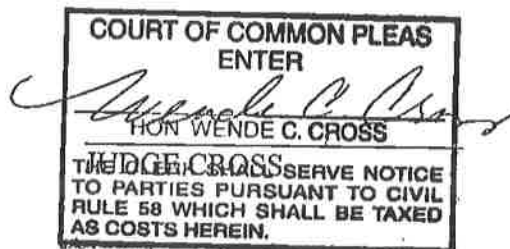
IT IS SO ORDERED.

11-18-2021
DATE

Submitted by:

DAVE YOST
Ohio Attorney General

/S/ Lisa M. Treleven
LISA M. TRELEVEN (86628)
Assistant Attorney General
Consumer Protection Section
411 Vine Street, 1600 Carew Tower
Cincinnati, Ohio 45202
(513)852-1527 (phone)



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(866)347-2545 (fax)
lisa.treleven@ohioattorneygeneral.gov
Counsel for Plaintiff

