

FILED

IN THE COURT OF COMMON PLEAS
CLERMONT COUNTY, OHIO

STATE OF OHIO ex rel.
ATTORNEY GENERAL
DAVE YOST

Plaintiff,

v.

LONNELL JACKSON, individually and
dba ROYALTY AUTOMOTIVE GROUP,
et al.

Defendants.

CASE NO.: 2023 CVH 846

JUDGE FERENC

Final Judgment Order and
Entry Against Defendant
Lonnell Jackson

2024 JAN 25 P 2:
BARBARA A. WIEDENBECK
CLERK OF COMMON PLEAS
CLERMONT COUNTY, OH

RECEIVED
ATTORNEY GENERAL OF OHIO

FEB 01 2024

CONSUMER PROTECTION SECTION
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This matter came to be heard upon the filing of Plaintiff's Motion for Default Judgment Against Defendant Lonnell Jackson ("Motion for Default"), individually and doing business as Royalty Automotive Group ("Jackson"). Plaintiff filed its Complaint on August 15, 2023, and obtained service upon Defendant Jackson on August 19, 2023. Defendant Jackson has failed to file an answer or otherwise appear in this action. Defendant Jackson is not active duty military, a reservist in active federal service, or a National Guardsman in active service. The Court finds Plaintiff's Motion for Default well-taken. Therefore, pursuant to Civ.R. 55(A) and Loc.R. 7.1, the Court hereby **GRANTS** a default judgment against Defendant Jackson.

In addition to requesting a default judgment against Defendant Jackson, Plaintiff's Motion for Default also requested that the Court issue against Defendant Jackson all the relief requested in Plaintiff's Complaint. The Motion for Default also set forth Plaintiff's legal authority for the relief requested.

In accordance with R.C. 1345.07(A)(1), Plaintiff's Motion for Default requested an order declaring that Defendant Jackson engaged in acts and practices that violate the Consumer Sales

Practices Act ("CSPA") R.C. 1345.01 et seq. Plaintiff further requested the issuance of a permanent injunction, pursuant to R.C. 1345.07(A)(2), enjoining Defendant Jackson from engaging in the acts and practices described in the Complaint, including from violating the CSPA.

Regarding monetary requests, Plaintiff's Motion for Default asked the Court to order Defendant Jackson to reimburse the Attorney General's Title Defect Recision ("TDR") Fund the \$34,175.42 paid to consumers because of the title violations committed by Royalty Automotive Group. The Plaintiff attached to its Motion for Default the affidavit of the Attorney General's TDR Fund Administrator, whose testimony provided evidence proving the amount of money the Attorney General has paid out from the TDR Fund related to this case. Plaintiff also requested that this Court order Defendant Jackson to pay a civil penalty in the amount of \$30,000, as permitted by R.C. 1345.07(D), and explained the basis for requesting this amount.

Finally, Plaintiff's Motion for Default explained the basis for the additional relief Plaintiff requested in accordance with R.C. 1345.07(B). Specifically, Plaintiff asked this Court to issue an order prohibiting Defendant Jackson from applying for or being granted an auto dealer license under Chapter 4517 of the Revised Code.

The Court finds the requests in Plaintiff's Motion for Default well-taken and GRANTS against Defendant Jackson all of the relief requested.

Based on the above, the Court renders a final judgment order and entry against Defendant Jackson and issues the following Findings of Fact, Conclusions of Law, and Orders.

FINDINGS OF FACT

1. Defendant Jackson is a natural person who resides at 5332 Crystal Drive, Fairfield, Ohio 45014.

2. Defendant Jackson filed Articles of Organization with the Ohio Secretary of State for an Ohio limited liability corporation named Royalty Automotive Group LLC in August 2019. In August 2022, the Secretary of State issued a cancellation of the limited liability company named Royalty Automotive Group LLC.
3. Defendant Jackson and Royalty Automotive Group LLC did business using the name Royalty Automotive Group to sell used motor vehicles.
4. Defendant Jackson operated the Royalty Automotive Group used vehicle dealership at 5656 Wolfpen-Pleasant Hill Road, Milford, Ohio 45150 during the time relevant to the transactions described herein.
5. Later, Defendant Jackson moved Royalty Automotive Group to 1220 State Route 29, Suite B, Milford, Ohio 45150-2266.
6. Defendant Jackson dominated, controlled, directed, and approved the business activities and sales conduct of Royalty Automotive Group at the time of the violations set forth herein and caused, personally participated in, or ratified the acts and practices of Royalty Automotive Group as described herein.
7. Defendant Jackson was, 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 to consumers.
8. Defendant Jackson owned and operated Royalty Automotive Group, which held used motor vehicle dealer license number UD023370, issued under R.C. 4517.01 et seq., allowing it to engage in the business of displaying or selling at retail or wholesale used motor vehicles. The dealership's license has expired.
9. Defendant Jackson solicited individual consumers to enter into consumer transactions,

specifically for the sale of used motor vehicles.

10. At all relevant times hereto, Defendant Jackson displayed and sold used motor vehicles at the Royalty Automotive Group dealership locations.
11. Defendant Jackson failed to file applications for certificate of title within 30 days after the assignment or delivery of motor vehicles.
12. Defendant Jackson sold motor vehicles to consumers that did not have certificates of title issued in the name of the dealership at the time of sale.
13. Defendant Jackson failed to obtain certificates of title in the name of consumer purchasers on or before the 40th day after the sale of motor vehicles.
14. In total, TDR Fund claims totaling \$34,175.42 have been paid from the TDR Fund administered by the Attorney General's Office after Defendant Jackson failed to obtain certificates of title in the names of consumer purchasers on or before the 40th day after the sale of motor vehicles.
15. Defendant Jackson's Royalty Automotive Group dealership is out of business.

CONCLUSIONS OF LAW

16. 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.
17. The actions of Defendant Jackson have occurred in Ohio, including in Clermont County and, as set forth below, are in violation of the CSPA, R.C. 1345.01 et seq., and the Certificate of Motor Vehicle Title Act, R.C. 4505.01 et seq.
18. Jurisdiction over the subject matter of this action lies with this Court pursuant to R.C. 1345.04 of the CSPA.

19. Venue in this Court is proper, pursuant to Ohio Civ. R. 3(C)(2) and (C)(3), because Clermont County is where Defendant Jackson's principal place of business was located and where Defendant Jackson conducted activities that gave rise to Plaintiff's claim for relief.
20. Defendant Jackson is a "supplier" as that term is defined in R.C. 1345.01(C) of the CSPA, as Defendant Jackson was, at all times relevant, 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 of R.C. 1345.01(A) and (D).
21. Defendant Jackson engaged in unfair and deceptive acts and practices in violation of R.C. 1345.02(A) of the CSPA, by failing to file applications for certificates of title within 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.
22. Defendant Jackson engaged in unfair and deceptive acts and practices in violation of R.C. 1345.02(A) of the CSPA, by selling to consumers motor vehicles that did not have certificates of title issued in the name of the dealership at the time of sale and then failing to obtain certificates of title in the name of the consumer purchasers on or before the 40th day following the date of the sale of the motor vehicle as required by R.C. 4505.181(B)(1) of the Certificate of Motor Vehicle Title Act.
23. The acts and practices in Paragraphs 21 and 22 have been previously determined by Ohio courts to violate the CSPA. Defendant Jackson 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. Defendant Jackson, doing business under his own name, the names Royalty Automotive Group LLC, Royalty Automotive Group, or any other names, his agents, representatives, salespeople, employees, successors, or assigns, and all persons acting in concert or participating with him, directly or indirectly, is PERMANENTLY ENJOINED, pursuant to R.C. 1345.07(A)(2), from engaging in the acts and practices described in this order and from further violating the CSPA, R.C. 1345.01 et seq., and the Certificate of Motor Vehicle Title Act, R.C. 4505.01 et seq., including, but not limited to, violating the specific provisions described herein.
- B. It is DECLARED, pursuant to R.C. 1345.07(A)(1), that the acts and practices committed by Defendant Jackson, 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., in the manner set forth herein.
- C. Based on the above findings that Defendant Jackson violated the CSPA and the Certificate of Motor Vehicle Title Act, Defendant Jackson is ORDERED to reimburse the Attorney General's TDR Fund in the amount of \$34,175.42 for funds expended to resolve title defects caused by Defendant Jackson's motor vehicle title violations.
- D. Based on the above findings that Defendant Jackson committed unfair and deceptive acts and practices in violation of the CSPA, Defendant Jackson is ORDERED, pursuant to R.C. 1345.07(D), to pay civil penalties in the amount of \$30,000.
- E. Pursuant to R.C. 1345.07(B), which authorizes the Court to grant other appropriate relief, Defendant Jackson is PERMANENTLY ENJOINED from applying for or being granted any motor dealer or salesperson license under Chapter 4517 of the Revised Code.
- F. Defendant Jackson is ORDERED to pay Plaintiff's collection costs and interest on the final

judgment in this matter as permitted by Ohio law, including, but not limited to, R.C.

131.02, R.C.109.08, and R.C.109.081.

G. Defendant Jackson is ORDERED to pay all court costs.

DATE


JUDGE FERENC

Submitted by:

DAVE YOST
Ohio Attorney General

/s/ Tracy Morrison Dickens

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