

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO

RECEIVED
ATTORNEY GENERAL OF OHIO

MAY 30 2024

STATE OF OHIO, <i>ex rel.</i>)	
ATTORNEY GENERAL)	CASE NO. 23-CV-002330
DAVE YOST)	CONSUMER PROTECTION SECTION PUBLIC INSPECTION FILE
)	
PLAINTIFF,)	JUDGE KIMBERLY COCROFT
)	MAGISTRATE ELIZABETA SAKEN
)	
v.)	ENTRY AS TO CONSUMER
)	DAMAGES AND CIVIL PENALTIES
)	AGAINST DEFENDANT 614 CUSTOM
)	HOMES, INC.
614 CUSTOM HOMES, INC., ET AL.,)	
)	
DEFENDANTS.)	
)	

Plaintiff commenced this action on April 4, 2023, filing its Complaint against Defendants Mark A. Koval and 614 Custom Homes, Inc (“Defendants”). The Complaint alleged violations of the Ohio Consumer Sales Practices Act (“CSPA”), R.C. 1345.01 *et seq.*, and its Substantive Rules, O.A.C. 109:4-3-01 *et seq.*, the Home Solicitation Sales Act (“HSSA”), R.C. 1345.21 *et seq.*, and the Home Construction Service Suppliers Act (“HCSSA”), R.C. 4722.01, and sought declaratory relief, injunctive relief, consumer damages, and civil penalties.

Defendant 614 Custom Homes, Inc. was a home construction and remodel company based out of Franklin County. Defendant Koval was the sole owner and operator of Defendant 614 Custom Homes, Inc. Defendants contracted with consumers for Defendants to provide residential home builds or home renovations. The consumers were primarily located in Franklin County, with a smaller number of consumers residing in Delaware and Licking Counties. Seventeen consumers paid Defendants for pursuant to a contract between the parties for Defendants to provide new residential home builds or home renovations, but the consumers did not receive what they paid for.

In some cases, consumers paid Defendants a deposit, but no work was ever done. In other cases, consumers paid Defendants deposits, but the work performed was shoddy and/or incomplete.

On December 15, 2023, the Court issued a Default Judgment Entry finding Defendants Koval and 614 Custom Homes, Inc., liable for violating the eight counts of the CSPA, HSSA and HCSSA that were pled in Plaintiff's Complaint. The Court further granted the declaratory relief and injunctive relief requested in the Complaint.

On May 10, 2024, the Court entered a Consent Entry and Agreed Judgment as to Consumer Damages and Civil Penalties with Defendant Mark A. Koval, in which Defendant Koval agreed to liability for \$334,373.45 in consumer damages and \$150,000.00 in civil penalties, plus costs.

As Defendant Mark Koval was the sole owner and operator of Defendant 614 Custom Homes, Inc., this Court has held both Defendants liable for eight counts of the CSPA, HSSA and HCSSA, and Defendant Koval agreed to the monetary damages outlined in the May 10th, 2024 entry, the Court finds Defendant 614 Custom Homes, Inc. to be jointly and severally liable for the monetary damages in the amounts agreed to by Defendant Koval.

Therefore, the Court hereby ORDERS the following:

- A. Pursuant to R.C. 1345.07(B) and R.C. 4722.07(B), Defendant 614 Custom Homes, Inc. is ORDERED jointly and severally liable with Defendant Koval to pay consumer damages in the amount of \$334,373.45, to be paid to the Ohio Attorney General's Office and distributed to consumers at its discretion, in the amounts set forth above in the Findings of Fact.
- B. Pursuant to R.C. 1345.07(D) and R.C. 4722.07(D), Defendant 614 Custom Homes, Inc. is ORDERED jointly and severally liable with Defendant Koval to pay a civil penalty in the amount of \$150,000.00.

- C. As set forth in the Court's December 15, 2023 Default Judgment Entry, Defendants are ORDERED to pay Plaintiff's costs in bringing this action, including but not limited to, the costs of collecting on any judgment awarded.
- D. As set forth in the Court's December 15, 2023 Default Judgment Entry, Defendants are ORDERED to pay all court costs.

IT IS SO ORDERED.

DATE

JUDGE KIMBERLY COCROFT

SUBMITTED BY:

DAVE YOST
Ohio Attorney General



KEVIN R. WALSH (0073999)
Senior Assistant Attorney General
Consumer Protection Section
615 W. Superior Avenue, 11th Floor
Cleveland, OH 44113
216-787-3030

Counsel for Plaintiff, State of Ohio

Franklin County Court of Common Pleas

Date: 05-29-2024
Case Title: STATE OF OHIO EX REL ATTY GEN DAVE YOST -VS- 614
CUSTOM HOMES INC ET AL
Case Number: 23CV002330
Type: ENTRY

It Is So Ordered.

A handwritten signature in black ink, appearing to be 'K. Cocroft', is written over a faint, circular official seal of the Franklin County Court of Common Pleas. The signature is fluid and extends to the right.

/s/ Judge Kimberly Cocroft