



**AFTAB PUREVAL
HAMILTON COUNTY CLERK OF COURTS**

COMMON PLEAS DIVISION

**ELECTRONICALLY FILED
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AFTAB PUREVAL
Clerk of Courts
Hamilton County, Ohio
CONFIRMATION 1010077**

**STATE OF OHIO EX REL OHIO
ATTORNEY GENERAL DAVE
YO
vs.
ANTHONY C PATE**

A 2004156

**FILING TYPE: INITIAL FILING (IN COUNTY) WITH NO JURY
DEMAND**

PAGES FILED: 6



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4. This Court has venue to hear this case pursuant to Ohio Civ. R. 3(C)(1) and (3), in that Hamilton County is the county in which the Defendant resides and the county in which the Defendant conducted activity that gave rise to the claim for relief.

DEFENDANT

5. Defendant Anthony C. Pate is a natural person residing at 3951 Abington Ave., Cincinnati, Ohio 45229.
6. Crete Doctors is a fictitious name that has not been registered with the Ohio Secretary of State since registration was cancelled on March 15, 2017.
7. Defendant is a “supplier” as that term is defined in R.C. 1345.01(C), as he engaged in the business of effecting “consumer transactions” by soliciting consumers either directly or indirectly for home improvement goods and services including concrete work for a fee, within the meaning of R.C. 1345.01(A).
8. Defendant Anthony C. Pate at all times pertinent hereto controlled and directed the business activities and sales conduct of Crete Doctors, including the violations described in this complaint.

STATEMENT OF FACTS

9. Defendant engaged in the business of providing home improvement goods and services including concrete work to consumers.
10. Defendant accepted monetary deposits from consumers for the purchase of home improvement goods and services including concrete work and failed to deliver those goods and services within eight weeks.
11. Defendant refused to refund consumers’ deposits or payments despite consumers’ requests for refunds.

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12. Home improvement goods and services including concrete work that were provided or attempted by Defendant were performed in an incomplete, shoddy, substandard, or unworkmanlike manner.
 13. Defendant failed to register the business name Crete Doctors with the Ohio Secretary of State.
 14. Defendant failed to obtain or maintain a home improvement contractor registration as required by CMC 1106-13 before undertaking or performing home improvement work within the City of Cincinnati.

CAUSE OF ACTION: VIOLATIONS OF THE CSPA

COUNT I – FAILURE TO DELIVER

15. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in paragraphs one through fourteen (1-14) of this Complaint.
16. Defendant engaged in unfair or deceptive acts or practices in violation of R.C. 1345.02(A) of the CSPA and the Failure to Deliver Rules, O.A.C. 109.4-3-09(A), by accepting money from consumers for goods and services, failing to make full delivery of the promised goods and services, and failing to provide full refunds.

COUNT II – PERFORMING SHODDY/INCOMPLETE WORK

17. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in paragraphs one through sixteen (1-16) of this Complaint.
18. Defendant engaged in unfair or deceptive acts and practices in violation of R.C. 1345.02(A) of the CSPA by performing home improvement services in an incomplete, shoddy, substandard, or unworkmanlike manner and failing to correct such work.

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19. Such acts and practices have been previously determined by Ohio courts to violate the CSPA, R.C. 1345.01 et seq. Defendant committed said violation after such decisions were available for public inspection pursuant to R.C. 1345.05(A)(3).

**COUNT III – FAILURE TO REGISTER WITH THE
OHIO SECRETARY OF STATE**

20. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in paragraphs one through nineteen (1-19) of this Complaint.
21. Defendant committed unfair or deceptive acts or practices in violation of R.C. 1345.02(A) and R.C. 1329.01 by failing to register with or report the trade name Crete Doctors to the Ohio Secretary of State.
22. Such acts and practices have been previously determined by Ohio courts to violate the CSPA. Defendant committed said violations after such decisions were available for public inspection pursuant to R.C. 1345.05(A)(3).

**COUNT IV- FAILURE TO OBTAIN OR MAINTAIN REGISTRATION AS REQUIRED
BY LOCAL ORDINANCE**

23. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in paragraphs one through twenty-two (1-22) of this Complaint.
24. Defendant committed unfair or deceptive acts or practices in violation of R.C. 1345.02(A) and (G) of the CSPA by undertaking or performing home improvement services in the City of Cincinnati without obtaining or maintaining a home improvement contractor registration as required by CMC 1106-13.
25. Such acts and practices have been previously determined by Ohio courts to violate the CSPA, R.C. 1345.01 et seq. Defendant committed said violation after such decisions were available for public inspection pursuant to R.C. 1345.05(A)(3).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court grant the following relief:

- A. **ISSUE A DECLARATORY JUDGMENT** that each act or practice complained of herein violates the CSPA, R.C. 1345.01 et seq. in the manner set forth in the complaint.
- B. **ISSUE A PERMANENT INJUNCTION**, pursuant to R.C. 1345.07(A)(2), enjoining Defendant, his agents, employees, successors or assigns, and all person acting in concert and participation with him, directly and indirectly, through any corporate device, partnership, or other association, under these or any other names, from engaging in the acts and practices of which Plaintiff complains and from further violating the CSPA, R.C. 1345.01 et seq.
- C. **ORDER** Defendant, pursuant to R.C. 1345.07(B), to pay actual damages to all consumers injured by the conduct of the Defendant as set forth in this complaint.
- D. **ASSESS, FINE and IMPOSE** upon Defendant a civil penalty of Twenty-Five Thousand Dollars (\$25,000.00) for each separate and appropriate violation described herein pursuant to R.C. 1345.07(D).
- E. **PROHIBIT** Defendant, as a means of insuring compliance with this Court's Order and with the consumer protection laws of Ohio, from engaging in consumer transactions in this state as a supplier until such time as Defendant has satisfied all monetary obligations ordered pursuant to this litigation.
- F. **ORDER** Defendant to pay all court costs.
- G. **GRANT** Plaintiff its costs in bringing this action, including, but not limited to, the costs of collecting on any judgment awarded.
- H. **GRANT** such other relief as the court deems to be just, equitable and appropriate.

Respectfully submitted,

DAVE YOST
Attorney General

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