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BARBARA A. WEDERHEIM
CLERK OF COMMON PLEAS COURT
CLERMONT COUNTY, OH

IN THE COURT OF COMMON PLEAS CLERMONT COUNTY, OHIO

STATE OF OHIO, ex rel.
DAVE YOST
ATTORNEY GENERAL OF OHIO
30 East Broad St., 14th Floor
Columbus, Ohio 43215

Plaintiff,

v.

LIGHTHOUSE AUTO GROUP
SERVICES LLC
c/o Jerry M. Putteet
3515 Niagara Street
Cincinnati, OH 45251

and

JERRY M. PUTTEET, Individually,
3515 Niagara Street
Cincinnati, OH 45251

and

JERRY D. PUTTEET, Individually,
825 Grande Oaks Drive
Morrow, OH 45152

Defendants.

CASE NO.

2020 CV# 326

JUDGE

JUDGE McBRIDE

COMPLAINT AND REQUEST FOR
DECLARATORY JUDGMENT,
INJUNCTIVE RELIEF,
CONSUMER DAMAGES,
AND CIVIL PENALTIES

JURISDICTION

1. Plaintiff, State of Ohio, by and through Counsel, the Attorney General of Ohio, Dave Yost,

having reasonable cause to believe that violations of Ohio's consumer protection laws have occurred, brings this action in the public interest and on behalf of the State of Ohio under the authority vested in him by the Ohio 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.*

2. The actions of Defendants, hereinafter described, have occurred in the State of Ohio, 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.*
3. Defendants, as described below, are "supplier[s]" as that term is defined in R.C. 1345.01(C) as Defendants were, at all times relevant herein, engaged in the business of effecting or soliciting "consumer transactions" as that term is defined in R.C. 1345.01(A).
4. Defendants, as described below, engaged in "consumer transactions" by offering for sale, selling or financing the purchase of 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).
5. The actions of Defendants, hereinafter described, have occurred in the State of Ohio and Clermont County.
6. Jurisdiction over the subject matter of this action lies with this Court pursuant to R.C. 1345.04 of the CSPA.
7. This Court has venue to hear this case pursuant to Ohio Civ. R. 3(C) (2)-(3), in that Defendants operated their business from, and engaged in the transactions complained of herein in Clermont County.

STATEMENT OF FACTS

8. Defendant Lighthouse Auto Group Service, LLC. ("Lighthouse") is a for profit corporation last operating at 1451 State Route 28, Loveland, Ohio 45140.
9. On information and belief, Defendant Jerry M. Putteet ("JMP") is an individual whose address is 3515 Niagara Street, Cincinnati, Ohio 45251.
10. On information and belief, Defendant JMP's father, Jerry D. Putteet ("JDP") is an individual whose address is 825 Grande Oaks Drive, Morrow, Ohio 45152.
11. Defendant JMP had an ownership interest in Defendant Lighthouse and Defendant JDP operated Defendant Lighthouse, and both dominated, controlled and directed the business activities and sales conduct of Lighthouse, and exercised the authority to establish, implement or alter the policies of Lighthouse, and committed, allowed, directed, ratified or otherwise caused the following unlawful acts to occur.
12. Defendants were at all times relevant to this action engaged in the business of soliciting, promoting, purchasing, selling, financing and collecting the proceeds of the sales of used motor vehicles from their location in Loveland to consumers residing in Clermont and other Ohio counties.
13. Defendants, operating under the name Lighthouse Auto Group Services LLC, solicited individual consumers to enter into consumer transactions, specifically for the sale of used motor vehicles.
14. At all relevant times hereto, Defendants held license #UD022046 issued by the State of Ohio under R.C. 4517.01 *et seq.*, allowing them to engage in the business of displaying or selling at retail or wholesale used motor vehicles.

15. At all relevant times hereto, the Defendants were displaying or selling used motor vehicles at the Lighthouse location.
16. The Defendants failed to file applications for certificates of title within Thirty (30) days after the assignment or delivery of motor vehicles.
17. The Defendants failed to obtain certificates of title on or before the Fortieth (40th) day after the sale of motor vehicles.
18. Title Defect Recision ("TDR") consumer claims totaling \$31,271.50 thus far were paid from the TDR Fund, administered by the Ohio Attorney General's Office, after the Defendants failed to obtain certificates of title on or before the Fortieth (40th) day after the sale of motor vehicles.

JERRY D. PUTTEET CHAPTER 7 BANKRUPTCY DISCHARGE

19. JDP filed a voluntary Chapter 7 bankruptcy petition on August 23, 2018 in the United States Bankruptcy Court for the Southern District of Ohio, Dayton Division.
20. A discharge under 11 U.S.C. Section 727 was granted to JDP on January 8, 2019.

CAUSE OF ACTION

VIOLATIONS OF THE CERTIFICATE OF MOTOR VEHICLE TITLE ACT

21. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in paragraphs One through Twenty(1-20) of this Complaint.
22. The Defendants engaged in unfair and deceptive acts and practices in violation of R.C. 1345.02 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).
23. The Defendants committed unfair and deceptive acts or practices in violation of the

Consumer Sales Practices Act, R.C. 1345.02(A), by selling motor vehicles to consumers, in the ordinary course of business, and then failing to obtain certificates of title on or before the Fortieth (40th) day of sale of the motor vehicles as required by R.C. 4505.181(B)(1).

24. Such acts or practices have been previously determined by Ohio courts to violate the CSPA, R.C. 1345.01 *et seq.* The Defendants committed said violations after such decisions were available for public inspection pursuant to R.C. 1345.05(A)(3).

PRAYER FOR RELIEF

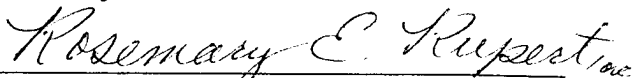
WHEREFORE, Plaintiff respectfully prays that this Court:

- A. ISSUE A DECLARATORY JUDGMENT declaring that each act or practice described in Plaintiff's Complaint violates 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 in this Complaint.
- B. ISSUE PERMANENT INJUNCTIVE RELIEF enjoining Defendants and their officers, agents, representatives, salespeople, employees, successors and assigns and all persons acting in concert or participating with them, directly or indirectly, from engaging in the acts or practices of which Plaintiff complains 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.*
- C. ORDER Defendants Lighthouse and JMP jointly and severally liable for reimbursement to all consumers found to have been damaged by the Defendants' unfair and deceptive acts and practices, and motor vehicle title violations.
- D. ORDER Defendants Lighthouse and JMP liable for reimbursement to the TDR Fund for funds expended to resolve title defects caused by Defendants' motor vehicle title violations.

- E. ASSESS, FINE, AND IMPOSE upon Defendants, jointly and severally, a civil penalty of Twenty-Five Thousand Dollars (\$25,000.00) for each of the appropriate unfair or deceptive acts alleged in the Complaint, pursuant to R.C. 1345.07(D).
- F. ORDER that Defendants be enjoined from engaging in consumer transactions as a Supplier in the State of Ohio until they have satisfied all restitution, civil penalties, court costs and made reimbursement to the TDR Fund.
- G. ORDER that Defendants JMP and JDP be prohibited from applying for an auto dealer or salesperson license under Chapter 4517 of the Revised Code.
- H. GRANT Plaintiff its costs in bringing this action, including, but not limited to, the costs of collecting on any judgment awarded.
- I. ORDER the Defendants to pay all court costs.
- J. GRANT such other relief as the Court deems to be just, equitable and appropriate.

Respectfully submitted,

DAVE YOST
Attorney General

 *Rosemary E. Rupert*

ROSEMARY E. RUPERT (0042389)

Assistant Attorney General
Consumer Protection Section
30 East Broad Street, 14th Floor
Columbus, Ohio 43215-3428
(614) 752-5548 (phone)
(866) 473-6249 (fax)
Counsel for Plaintiff