



**AFTAB PUREVAL
HAMILTON COUNTY CLERK OF COURTS**

COMMON PLEAS DIVISION

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AFTAB PUREVAL
Clerk of Courts
Hamilton County, Ohio
CONFIRMATION 974220**

STATE OF OHIO

A 2002819

vs.

AKH DEVELOPMENT LLC

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

PAGES FILED: 5

EFR200



VERIFY RECORD

STATE OF OHIO ex rel. ATTORNEY
GENERAL DAVE YOST
441 Vine Street, 1600 Carew Tower
Cincinnati, Ohio 45202

Plaintiff,

V.

AKH DEVELOPMENT, LLC
9170 Trelawney Court, Apt. A1
Cincinnati, OH 45251

and

ANDREW K. HAUSS
9170 Trelawney Court, Apt. A1
Cincinnati, OH 45251

Defendants.

Case No.

Judge

**COMPLAINT AND REQUEST FOR
DECLARATORY JUDGMENT,
INJUNCTIVE RELIEF, RESTITUTION
AND CIVIL PENALTIES**

JURISDICTION AND VENUE

1. Plaintiff, State of Ohio, by and through 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 R.C. 1345.07.

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2. The actions of Defendants have occurred in Ohio, including Hamilton County and, as set forth below, are in violation of the Consumer Sales Practices Act (“CSPA”), R.C. 1345.01 et seq.
 3. Jurisdiction over the subject matter of this action lies with this Court pursuant to R.C. 1345.04 of the CSPA.
 4. This Court has venue to hear this case pursuant to Ohio Civ. R. 3(C)(1),(2) and (3), in that Hamilton County is the county in which the Defendant Andrew K. Hauss resides, the county in which AKH Development, LLC had its principal place of business, and the county in which the Defendants conducted activity that gave rise to the claim for relief.

DEFENDANTS

5. Defendant Andrew K. Hauss is a natural person residing at 9170 Trelawney Court, Apt. A1, Cincinnati, OH 45251.
6. The principal place of business for AKH Development, LLC is 9170 Trelawney Court, Apt. A1, Cincinnati, OH 45251.
7. AKH Development, LLC is a domestic limited liability company that has been registered with the Ohio Secretary of State since December 13, 2017.
8. Defendants are “suppliers” as that term is defined in R.C. 1345.01(C), as they engaged in the business of effecting “consumer transactions” by soliciting consumers either directly or indirectly for home improvement goods and services for a fee, within the meaning of R.C. 1345.01(A).
9. Defendant Andrew K. Hauss at all times pertinent hereto controlled and directed the business activities and sales conduct of Defendant AKH Development, LLC, including the violations described in this complaint.

STATEMENT OF FACTS

10. Defendants engaged in the business of providing home improvement goods and services to consumers, including the installation of concrete.
11. After receiving payment, Defendants began work but failed to complete the work.
12. Defendants provided shoddy and substandard home improvement goods and services to consumers and then failed to correct such services.
13. Defendants represented to consumers that they would provide the ordered goods and services within an estimated time and then failed to provide such goods and services in the time promised.
14. Defendants 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 – PERFORMING SUBSTANDARD / SHODDY WORK

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

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

18. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in paragraphs one through seventeen (1-17) of this complaint.
19. Defendants 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.
20. Such acts and practices have been previously determined by Ohio courts to violate the CSPA, R.C. 1345.01 et seq. Defendants 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 Defendants, their agents, employees, successors or assigns, and all person acting in concert and participation with them, 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** Defendants, pursuant to R.C. 1345.07(B), to pay all actual damages to all consumers injured by the conduct of the Defendants as set forth in this complaint.

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- D. **ASSESS, FINE and IMPOSE** upon Defendants 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. **ORDER** that Defendants be enjoined from engaging in consumer transactions in this state as a supplier until such time as Defendants have satisfied all monetary obligations ordered pursuant to this litigation.
- F. **ORDER** Defendants 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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