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Cleveland, Ohio 44113

Court of Common Pleas

New Case Electronically Filed: COMPLAINT
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By: REBECCA F. SCHLAG 0061897

Confirmation Nbr. 3675146

STATE OF OHIO, EX REL. ATTORNEY GENERAL
DAVE YOST

CV 25 128167

vs.

ALL STREETS AUTO, LLC, ET AL

Judge: ASHLEY KILBANE

Pages Filed: 6

**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

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

Plaintiff,

v.

All Streets Auto, LLC
2662 E. 69th Street
Cleveland, Ohio 44104

and

Dalton Lindesmith
9412 Orchard Ave.
Brooklyn, Ohio 44144,

Defendants.

CASE NO.

JUDGE

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

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 All Streets Auto, LLC ("All Streets Auto") and Dalton Lindesmith ("Lindesmith") (collectively "Defendants"), hereinafter described, have occurred in the State of Ohio, Cuyahoga County and other counties, 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. 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)(2) and (3), in that Defendants operated their business from and engaged in some of the transactions complained of herein in Cuyahoga County, Ohio.

DEFENDANTS

5. Defendant All Streets Auto is an Ohio limited liability company that has operated at both 2662 E. 69th Street, Cleveland, Ohio 44104 and 15317 Chatfield, Cleveland, Ohio 44111.
6. Defendant Lindesmith is an individual residing at 9412 Orchard Ave., Brooklyn, Ohio 44144.
7. Defendant All Streets Auto is a licensed used motor vehicle dealer under permit issued by the Ohio Bureau of Motor Vehicles, permit number UD024385, which expired on March 31, 2025.
8. Defendant Lindesmith is the principal owner of Defendant All Streets Auto and dominated, controlled and directed the business activities and sales conduct of Defendant All Streets Auto, exercised the authority to establish, implement or alter the policies of Defendant All Streets Auto, and committed, allowed, directed, ratified or otherwise caused the following unlawful acts to occur.
9. Defendant Lindesmith was the salesperson selling motor vehicles to directly to consumers.
10. Defendant Lindesmith is the individual whose name appears on the motor vehicle dealer's license and the Secretary of State documents pertaining to Defendant All Streets Auto, LLC, and is believed to be the only individual involved in the operation of Defendant All

Streets Auto, LLC.

11. Defendants, as described below, are “suppliers” as that term is defined in R.C. 1345.01(C) as they, at all times relevant herein, engaged in the business of effecting or soliciting “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).

STATEMENT OF FACTS

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 to consumers residing in Cuyahoga and other Ohio counties.
13. Defendants solicited individual consumers to enter into consumer transactions, specifically for the sale of used motor vehicles.
14. In some instances, the Defendants did not have physical possession of the titles and/or the vehicles were not titled to the Defendants on the dates the vehicles were sold to consumers.
15. Defendants failed to file applications for certificates of title within thirty days after the assignment or delivery of motor vehicles.
16. Defendants failed to obtain certificates of title on or before the fortieth day after the sale of motor vehicles.
17. As a result of Defendants’ conduct consumers were unable to obtain certificates of title to their used motor vehicles and filed complaints with the Ohio Attorney General.
18. Because of Defendants’ conduct, to date, the Ohio Attorney General’s Office has made one payout from the Title Defect Recision Fund (“TDRF”) for the Defendants’ failure to

transfer title. As of the date of the filing of this Complaint, the payout from the TDRF is \$8,560.00, but that figure may increase if the Ohio Attorney General's Office makes additional payouts from the TDRF.

19. Under Ohio law, after a claim is paid by the TDRF, the motor vehicle dealer on whose behalf the payout was made must obtain a surety bond in an amount not less than \$25,000.00.
20. Defendants have not obtained a surety bond as required by law.
21. Defendants are believed to no longer operating a used motor vehicle business and have disabled their website and email address.
22. In many instances, Defendants have failed to respond to consumer complaints and inquiries.

**VIOLATIONS OF THE CSPA AND
THE CERTIFICATE OF MOTOR VEHICLE TITLE ACT**

23. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in the preceding paragraphs of this Complaint.
24. Defendants have committed unfair and deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A), by failing to file for applications for certificates of title within 30 days after the assignment or delivery of motor vehicles as required by RC. 4505.06(A)(5)(b).
25. Defendants have committed unfair and deceptive acts or practices in violation of the CSPA, 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 in the name of the retail purchaser on or before the fortieth day after the sale of the motor vehicles as required by R.C.

4505.181(B)(1).

26. Defendants have committed unfair and deceptive acts and practices by, after receiving a notice of request for rescission after failing to deliver title to a vehicle and then failing to comply with their obligation to deliver a full refund of the purchase price of the motor vehicle in violation of R.C. 4505.181(B) and (C).
27. Such acts or practices have been previously determined by Ohio courts to violate the CSPA, R.C. 1345.01 *et seq.* 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.*
- B. ISSUE PERMANENT INJUNCTIVE RELIEF enjoining Defendants and any officers, agents, representatives, salespeople, employees, successors and assigns and all persons acting in concert or participating with Defendants, directly or indirectly, from engaging in the acts and 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 liable for reimbursement to all consumers found to have been damaged by the Defendants' unfair and deceptive acts and practices.
- D. ORDER Defendants liable for payment to the TDRF for funds expended to resolve title defects caused by Defendants' unfair and deceptive acts and practices.

- E. ASSESS, FINE, AND IMPOSE upon Defendants a civil penalty of \$25,000.00 for each of the unfair and 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 have made full payment to the TDRF.
- G. ORDER that Defendants be prohibited from maintaining, renewing or 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 Defendants to pay all court costs.
- J. GRANT such other relief as the Court deems to be just, equitable and appropriate.

DAVE YOST
Ohio Attorney General

/s/ Rebecca F. Schlag
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