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IN THE COURT OF COMMON PLEAS  
STARK COUNTY, OHIO

STATE OF OHIO ex rel. )  
ATTORNEY GENERAL )  
DAVE YOST )  
615 W. Superior Ave., 11<sup>th</sup> fl. )  
Cleveland, OH 44113 )  
Plaintiff, )

CASE NO. 2026CV01167

JUDGE Farmer

v. )  
CANTON BUDGET VEHICLES, LLC )  
c/o JAWAD MUNIR RASDAN, )  
Statutory Agent )  
4838 Laverton Ave., NE )  
Canton, Ohio 44705 )  
Defendant )

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

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**JURISDICTION**

1. Plaintiff, State of Ohio, through counsel Attorney General 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 the Attorney General by R.C. 1345.07.
2. The actions of Defendant Canton Budget Vehicles, LLC ("Defendant") have occurred in the State of Ohio, including in Stark County and, as set forth below, are in violation of the 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.

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)-(3) in that Stark County is where Defendant's principal place of business was located, and where Defendant conducted activities that gave rise to Plaintiff's claims for relief.

### **DEFENDANT**

5. Defendant Canton Budget Vehicles, LLC is an Ohio limited liability company formed June 29, 2021, with a principal place of business located at 3834 Cleveland Ave., NW, Canton, Ohio 44709.
6. At all relevant times herein, Defendant was engaged in the business of soliciting, promoting, purchasing, selling, and collecting the proceeds of the sales of used motor vehicles to consumers.
7. Defendant is a "supplier[s]" as that term is defined in R.C. 1345.01(C) as Defendant was, at all times relevant herein, engaged in the business of effecting or soliciting "consumer transactions" by offering for sale and selling 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).

### **STATEMENT OF FACTS**

8. Defendant holds used motor vehicle dealer license #UD024129, issued by the Ohio Bureau of Motor Vehicles pursuant to R.C. 4517.01 et seq., allowing it to engage in the business of displaying or selling at retail or wholesale used motor vehicles.
9. Defendant's motor vehicle dealer license is currently inactive.
10. Defendant solicited individual consumers to enter into consumer transactions, specifically

for the sale of used motor vehicles.

11. At all relevant times hereto, Defendants displayed and sold used motor vehicles at its Canton Budget Vehicles, LLC dealership located at 3834 Cleveland Ave., NW in Canton, Ohio 44709.
12. In at least one instance, Defendant failed to file applications for certificates of title within 30 days after the assignment or delivery of motor vehicles.
13. In at least one instance, Defendant failed to obtain certificates of title in the name of consumer purchasers on or before the 40th day after the sale of motor vehicles.
14. Defendant had previously posted a surety bond in favor of the State of Ohio Attorney General as required by Ohio Adm.Code 4501:1-3-11(C) and R.C. 4505.181, but let the bond lapse and failed to renew it.
15. To date, claims totaling \$1,750.00 have been paid from the Title Defect Recision Fund (“TDRF”) administered by the Attorney General’s Office, after the Defendant failed to obtain certificates of title on or before the 40<sup>th</sup> day after the sale of the motor vehicle(s).
16. Plaintiff paid \$15 in title fees from the TDRF. Plaintiff then sold the motor vehicle at auction for \$200, leaving \$1,565.00 still owed to the TDRF as a result of Defendant’s conduct.
17. At the time of the consumer sale and subsequent payment from the TDRF, Defendant did not hold a valid surety bond in favor of the state of no less than twenty-five thousand dollars, as required by R.C. 4505.181.
18. Because the surety bond had lapsed at the time the motor vehicle at issue was sold, the Ohio Attorney General’s Office could not make a claim to the bond.

## CAUSE OF ACTION

### **Violation of the CSPA and Certificate of Motor Vehicle Title Act**

19. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in the preceding paragraphs of this Complaint.
20. Defendant engaged in unfair or deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A), by failing to file applications for certificates of title within 30 days after the assignment or delivery of motor vehicles as required by R.C. 4505.06(A)(5)(b) of the Certificate of Motor Vehicle Title Act.
21. Defendant engaged in unfair or deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A), by selling consumers motor vehicles that did not have certificates of title issued in the name of the dealership at the time of the sale and then failing to obtain certificates of title in the name of the consumer purchasers on or before the 40<sup>th</sup> day after the sale of the motor vehicles as required by R.C. 4505.181(B)(1) of the Certificate of Motor Vehicle Title Act.
22. Defendant engaged in unfair or deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A), by operation of R.C. 4505.181(A)(2) of the Certificate of Motor Vehicle Title Act, by failing to maintain the required surety bond surety bond required by Ohio Adm.Code 4501:1-3-11(C) and R.C. 4505.181, and failing to post a surety bond after payment was made from the TDRF, contrary to and in violation of R.C. 4505.181.
23. Such acts and practices have been previously determined by Ohio courts to violate the CSPA, R.C. 1345.01 et seq. Defendant committed said violations after such decisions were made 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 PERMANENT INJUNCTION, pursuant to R.C. 1345.07(A)(2), enjoining Defendant, doing business under this name, or any other names, their agents, representatives, salespeople, employees, successors, or assigns, and all persons acting in concert and participation with Defendant, directly or indirectly, from committing any unfair, deceptive, or unconscionable acts or practices that violate the CSPA, R.C. 1345.01 et seq., or the Certificate of Motor Vehicle Title Act, R.C. 4505.01 et seq., including, but not limited to, the specific provisions alleged to have been violated herein.
- B. DECLARE, pursuant to R.C. 1345.07(A)(1), that each act or practice complained of herein 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.
- C. ORDER Defendant, pursuant to R.C. 1345.07(B), to pay damages to all consumers injured by Defendant's conduct.
- D. ORDER Defendant liable, pursuant to R.C. 1345.52, for payment to the Attorney General's TDR Fund for funds expended to resolve title defects caused by the Defendant's motor vehicle title violations.
- E. ORDER Defendants to post the surety bond in favor of the state required by R.C. 4505.181(A)(2).
- F. ASSESS, FINE, AND IMPOSE upon Defendant, pursuant to R.C. 1345.07(D), a civil penalty of \$25,000 for each separate and appropriate violation of the CSPA described herein.

- G. ISSUE AN INJUNCTION prohibiting Defendant from engaging in business as a supplier in any consumer transaction in the State of Ohio until such time as Defendant has satisfied all monetary obligations ordered by this Court, and any other court in Ohio, in connection with a consumer transaction.
- H. ISSUE A PERMANENT INJUNCTION prohibiting Defendant from applying for or being granted any motor vehicle dealer license under Chapter 4517 of the Revised Code.
- I. GRANT Plaintiff its costs in bringing this action including, but not limited to, the costs of collecting on any judgment awarded.
- J. ORDER Defendants to pay all court costs.
- K. GRANT such other relief as the Court deems to be just, equitable, and appropriate.

Respectfully submitted,

DAVE YOST  
Ohio Attorney General

/s/ Rebecca F. Schlag  
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