



**For Immediate Release**  
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## **MADIGAN "TURNS UP THE HEAT" ON ALLEGED HEATING AND AIR CONDITIONING REPAIR SCAM ARTIST**

Chicago – Attorney General Lisa Madigan today filed a lawsuit in Cook County Circuit Court alleging that a Chicago man collected more than \$21,000 in down payments from consumers looking to repair their home heating and cooling systems and then either failed to perform the work or completed it in a shoddy manner.

Madigan's lawsuit names as the defendant Paul Hayes, doing business as Hayes Heating and Air Conditioning. Hayes operates his business out of his home in the 4700 block of N. Lavergne Avenue, in Chicago.

Between October 2004 and March 2006, Madigan's Consumer Protection Division has received 13 complaints against Hayes. The complaints allege that Hayes entered into contracts with consumers, often while physically present at the consumers' homes, for repair of their heating or air conditioning units. Hayes allegedly collected down payments from consumers at the time the contracts were signed and then either failed to begin the work, failed to complete the work or completed the repair projects in an unworkmanlike manner.

Hayes allegedly has failed to refund any of the \$21,827.06 collected as down payments from the 13 consumers that filed complaints with Madigan's office.

"My office is dedicated to enforcing the consumer protection laws to ensure that fraudulent home repair contractors aren't running away with homeowners' money," Madigan said. "With this lawsuit, we hope to turn up the heat on Hayes' allegedly fraudulent home repair practices and recoup the thousands of dollars Chicago area home owners paid him for work that allegedly was not completed as promised."

According to Madigan's lawsuit, one Chicago consumer entered into a contract with Hayes in October 2005 for the repair or replacement of her home's boiler and radiator. The consumer allegedly signed the contract in her home and made a down payment of \$5,500 on the job, estimated by Hayes to cost \$7,988. Although Hayes allegedly began the project by dismantling the consumer's boiler, he never did any further work to complete the repairs. Despite numerous requests by the consumer and a demand letter sent by Madigan's office, Hayes allegedly has refused to provide the consumer with a full refund.

Madigan's lawsuit charges Hayes with multiple violations of the Illinois Consumer Fraud and Deceptive Business Practices Act and the Illinois Home Repair and Remodeling Act. In addition to allegedly failing to complete the work in an acceptable fashion and failing to provide refunds, Hayes is charged with failing to provide homeowners with verbal and written notice of their right to cancel contracts and the "Home Repair: Know Your Consumer Rights" pamphlet, as required under Illinois law.

Madigan's lawsuit asks the court to prohibit the defendants from engaging in the trade and from further violating Illinois' consumer protection laws. The lawsuit seeks a civil penalty of \$50,000 and additional penalties of \$50,000 for each violation found to have been committed with the intent to defraud. Finally, Madigan's lawsuit asks the court to order the defendants to pay restitution to consumers and to pay all costs for the prosecution and investigation of this case.

Assistant Attorney General Ryan Tyrrell Lipinski is handling the case for Madigan's Consumer Protection Division.

Consumers who believe they have been the victim of a home repair scam or another consumer fraud can download a complaint form at [www.IllinoisAttorneyGeneral.gov/consumers](http://www.IllinoisAttorneyGeneral.gov/consumers) or call the Attorney General's Consumer Fraud Hotline at one of the following numbers:

**Chicago 1-800-386-5438; TTY: 1-800-964-3013**  
**Springfield 1-800-243-0618; TTY: 1-877-844-5461**  
**Carbondale 1-800-243-0607; TTY: 1-877-675-9339**  
**Spanish-language hotline: 1-866-310-8398**

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