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MADIGAN SUES HOME REPAIR CONTRACTOR WHO BILKED CONSUMERS OUT OF ALMOST \$36,000

Chicago—Attorney General Lisa Madigan today filed a lawsuit in Cook County Circuit Court alleging that a home repair company collected almost \$36,000 in down payments from consumers and then failed to complete the work required under the contract. The suit also alleges that in other instances, the defendants performed work in a shoddy manner.

Madigan filed the lawsuit against Miracle Builders, Inc., a former Illinois corporation, and Edmund Kasner, individually and as Secretary of Miracle Builders, Inc. Miracle Builders operated out of the 6100 block of North Clark Street in Chicago, Illinois.

Since 2002, Madigan's Consumer Fraud Bureau has received 14 complaints against Miracle Builders, Inc. The lawsuit alleges that Miracle Builders, Inc. entered into home repair contracts with consumers, often with defendant Kasner physically present.

"The Attorney General's Office is dedicated to protecting Illinois consumers from contractors who take money from consumers and then fail to perform the work or perform the work in a shoddy manner," Madigan said.

According to Madigan's lawsuit, one Illinois consumer entered into a contract with defendants in 2003 for a room addition to his residence. The price of the room addition was over \$63,000. The consumer obtained a loan to finance the transaction. The defendants received a down payment of \$9,000 from the title company when the loan closed. After months of delays, the consumer attempted to cancel the contract in September of 2004 because the defendants had not performed any work. Defendants never performed work on the consumer's residence and failed to refund the consumer's \$29,000 down payment.

Madigan's lawsuit charges defendants with multiple violations of the Illinois Consumer Fraud and Deceptive Business Practices Act and the Illinois Home Repair and Remodeling Act. In addition to alleging that the defendants failed to complete work in an acceptable manner and failing to provide refunds, the lawsuit alleges that the defendants failed to provide homeowners with verbal and written notice of their right to cancel contracts, failed to provide consumers with copies of the "Home Repair: Know Your Consumer Rights" pamphlet, and failed to have adequate insurance as required under Illinois law.

Madigan's lawsuit asks the court to prohibit the defendants from engaging in home repair and from further violating Illinois' consumer protections 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 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 Janice Parker is handling the case for Madigan's Consumer Protection Division.

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