



For Immediate Release

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MADIGAN SUES HOME REPAIR CONTRACTOR

Chicago—Attorney General Lisa Madigan today filed a lawsuit in Madison County Circuit Court alleging that a home repair contractor collected payments from consumers and then either failed to begin the home repair work, never completed the work, or performed work in a shoddy or unprofessional manner.

Madigan filed the lawsuit against John Bierbaum, doing business as John Bierbaum Construction, and operating out of Alton, Illinois. In the last two years, Madigan's Consumer Fraud Bureau has received 4 complaints against John Bierbaum Construction.

"My office is dedicated to protecting Illinois consumers from contractors who fail to perform the work or are unprofessional in the work they do perform," Madigan said.

According to Madigan's lawsuit, one Illinois consumer entered into a contract with the defendant in 2005 to remodel a bathroom. The price of the project was over \$10,000. The consumer obtained a loan to finance the remodeling and paid the defendant a down payment of \$4,400 on day the contract was signed. After months of delays, the consumer demanded his money back via a certified letter, which was returned, unclaimed. The defendant never performed work on the consumer's residence and failed to refund the consumer's \$4,400 down payment.

Madigan's lawsuit charges the defendant 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 defendant failed to complete work in an acceptable manner and failed to provide refunds, the lawsuit alleges that the defendant 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 defendant 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 defendant to pay restitution to consumers and to pay all costs for the prosecution and investigation of this case.

Assistant Attorney General Louis J. Gale is handling the case for Madigan's Consumer Fraud Bureau.

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