



For Immediate Release
August 2 , 2007

Contact: Robyn Ziegler
312-814-3118
877-844-5461 (TTY)
rzeigler@atg.state.il.us

MADIGAN SUES DUPAGE COUNTY CONTRACTOR FOR ACCEPTING DEPOSITS AND FAILING TO PERFORM WORK

Chicago-Attorney General Lisa Madigan today filed a lawsuit in DuPage County Circuit Court alleging that a DuPage County contractor has fraudulently collected approximately \$135,000 in payments from consumers for home repair and improvement work without either performing the work or completing it satisfactorily.

Madigan's lawsuit names Darrin Mehlert, doing business as DM Landscaping, as the defendant. DM Landscaping's last known business address is 215 South Church in Millington, Illinois. The company also used a mailing address of P.O. Box 6901 in Aurora.

Fourteen consumers contacted the Attorney General's Office about Mehlert's conduct. These consumers entered into contracts with Mehlert for the installation of driveways, sidewalks, and patios or to perform landscaping services. According to the consumers' complaints, Mehlert collected down payments from them at the time of the contract signing and then allegedly either failed to begin the work, performed only part of the work, or performed the work in a shoddy and unprofessional manner. In instances where he has allegedly failed to perform any work at all, Mehlert has collected down payments ranging from \$1,000 to \$16,000.

"My office is dedicated to enforcing the consumer protection laws and ensuring that fraudulent home repair contractors are held accountable," Madigan said. "As part of this lawsuit, we hope to recoup money for consumers who were harmed by the defendant's unfair and deceptive practices."

Madigan's lawsuit charges Mehlert with multiple violations of the Illinois Consumer Fraud and Deceptive Business Practices Act and the Illinois Home Repair and Remodeling Act. As part of these claims, Madigan's office asserts that Mehlert violated the law by performing work in a shoddy and unprofessional manner, failing to perform work after accepting payments, performing only partial work, and failing to provide consumers with the *Home Repair: Know Your Consumer Rights* pamphlet as required under Illinois law.

As part of the complaint, Madigan asks the court to prohibit Mehlert from engaging in home repair work and from further violating Illinois' consumer protection laws. The lawsuit asks the court to order Mehlert to pay restitution to consumers and to pay all costs for the prosecution and investigation of this

case. Finally, 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 and \$10,000 for violations of the Consumer Fraud Act committed against an individual who is 65 years of age or older.

Assistant Attorney General Janice Parker is handling the case for Madigan's Consumer Protection Division.

Consumers who believe they have been the victim of a home repair scam or any other consumer fraud can download a complaint form at 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

-30-

[Return to August 2007 Press Releases](#)