



November 19, 2009

## **MADIGAN SUES ROCKFORD HOME CONTRACTOR FOR SHODDY WORK, FAILURE TO COMPLETE FENCE INSTALLATIONS**

Chicago — Attorney General Lisa Madigan today filed a lawsuit in Winnebago County Circuit Court alleging that a Rockford contractor solicited contracts to remove or install fences but failed to complete contracted projects or completed them in a substandard manner.

Madigan's suit alleges that Michael J. Thelen, who owns and operates Thelen Services, Inc., entered into contracts to install new fencing, accepted consumers' down payments and provided consumers with an approximate date that the work would begin. Thelen, however, allegedly failed to perform the contracted work or completed the work in a shoddy, substandard manner. Despite consumer requests, Thelen refused to refund down payments. The Attorney General's Consumer Fraud Bureau has received three complaints since September 2008 about Thelen's work from consumers in DeKalb, Boone and Ogle Counties.

"There's no excuse for a contractor refusing to return consumers' down payments when he has failed to perform the contracted work," Madigan said. "Home repair and remodeling project complaints continue to rank among the most commonly reported to my office's Consumer Fraud Bureau. I strongly urge consumers to seek out as much information as possible when considering hiring a home contractor so that they can avoid the run-around from unscrupulous contractors."

Madigan's lawsuit alleges that Thelen violated the Illinois Consumer Fraud and Deceptive Business Practices Act and the Illinois Home Repair and Remodeling Act by performing work in a shoddy, unprofessional manner; failing to complete the repair work; and refusing to provide refunds to consumers. The complaint also alleges that Thelen failed to provide homeowners with the "Home Repair: Know Your Consumer Rights" pamphlet, as required under Illinois law.

In the suit, Madigan asks the court to prohibit Thelen from engaging in the home repair trade in Illinois. Madigan's suit also seeks restitution for consumers, a civil penalty of \$50,000, additional penalties of \$50,000 for each violation found to have been committed with the intent to defraud, and \$10,000 per violation found to have been committed against a consumer who is 65 years or older. The lawsuit also asks the court to require Thelen to pay the costs of the prosecution and investigation of the case.

Assistant Attorney General Elizabeth Phalen is handling the case for Madigan's Consumer Fraud Bureau.

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](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

Springfield 1-800-243-0618

Carbondale 1-800-243-0607

Spanish-language Hotline: 1-866-310-8398

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