

Press Releases

May 25, 2011

ATTORNEY GENERAL MADIGAN SUES METRO EAST CONTRACTOR FOR CHEATING HOMEOWNERS OUT OF THOUSANDS***Murphysboro Resident Says Home Repair Scam Created Extreme Financial Hardship***

St. Clair County — Attorney General Lisa Madigan has sued a St. Louis-area man for cheating Illinois homeowners out of more than \$12,500 for windows that were never installed. Madigan filed her suit on behalf of consumers such as Murphysboro resident Paula Smith-Cade, whose attempt to fix her home after a damaging windstorm quickly turned into a nightmare.

"I just wanted to get my house looking the best it could and be energy efficient. Unfortunately, I came across someone who was dishonest," said Paula Smith-Cade, who lives with her husband in Murphysboro. "This scam has made it extremely difficult for us financially."

Madigan filed her suit in St. Clair County Circuit Court against Mark Creonte, who solicited consumers through Window Depot of St. Louis, based in Belleville, beginning in January 2010 to purchase replacement windows under the guise of saving energy and money on their utility bills.

"Home repair fraud is consistently among the top complaints into my office," Attorney General Madigan said. "Unsuspecting homeowners hire a contractor for service, often times paying a hefty sum as a deposit, and never see the work completed."

Such was the case for Smith-Cade, who requested an estimate from Creonte for window replacement after seeing his advertisement in November 2010. The lawsuit alleged Creonte claimed the work would be completed by the end of the year – just in time for Smith-Cade to claim energy savings tax credits on her upcoming tax return. Smith-Cade paid half of the total estimate as a down payment – \$2,000. Creonte cashed the check, and she never heard from him again.

"We've had to deal with extra utility bills, discomfort, plus the hours I've spent chasing him down," Smith-Cade said. "It has cost me a lot to get back on track. You've got to look into any contractors you're hiring before signing anything."

Madigan alleges in her suit that Creonte, whose last known address was in Collinsville, Ill., advertised in newspapers and on the Internet that homeowners could take advantage of federal energy savings tax credits by purchasing his window services. The lawsuit alleges the defendant accepted down payments from consumers but never delivered or installed the purchased windows, in violation of the state's Consumer Fraud and Deceptive Business Practices Act and Home Repair and Remodeling Act.

Consumers from St. Clair, Clinton, Madison and Jackson counties, including Smith-Cade, reported losses to Madigan's office totaling \$12,511.

"Consumers should take their time and investigate a home repair company before contracting service. Be sure to check out a contractor's references and contact my office to see if any complaints have been filed against the repair service," Attorney General Madigan said. "Do not feel pressured to sign agreements on the spot and request estimates in writing."

Madigan's lawsuit asks the court to prohibit the defendant from working in window sales in Illinois, cancel any pending contracts and obtain restitution for affected consumers. The lawsuit also seeks to impose on the defendant a civil penalty of \$50,000, additional penalties of \$50,000 for each violation found to be committed with the intent to defraud, as well as \$10,000 per violation found to be committed against a person 65 years or older.

Assistant Attorney General Deborah Sterling-Scott is handling this case for Madigan's Consumer Fraud Bureau.

[Return to May 2011 Press Releases](#)



[© 2020 Illinois Attorney General](#)

[Home](#) • [Privacy Policy](#) • [Contact Us](#)