

District Attorney Marc Bennett
18th Judicial District of Kansas



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For Immediate Release, February 23, 2017

Wichita, Kansas – A Wichita car dealer has entered into a consent judgment with the Office of the District Attorney involving allegations of deceptive and unconscionable acts and practices involving car sales and leases and violating a previous consent judgment entered into last July.

The agreement between Family Motors Inc., 4230 S. Broadway, and the District Attorney's Consumer Protection Division calls for Family Motors to pay a total of \$19,000.00 in civil penalties, investigative expenses, and court costs. The District Attorney alleged that Family Motors sold a vehicle without disclosing a manufacturer recall, and that Family Motors attempted to exclude, modify, or otherwise limit implied warranties of merchantability and fitness regarding a lease. These practices had previously been addressed in a consent judgment agreed to in July 2016.

According to the Kansas Consumer Protection Act (KCPA), automobile suppliers are specifically prohibited from selling cars "as is". Suppliers are also prohibited from failing to state material facts, such as safety recalls, in connection with consumer transactions. These acts and practices are considered unconscionable and deceptive acts, respectively, by the KCPA.

When the consent judgment was filed in Sedgwick County District Court on Thursday, February 23, 2017, Family Motors agreed to refrain from the practices described above.

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