

District Attorney Marc Bennett  
18<sup>th</sup> Judicial District of Kansas



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For Immediate Release, September 4, 2019

**WICHITA, KAN.** – The owner of a used car dealership has entered into a consent judgment with the Office of the District Attorney. The District Attorney’s Consumer Protection Division investigated Nabil Sayegh, owner of Auto Max located at 940 S. Broadway, after receiving a consumer complaint about a car Sayegh sold.

The investigation found that the dealership’s documentation did not disclose multiple safety recalls, significant frame damage, and lacked a Buyer’s Guide. The consent judgment calls for Sayegh to pay nearly \$10,000 in fines, investigative fees, and compensation to the consumer. The purchase price of \$11,862.63 was previously refunded to the consumer. The consent judgment also calls for Sayegh to perform an audit to check for cars sold with undisclosed safety recalls and compensate applicable consumers. Sayegh admitted the alleged violations of the Kansas Consumer Protection Act (KCPA).

The District Attorney reminds residents to check for safety issues when buying a car. Have the car inspected, ask for a vehicle history report, and check for recalls at <https://www.safercar.gov/vin>. Recalls and repairs are free and covered by the manufacturer. Other safety issues may also impact your decision to buy the car. Dealerships selling cars for normal (“merchantable”) use must be in a reasonably safe condition, substantially free of defects that could render them inoperable, and they must perform up to the level reasonably expected of cars of the same age, mileage, and price. A dealership cannot attempt to limit that implied warranty of merchantability. Buyers Guides are also required to be placed on used vehicles being sold by vehicle dealers, it is known as the Used Car Rule, and Buyers Guides give consumers important purchasing and warranty information.

The consent judgment was filed August 27, 2019, signed by Judge Jeffrey Goering. The case was investigated by Scott Kelley of the District Attorney’s Office.

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