

District Attorney Marc Bennett
18th Judicial District of Kansas



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For Immediate Release, February 25, 2020

WICHITA, KAN. – Riverside Café’s parent company and its owner have entered into a consent judgment and permanent injunction with the Office of the District Attorney and agreed to pay \$60,397.28. The District Attorney’s Consumer Protection Division received several consumer complaints that Riverside Café was charging customers an illegal surcharge of 4% for using credit cards to purchase their meals.

The District Attorney’s Office investigated and informed Paul Cohlma and Riverside Ventures, Inc. that the surcharge was in violation of K.S.A. 16a-2-403 and also the Kansas Consumer Protection Act (KCPA). The District Attorney filed the case after Riverside continued to charge the surcharge at all three of its locations, 9125 W. Central Ave., 739 W. 13th St. N. and 824 N. Baltimore Ave. in Derby.

The cost of identifying and paying specific consumers for the roughly fifty-cents (\$0.50) they were overcharged would be impractical, so as part of the consent judgment and permanent injunction defendants admitted to the violations, stopped charging a surcharge, and agreed to pay \$30,000 to bona fide charitable organizations serving Sedgwick County. Defendants also agreed to pay a \$30,000 civil penalty along with court costs and investigative expenses for a total of \$60,397.28.

The District Attorney reminds residents that an *illegal* surcharge, or price increase, is “unconscionable” and therefore a violation of the Kansas Consumer Protection Act. Prices should also be clearly marked.

The consent judgment and permanent injunction were signed by Judge Kevin Mark Smith on February 20, 2020. The case was investigated by Kristen Zluticky of the District Attorney’s Office.

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