

District Attorney Marc Bennett
18th Judicial District of Kansas



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WICHITA, KAN. – An owner of a used car dealership and a salesperson entered into a consent judgment with the Office of the District Attorney based on allegations of unconscionable and deceptive acts and practices. The District Attorney’s Consumer Protection Division investigated Auto Depot formerly located at 231 S. Hydraulic in Wichita after receiving a consumer complaint.

The consent judgment calls for an injunction from engaging in deceptive or unconscionable acts and requires each to cooperate in any future complaints while on a 12-month probationary period.

The District Attorney’s Office determined Lorenze Kearney, the business owner, and Fontaine Williams, the salesperson, failed to provide the certificate of title (i.e. a car title) to a consumer with what is called “notice of a right to cure” (explained below) before repossessing the vehicle.

Kearney and Williams agreed to pay \$2,500.00 in restitution to the consumer. They also agreed to a \$20,000.00 civil penalty along with the necessary court costs and investigative fees.

The District Attorney reminds residents that customers should receive certificates of title within 60 days of a vehicle purchase so they can register their vehicle. Otherwise, the transaction is void and customers are entitled to a full refund. Driving without proper registration is against the law. Additionally, prior to engaging in repossession, a creditor must provide consumers notice that the consumer has the right to cure a default for a late payment on a consumer credit transaction that is being paid in installments. The notice must inform the consumer where payment is to be made, the amount to be paid, the date by which the payment to cure the default must be made, and the possible liability to the consumer for collection of the debt.

The case was investigated by Kristen Zluticky of the District Attorney’s Office and the consent judgment was approved on July 28, 2020, by Judge Deborah Hernandez-Mitchell.

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