

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



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For Immediate Release, September 3, 2021

**WICHITA, KAN.** – The owner of a now closed Wichita used car dealership has entered into a consent judgment with the Office of the District Attorney based on allegations he failed to provide title for multiple cars within 60 days of the sale and issued fraudulent temporary registration permits.

In February, the Consumer Protection Division of the District Attorney's Office brought allegations of 29 Kansas Consumer Protection Act violations against Jesse Berlin, the owner of Wheatstate Motorsports formerly located at 6717 W. Kellogg in Wichita. The complaint alleged Berlin failed to deliver title within 60 days of purchase to 17 different consumers. During the investigation of the dealership, business records obtained by the Consumer Protection Division indicated Berlin issued fraudulent 60-day temporary registration permits, commonly called 60-day tags, on numerous vehicles sold by the dealership.

While Berlin denied violating the Kansas Consumer Protection Act, he accepted a consent judgment to settle the matter. In the consent judgment Berlin agreed to pay \$75,000.00 in civil penalties, court costs, and fees. Berlin also acknowledged he owes \$26,965.00 for vehicles he sold, but never paid 71B Auto Auction resulting in several titles being withheld from consumers. 71B has promised to release the remaining titles to the impacted consumers now that the matter is settled. Wheatstate Motorsports is no longer in business.

In May, the Director of Vehicles for the State of Kansas revoked Berlin's used vehicle dealer license and issued an order prohibiting him from holding a vehicle sales license or obtaining any type of dealer license in Kansas.

The District Attorney reminds residents that customers should receive certificates of title within 60 days of vehicle purchase so the buyer can register the vehicle. Failure to provide title within 60 days makes the transaction "fraudulent and void" entitling customers to a refund. K.S.A. 8-135(c)(7). Also, dealerships may only issue a buyer one 60-day temporary registration permit following the sale of a vehicle. K.S.A. 8-2409. Remember, driving without proper registration is against the law.

The consent judgment was approved on September 2, 2021 by Judge Eric Commer. The case was investigated by Jimmie Merrick of the District Attorney's Office.

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CONTACT: DAN DILLON, MEDIA COORDINATOR 316-660-3707

[Dan.Dillon@SEDGWICK.GOV](mailto:Dan.Dillon@SEDGWICK.GOV)