

District Attorney Marc Bennett
18th Judicial District of Kansas



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For Immediate Release, October 21, 2021

WICHITA, KAN. – A used car dealership and one of its salespersons entered into a consent judgment with the Office of the District Attorney. The District Attorney’s Consumer Protection Division investigated Superb Motors, LLC located at 400 N. West Street in Wichita, and Thomas Griffin Jr. after receiving four separate complaints involving the sale of used vehicles from Superb Motors in 2020 and 2021.

The District Attorney’s Office alleged Superb and Griffin, Jr. violated the Kansas Consumer Protection Act (KCPA) by failing to deliver title within 60 days on two transactions, failing to disclose an odometer problem and the absence of a catalytic converter on a third and use of an unlicensed salesperson on a fourth transaction. Superb was also alleged to have failed to provide a Buyer’s Guide to a protected consumer during one transaction.

Under Kansas law, dealership employees acting as salespersons must be licensed by the Kansas Department of Revenue. K.S.A. 8-2404. Violations of the KCPA that impact a protected consumer can result in an enhanced civil penalty per violation. K.S.A. 50-677. Protected consumers include the disabled, veterans, members of the military and persons over the age of 60. K.S.A. 50-676.

While the dealership and Griffin, Jr. denied violating the KCPA, they entered into a consent judgment to settle the matter. The judgment calls for \$30,000 in civil penalties in addition to other costs and expenses. The consent judgment requires a 12-month probationary period and cooperation with any future complaints. Superb must also conduct an audit of prior sales to determine if consumers were sold vehicles without being told that open safety recalls existed at the time of the sale. During the investigation, Superb provided a refund to two consumers, totaling over \$7,000, and a third consumer will receive over a \$6,000 refund following the entry of the consent judgment.

The District Attorney reminds residents, customers should receive certificates of title within 60 days of vehicle purchase. 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). When buying a used car, make sure you know as much as you can prior to the purchase. Consider asking to take the vehicle for an independent inspection prior to buying the car. Buyers Guides are required to be placed on used vehicles being sold by vehicle dealers, known as the Used Car Rule. A Buyers Guide gives consumers important purchasing and warranty information. Residents can also visit <https://www.consumer.ftc.gov/articles/buying-used-car-dealer> for more information about buying a used car.

The consent judgment was approved on October 20, 2021 by Judge Faith Maughan. The matter was investigated by Kristen Zluticky of the District Attorney’s Office.

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