

District Attorney Marc Bennett
18th Judicial District of Kansas



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For Immediate Release, May 20, 2022

WICHITA, KAN. – An \$87,477.00 default judgment was entered against a local contractor for engaging in deceptive and unconscionable acts. The matter was investigated by the Office of the District Attorney’s Consumer Protection Division after receiving two separate consumer complaints against Dale A. Deere, doing business as Deere Contracting.

The Consumer Protection Division alleged Deere violated the Kansas Consumer Protection Act (KCPA) by failing to provide a material benefit and failing to provide a three-day right to cancel the transaction on two separate consumer transactions. Each consumer was a “protected consumer” under the KCPA. 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.

The Court found those failures to be deceptive and/or unconscionable under the KCPA. As part of the ruling the Court ordered Deere to pay over \$5,000.00 in restitution to the consumers, \$80,000.00 in civil penalties, and also pay court costs and investigation fees. The court also ordered Deere to refrain from operating or conducting business in Kansas until all restitution is paid in full and the business is properly licensed.

The District Attorney reminds residents that contractors for many residential projects in Sedgwick County are required to be qualified and licensed by Metropolitan Area Building and Construction Department (MABCD). Work may also require permits, inspections and certificates of occupancy to insure the work is safe and up to code. Some trades have additional duties. For example, roofers are required to register with the Attorney General’s Office. Anyone conducting “door-to-door” sales must also provide residents with a three (3) day right to cancel which is available at K.S.A. 50-640.

The default judgment was ordered May 18, 2022 by Judge Stephen Ternes. The case was investigated by Andrea Poirier of the District Attorney’s Office.

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

Dan.Dillon@SEDGWICK.GOV