

District Attorney Marc Bennett
18th Judicial District of Kansas



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WICHITA, KAN. – A \$36,334.50 default judgment was entered against a local used car dealership for additional violations of the Kansas Consumer Protection Act (KCPA) based on allegations it failed to provide title for multiple cars within sixty days of the sale.

On April 26, 2022, the Consumer Protection Division obtained a default judgment against Family First Auto, LLC, formerly located at 2005 S. Broadway in Wichita, for violations of the KCPA. After the judgment was announced two new consumers came forward reporting they also did not receive title from the dealership. The Consumer Protection Division alleged that Family First Auto, LLC, failed to provide two separate consumers the title to the vehicle they purchased within sixty days. One of the impacted consumers was a “protected consumer” under the KCPA. The Court found those failures to be deceptive and/or unconscionable under the KCPA. As part of the ruling the Court ordered Family First to pay over \$5,000 in restitution to the consumers, \$30,000.00 in civil penalties, and also pay for court costs and fees. The dealership is closed and no longer in business.

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 District Attorney reminds residents that customers should receive certificates of title within sixty days of vehicle purchase so the buyer can register the vehicle. Failure to provide title within sixty days makes the transaction “fraudulent and void” entitling buyers to a refund. K.S.A. 8-135(c)(7).

The default judgment was filed August 26, 2022 and signed by Judge Deborah Hernandez Mitchell. The case was investigated by Dwight Wilkes of the District Attorney’s Office.

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