

District Attorney Marc Bennett
18th Judicial District of Kansas



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WICHITA, KAN. – An \$86,996.87 default judgment was entered against a local used car dealership for violations of the Kansas Consumer Protection Act (KCPA). The dealership is now permanently enjoined from selling vehicles in Kansas.

The District Attorney's Consumer Protection Division investigated Midwest Wholesale, LLC, doing business as Kansas Motor Company after receiving consumer complaints on the dealership formerly located at 6717 W. Kellogg Drive in Wichita. The Consumer Protection Division alleged it received two separate consumer complaints after the dealership failed to provide title to the buyers. During the investigation, the Consumer Protection Division discovered in one transaction the Defendant failed to deliver title to a consumer who purchased a vehicle and traded in another. The dealership also failed to pay off the outstanding loan balance on the trade-in resulting in the consumer having two car payments and no title. In the second transaction, Defendant sold the same trade-in from the first transaction to a protected consumer without paying off the trade-in. In both transactions, Defendant failed to deliver title within 60 days in violation of Kansas law resulting in both consumers being unable to register and legally drive their purchased vehicles.

The default judgment calls for the Defendant to pay over \$54,000 in restitution to the consumers and \$30,000 in civil penalties for the KCPA violations in addition to other costs and expenses. The judgment also revoked the dealership's business license and permanently enjoined them from selling motor vehicles in Kansas.

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 consumers should receive certificates of title within 60 days of vehicle purchase so the buyer can register the vehicle. Failure to provide title makes the transaction "fraudulent and void" entitling buyers to a refund. K.S.A. 8-135(c)(7).

The default judgment was entered on October 26, 2022 and signed by Judge William Woolley. The matter was investigated by the Consumer Protection Division of the District Attorney's Office.

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