

District Attorney Marc Bennett
18th Judicial District of Kansas



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For Immediate Release, February 3, 2023

WICHITA, KAN. – A \$45,094.72 default judgment was entered against a local used car dealership and its owner for violations of the Kansas Consumer Protection Act (KCPA). The dealership and its owner are now permanently enjoined from selling vehicles in Kansas.

The District Attorney's Consumer Protection Division investigated Source Motors, LLC, as well as Carlos Brown after receiving a consumer complaint on the dealership formerly located at 3246 S. Broadway in Wichita. The Consumer Protection Division alleged it received a consumer complaint after the dealership failed to provide title to a buyer. The buyer was over 60 years of age and is considered 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 investigation by the Consumer Protection Division discovered Defendants failed to deliver title within 60 days and issued multiple 60-day temporary registration permits in violation of Kansas law.

The default judgment calls for the Defendants to pay nearly \$4,000 in restitution to consumer and \$40,000 in civil penalties for the KCPA violations in addition to other costs and expenses. The judgment permanently enjoined Brown from selling motor vehicles in Kansas.

The District Attorney reminds residents that buyers 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 buyers to a refund. K.S.A. 8-135(c)(7). 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 default judgment was filed on February 2, 2023 and signed by Judge Eric Commer. The matter was investigated by Kristen Zluticky of the District Attorney's Office.

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