

District Attorney Marc Bennett
18th Judicial District of Kansas



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For Immediate Release, October 31, 2023

WICHITA, KAN. – A Wichita home remodeling business and its owner have entered into a consent judgment with the Office of the District Attorney. The District Attorney’s Consumer Protection Division investigated Whitetail Remodeling LLC and its owner Colby Sawyer after receiving a consumer complaint.

The District Attorney’s Office alleged Whitetail and Sawyer violated the Kansas Consumer Protection Act (“KCPA”) by failing to provide a material benefit to consumers when the business failed to issue a refund after failing to complete a home remodeling project. The Consumer Protection Division also alleged the business failed to obtain necessary permits, was not properly licensed at the time of the contract, and failed to disclose that information to the consumers.

While Whitetail and Sawyer denied intentionally violating the KCPA, they accepted a consent judgment to settle the matter. As part of the consent judgment, the business and Sawyer agreed to a thirty (30) month probationary period with the Consumer Protection Division. During that time period, they must pay \$35,000 in restitution to the consumers. Both the business and owner are liable for \$30,000.00 in civil penalties, along with additional investigative expenses, and court costs. As part of the settlement, Whitetail and Sawyer promised not to perform or contract for work the business does not have the requisite license or skill to perform. Future contracts will include proper notices of the three-day right to cancel the transaction for any door-to-door sales. Future services will also include obtaining necessary permits and inspections. The consent judgment includes an injunction from engaging in deceptive or unconscionable acts in the future and defendants agreed to cooperate with the investigation of any future complaints.

The District Attorney reminds residents that contractors for many residential projects are required to be qualified and licensed, in their own name, by the Metropolitan Area Building and Construction Department (MABCD). Work, including electrical and plumbing, may also require permits. Anyone engaging in door-to-door sales or offering their services outside of their place of business is also required to provide customers a specific notice both orally and in writing to inform the consumer that they can cancel the contract within three days. The requirements are located in K.S.A. 50-640. Some trades have additional duties, for example, roofers are required to register with the Attorney General’s Office.

The consent judgment was approved on October 30, 2023, by Judge William Woolley. The case was investigated by Andrea Poirier with the Office of the District Attorney.

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