

District Attorney Marc Bennett  
18<sup>th</sup> Judicial District of Kansas



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For Immediate Release, December 11, 2023

**WICHITA, KAN.** – A Wichita contractor has entered into a consent judgment with the Office of the District Attorney. The District Attorney’s Consumer Protection Division investigated David Jones after receiving a consumer complaint.

The District Attorney’s Office alleged Jones violated the Kansas Consumer Protection Act (“KCPA”) by failing to offer a material benefit to consumers when the contractor did not issue a refund after an incomplete construction project.

While Jones denied intentionally violating the KCPA, he accepted a consent judgment to settle the matter. As part of the judgment, Jones agreed to a 36-month probationary period with the Consumer Protection Division. During that time period, he must pay \$15,000 in restitution to the consumers. He is also liable for \$10,000.00 in civil penalties, along with additional investigative expenses, and court costs. As part of the settlement, Jones promised not to perform or contract for work he 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 Jones 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 December 4, 2023, by Judge Faith Maughan. The case was investigated by Andrea Poirier with the Office of the District Attorney.

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