

District Attorney Marc Bennett
18th Judicial District of Kansas



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For Immediate Release, January 29, 2024

WICHITA, KAN. – A used car dealership in Maize and its owner have entered into a consent judgment with the Office of the District Attorney, resolving allegations of violations of the Kansas Consumer Protection Act. The District Attorney’s Office investigated Maize Motors, LLC and Gabriel Nicholson after receiving a consumer complaint when a buyer could not register and title a vehicle.

The Consumer Protection Division alleged Nicholson and Maize Motors failed to deliver title to a Mustang within 60 days as required by Kansas law and failed to disclose to the consumers that the dealership could not provide title within 60 days of the purchase. The investigation identified the dealership sold the Mustang on two prior occasions and attempted to transfer title to the vehicle via a “Permit to Sell” obtained from a Louisiana seller. However, both prior buyers returned the Mustang to the dealership when they could not register it. The dealership maintains it believed the “Permit to Sell” was sufficient to transfer title in Kansas. Prior to settlement, the dealership obtained quiet title to the Mustang and delivered title to the consumers outside the 60 days required by Kansas law.

While both Nicholson and the dealership denied intentionally violating the Kansas Consumer Protection Act, they agreed to enter a consent judgment to resolve the allegations. Both will be on probation for 12 months with the Consumer Protection Division during which they will be liable for \$5,000 in civil penalties as well as additional investigative expenses and court costs. They also agreed to pay \$1,000 in restitution to the impacted consumers. As part of the consent judgment, Nicholson and the dealership agreed to cooperate with any future complaints and are enjoined for five years from deceptive and unconscionable acts in consumer transactions. Both agreed in the future to provide full refunds to consumers if the dealership fails to deliver title within 60 days and the customer elects to void the transaction.

The District Attorney reminds residents that buyers should receive certificates of title within 60 days of vehicle purchase so they can register the vehicle. Failure to provide title within 60 days makes the transaction “fraudulent and void” entitling buyers to a full refund. K.S.A. 8-135(c)(7). Used vehicles that do not have a Kansas title must pass inspection with the Kansas Highway Patrol prior to being registered with the County Treasurer. For more information on inspections visit www.kansashighwaypatrol.gov/get-a-vin-inspection/vin-inspection-locations/regular-vin-inspection/

The consent judgment was approved by Judge Stephen Ternes and filed on January 23, 2023. The matter was investigated by Kristen Zluticky with the District Attorney’s Office.

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