

OHIO ATTORNEY GENERAL SUES GARAGE DOOR COMPANY

LITANY OF COMPLAINTS PROMPTS LAWSUIT

Editor's note

This story is a wakeup call for garage door companies engaging in illegal, fraudulent, or deceptive behaviors. It's also an excellent resource for homeowners who feel they have been scammed by a garage door company. Keep reading to find out where to file complaints, and what happens when an Attorney General takes them seriously.

By Vicki Jones, Editor



THIS LAWSUIT SHOULD SERVE AS A DETERRENT TO OTHER CONTRACTORS WHO PLAY FAST AND LOOSE. WE'LL COME DOWN ON THEM HARDER THAN A GARAGE DOOR WITH A BUSTED SPRING, SAID YOST.



A Cleveland-area garage door company, CLE Door Co., made headlines after Ohio Attorney General Dave Yost filed a lawsuit against the company on Aug. 8, 2022. The suit [CV 22 967092] was filed in the Court of Common Pleas in Cuyahoga County, and the plaintiff [the state of Ohio] cited multiple causes of action against the company.

What are the charges?

The first cause alleges that CLE Door Co. violated the Consumer Sales Protection Act (CSPA) with “failure to deliver” and “misrepresentation.” The second cause alleges the company violated the Home Solicitation Sales Act (HSSA) by failing to offer customers the proper three-day right to cancel notice after their customers signed an agreement.

Potential consequences

The Ohio Attorney General requested that the company be charged with the aforementioned violations and that the defendants be prevented from “engaging in business as a supplier in any consumer transaction in the State of Ohio until they have satisfied all monetary obligations ordered by the Courts.”

In addition, damages were requested to be paid to all consumers injured by the defendants’ conduct, and an additional \$25,000 fine be paid for each separate violation of the CSPA.

“This is not how we do business in Ohio,” Yost said in a press release posted on the Attorney General’s website. “This lawsuit should serve as a deterrent to other contractors who play fast and loose. We’ll come down on them harder than a garage door with a busted spring.”

According to the Attorney General’s office, CLE Door accepted nearly \$182,000 in down payments from customers and provided no products or other services for these monies.

Yost told D+AS, “The number continues to grow as additional consumer file complaints come in. Six additional consumers have come forward since the lawsuit was announced.”

Sounding the alarm

The Attorney General’s office told D+AS that they began receiving customer complaints against CLE Door in Feb. 2022 and between April 27, 2021, and Jan. 3, 2022, they received 33 consumer complaints about CLE Door.”

Yost said, “With any lawsuit, we generally look at the number of complaints, egregiousness of complaints, rates at which complaints are coming in, money lost, and any other information shared with us by other consumer agencies like the Better Business Bureau (BBB).”

BBB complaints

The Better Business Bureau (BBB) website (as of Aug. 12, 2022) had 30 consumer complaints for CLE Door and Gutter Co. dated from Nov. 8, 2021, to March 26, 2022. Of those complaints, the BBB reported that none were “answered,” one was

“resolved,” and two were “unanswered.” For the remaining 27 complaints, the BBB was “unable to locate the company.”

One BBB complaint detailed how a customer gave a CLE Door technician a deposit for half the estimated products and services on Oct. 18, 2021. “I felt comfortable doing this because I did my research with this company, and they had a good rating with BBB,” she said. Less than six months later, a total of 30 complaints against CLE Door had amassed.

That total might not accurately represent all complaints filed with BBB against CLE Door. Some consumers may choose to keep the details of their complaint private, some complaints may not meet BBB’s standards for publication, or “BBB may display a portion of complaints when a high volume is received for a particular business.”

Misrepresenting

The BBB also posted an alert on CLE Door’s profile page regarding the alleged false claim that they *were* an accredited BBB company.

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BBB ALERT

In March 2022, the BBB contacted CLE Door regarding its use of the BBB Accredited Business seal and statement [“We’re accredited by the Better Business Bureau and have an abundance of happy clients.”] on its website.

Also included on the company’s business profile page is the statement: “This business is not BBB accredited and our policies prohibit such references.” Despite this rating, the CLE Door website still has the BBB “Accredited Business” logo posted on their website.



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The BBB website clearly indicates if a company is or is not BBB accredited. Based on the BBB alert posted on the CLE Door business profile page, it appears the company is misrepresenting themselves as BBB accredited when they actually have an NR rating (not BBB accredited).

Outed on social media

In addition to the BBB content, a public Facebook group by the name of “CLE Doors — Customers owed work, stolen deposits” was launched on Feb. 23, 2022.

As of Aug. 12, the group had accumulated a remarkable 154 members and counting. According to their About page, “CLE Doors



WE ALL DESERVE OUR STOLEN MONEY BACK, BUT NOT ON SOMEONE ELSE'S TIMEFRAME. ACTIONS HAVE CONSEQUENCES.



appears to have gone out of business with unfinished work orders and deposits taken from customers. This group was created to help gather and share information for consumers affected.”

On May 26, 2022, one member posted, “We all deserve our stolen money back, but not on someone else’s timeframe. Actions have consequences.”

Local news

The News5Cleveland news station aired a story on CLE Door and Gutter Co. in June 2022. Two homeowners were featured on the segment and shared similar stories of paying deposits and waiting for work to be completed.

Joe Pagonakis, reporter for News5, was told by CLE Door that pandemic-related supply chain issues were part of the problem. CLE added that “the company is working with the Ohio Attorney General to solve all customer-related complaints.”

Pagonakis reported that Maggie Kurtz, one of the frustrated homeowners featured in the story said, “I feel like I’ve been taken and treated horribly. I gave him a deposit of \$3,000; he wanted half upfront. I trusted them and now I want them to do the right thing.”

Be persistent

In this particular case, there were multiple customers affected. Many of them took key steps to alert the proper channels about the misconduct. They contacted TV news outlets, set up the Facebook group, filed BBB reports, and contacted their state Attorney General’s office.

Yost urged consumers who suspect they have been a part of unfair or deceptive sales practices to report the incident by filing a complaint with the Ohio Attorney General’s Office.

According to the members’ posts from the dedicated Facebook group, some customers have received full refunds from

CLE Door for their deposits since the Facebook group was established. One member said he received his full \$1,500 deposit.

That customer said that he had spoken with a CLE Door employee who had met with the Ohio Attorney General. The employee said that the company’s intentions are “to refund everyone, eventually.” The Facebook group member said, “I believe he was sincere.”

Editor’s note:

D+AS reached out to CLE Door to hear their side of the story. We called, but their voicemail box was full; we contacted them using their online “contact us” form, but they did not respond. ■

BEFORE YOU SIGN THAT CONTRACT ... Dos and Don’ts from the Ohio Attorney General

The Ohio Attorney General website offers key steps that homeowners can take before contracting home improvement services, including garage door services.

Before signing a home improvement contract, *do* make sure that:

- All project financing is preapproved.
- You have checked with local officials to see if permits are required for the project.
- The contractor has given you references, which you’ve checked.
- The contractor has shown you proof of licenses, insurance, and bonding. State law does not require home improvement contractors to be licensed, but many cities do.
- You have checked with the Better Business Bureau at www.bbb.org and your Attorney General’s office to see if complaints are on file against the company.
- You have received at least three written estimates from three different contractors.
- You always ask for the manufacturer’s warranty in writing on items such as siding, windows, roofing materials, and heating and cooling equipment.
- After the job has been completed, you request an itemized receipt for the work performed. Keep old parts, such as furnace parts, in case you later need to prove that a particular item did not need to be replaced.

Don’t enter into a home improvement deal unless it is in writing and is signed by both you and the contractor. The contract should detail all of the necessary information for completing the work, such as:

- A complete description of the work to be done, timeframe, and the materials to be used.
- A provision requiring written approval for any changes.
- A clear statement explaining any contractor guarantee or warranty, and all of the contractor’s oral promises.
- A provision stating the total cost for the work and the specific terms for payment of materials and labor.
- A provision that does not require you to pay attorney’s fees, court costs, or damages in case of a dispute or cancellation.
- A requirement for the contractor to obtain all necessary permits and inspections.

Contracts should not have a requirement for a large down payment or payment-in-full until the project is complete and has been inspected. Make sure the contract does not include a mandatory arbitration clause, in which you will waive your right to sue.