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BRANDEN C. MEYER  
CLERK OF COURTS  
FAIRFIELD CO. OHIO

IN THE COURT OF COMMON PLEAS  
FAIRFIELD COUNTY, OHIO

STATE OF OHIO, ex rel.  
ATTORNEY GENERAL  
DAVE YOST  
30 East Broad St., 14th Floor  
Columbus, Ohio 43215

Plaintiff,

v.

HIGHWAY 22 AUTO SALES LLC,  
Debra Ann Jeffers  
Statutory Agent  
1071 Woodlane Dr. N.E.  
Lancaster, Ohio 43130

and

DEBRA ANN JEFFERS, individually  
1071 Woodlane Dr. N.E.  
Lancaster, Ohio 43130

Defendants.

CASE NO.

JUDGE

25 CV 387

JUDGE BERENS

COMPLAINT FOR  
DECLARATORY JUDGMENT,  
INJUNCTIVE RELIEF,  
RESTITUTION, CIVIL  
PENALTIES, AND OTHER  
APPROPRIATE RELIEF

JURISDICTION

1. Plaintiff, State of Ohio, by and through counsel, the Attorney General of Ohio, Dave Yost, having reasonable cause to believe that violations of Ohio's consumer protection laws have occurred, brings this action in the public interest and on behalf of the State of Ohio under the authority vested in him by the Ohio Consumer Sales Practices Act ("CSPA"), R.C. 1345.01 *et seq.*, and the Certificate of Motor Vehicle Title Act, R.C. 4505.01 *et seq.*
2. The actions of Defendants Highway 22 Auto Sales LLC ("Highway 22") and Debra Ann Jeffers ("Jeffers") (collectively "Defendants"), hereinafter described, have occurred in the State of Ohio, Fairfield County and other counties, and, as set forth below, are in violation of the CSPA, R.C. 1345.01 *et seq.*, and the Certificate of Motor Vehicle Title Act, R.C.

4505.01 *et seq.*

3. Jurisdiction over the subject matter of this action lies with this Court pursuant to R.C. 1345.04 of the CSPA.
4. This Court has venue to hear this case pursuant to Ohio Civ. R. 3(C)(1) through (3), in that Defendants reside in, operated their business from and engaged in some of the transactions complained of herein in Fairfield County, Ohio.

#### **DEFENDANTS**

5. Defendant Highway 22 is an Ohio limited liability company last operating at 391 Lincoln Ave., Lancaster, Ohio 43130.
6. Defendant Debra Ann Jeffers is an individual residing at 1071 Woodlane Dr. N.E., Lancaster, Ohio 43130.
7. Defendant Highway 22 is a licensed used motor vehicle dealer operating under an inactive permit issued by the Ohio Bureau of Motor Vehicles, permit number UD024178.
8. Defendant Jeffers is the principal owner of Defendant Highway 22 and dominated, controlled and directed the business activities and sales conduct of Defendant Highway 22, exercised the authority to establish, implement or alter the policies of Defendant Highway 22, and committed, allowed, directed, ratified or otherwise caused the following unlawful acts to occur.
9. Defendants, as described, are “suppliers” as that term is defined in R.C. 1345.01(C) as they, at all times relevant herein, engaged in the business of effecting or soliciting “consumer transactions” by offering for sale, selling or financing the purchase of used motor vehicles to individuals for purposes that were primarily personal, family or household within the

meaning specified in R.C. 1345.01(A).

### **STATEMENT OF FACTS**

10. Defendants were at all times relevant to this action engaged in the business of soliciting, promoting, purchasing, selling, financing and collecting the proceeds of the sales of used motor vehicles to consumers residing in Fairfield and other Ohio counties.
11. Defendants solicited individual consumers to enter into consumer transactions, specifically for the sale of used motor vehicles.
12. In some instances, the Defendants did not have physical possession of the titles and/or the vehicles were not titled to the Defendants on the dates the vehicles were sold to consumers.
13. Defendants failed to file applications for certificates of title within thirty days after the assignment or delivery of motor vehicles.
14. Defendants failed to obtain certificates of title on or before the fortieth day after the sale of motor vehicles.
15. As a result of Defendants' conduct in paragraphs 12-14, consumers were unable to obtain certificates of title to their used motor vehicles and filed complaints with the Ohio Attorney General.
16. The Ohio Attorney General made payouts from the Title Defect Recision ("TDR") Fund for the Defendants' failure to transfer title. As of the date of the filing of this Complaint, the Ohio Attorney General has paid \$39,121.00 from the TDR fund for Defendants' failure to transfer title with more payouts expected.

**CAUSE OF ACTION:**  
**VIOLATIONS OF THE CERTIFICATE OF MOTOR VEHICLE TITLE ACT**  
**& THE CONSUMER SALES PRACTICES ACT**

17. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in the preceding paragraphs of this Complaint.
18. Defendants engaged in unfair and deceptive acts and practices in violation of R.C. 1345.02(A), by failing to file applications for certificates of title within thirty days after the assignment or delivery of motor vehicles as required by R.C. 4505.06(A)(5)(b).
19. Defendants engaged in unfair and deceptive acts and practices in violation of R.C. 1345.02(A), by selling motor vehicles to consumers, in the ordinary course of business, and then failing to obtain certificates of title on or before the fortieth day after the sale of the motor vehicles as required by R.C. 4505.181(B)(1).
20. Such acts or practices have been previously determined by Ohio courts to violate the CSPA, R.C. 1345.01 *et seq.* Defendants committed said violations after such decisions were available for public inspection pursuant to R.C. 1345.05(A)(3).

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays that this Court:

- A. ISSUE A DECLARATORY JUDGMENT declaring that each act or practice described in Plaintiff's Complaint violates the CSPA, R.C. 1345.01 *et seq.*, and the Certificate of Motor Vehicle Title Act, R.C. 4505.01 *et seq.*, in the manner set forth in this Complaint.
- B. ISSUE PERMANENT INJUNCTIVE RELIEF enjoining Defendants and any officers, agents, representatives, salespeople, employees, successors and assigns and all persons acting in concert or participating with Defendants, directly or indirectly, from engaging in

the acts and practices of which Plaintiff complains and from further violating the CSPA, R.C. 1345.01 *et seq.*, and the Certificate of Motor Vehicle Title Act, R.C. 4505.01 *et seq.*

- C. ORDER Defendants liable for reimbursement to all consumers found to have been damaged by the Defendants' unfair and deceptive acts and practices.
- D. ORDER Defendants liable for payment for any amounts paid from the TDR Fund for the Defendants' failure to transfer title.
- E. ASSESS, FINE, AND IMPOSE upon Defendants a civil penalty of \$25,000.00 for each of the unfair and deceptive acts alleged in the Complaint, pursuant to R.C. 1345.07(D).
- F. ORDER that Defendants be enjoined from engaging in consumer transactions as a supplier in the State of Ohio until they have satisfied all payment to the TDR Fund, restitution, civil penalties and court costs have been paid.
- G. ORDER that Defendants be prohibited from maintaining, renewing or applying for an auto dealer license under Chapter 4517 of the Revised Code.
- H. GRANT Plaintiff its costs in bringing this action, including, but not limited to, the costs of collecting on any judgment awarded.
- I. ORDER Defendants to pay all court costs.
- J. GRANT such other relief as the Court deems to be just, equitable and appropriate.

DAVE YOST  
Ohio Attorney General

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