

**STATE OF VERMONT
SUPERIOR COURT
WASHINGTON UNIT**

IN RE: **Creative Building Solutions, LLC**)
)
) CIVIL DIVISION
) Docket No. _____
)
)

ASSURANCE OF DISCONTINUANCE

Vermont Attorney General Charity R. Clark (“the Attorney General”) and Creative Building Solutions, LLC and/or its owner proprietor Craig Morse hereby agree to this Assurance of Discontinuance (“AOD”) pursuant to 9 V.S.A. § 2459.

REGULATORY FRAMEWORK

1. Vermont’s Consumer Protection Act prohibits “unfair methods of competition in commerce, and unfair or deceptive acts or practices in commerce.” 9 V.S.A. § 2453.

BACKGROUND

2. Respondent the d/b/a of professional corporation organized under the laws of Vermont with its principal place of business listed as 37 Stockwell Drive, Brattleboro, VT, 05303.

3. Respondent is a residential contractor in the State of Vermont.

4. In its capacity providing its services, Respondent contracted with Noreen Mackin in 2022 for improvements and/or repair to her residential dwelling. Specifically, Respondent was hired to do the following:

- a. porch and decks completion;
- b. siding, roofing, electrical, shiplap, and flooring.
- c. techno-post and cedar for the deck.

5. Ms. Mackin is owed \$24,900.00 pursuant to an arbitration award for services above not completed or provided under the terms of the contract.

6. Respondent failed to perform or deliver the services it agreed to produce.
7. The Attorney General alleges that the above conduct constitutes unfair and deceptive acts and practices under 9 V.S.A. § 2453.

INJUNCTIVE RELIEF

Prohibition Against Violations of the Vermont Consumer Protection Act

Respondent shall cease and desist from any acts or practices that violate the CPA.

RESTITUTION

Respondent shall pay \$24,900.00 to Ms. Noreen Mackin of Brattleboro, Vermont in monthly installments of \$2,000.00 on or before the 15th of each month commencing June 15, 2023.

Respondent at its election may pay more than \$2,000.00 monthly, or pay off the entire amount (or any remainder after monthly payments commence) at any time. The final payment may be a remainder amount less than \$2,000.00.

Payments shall continue until the total amount is repaid.

CIVIL PENALTY

Respondent shall pay \$10,000 to the State of Vermont on or before July 1, 2023. Such amount is suspended for Respondent's cooperation in the investigation and resolution of this matter, and current inability to pay.

OTHER TERMS

8. Respondent agrees that this AOD shall be binding on it, and its successors and assigns.

9. The Attorney General hereby releases and discharges any and all claims arising under the Vermont Consumer Protection Act, 9 V.S.A. Chapter 63, that it may have against Respondent up to the AOD's effective date in relation to the subject matter of this investigation and AOD.

10. The Superior Court of the State of Vermont, Washington Unit, shall have jurisdiction over this AOD and the parties hereto for the purpose of enabling the Attorney General to apply to this Court at any time for orders and directions as may be necessary or appropriate to enforce compliance with or to punish violations of this AOD.

11. Acceptance of this AOD by the Attorney General's Office shall not be deemed approval by the Attorney General of any practices or procedures of Respondent not required by this AOD, and Respondent shall make no representation to the contrary.

STIPULATED PENALTIES

12. If the Superior Court of the State of Vermont, Washington Unit enters an order, following submissions by the parties, finding that Respondent has materially violated this AOD, then the parties agree that penalties to be assessed by the Court for each such violation shall be \$5,000.

NOTICE

13. Respondent may be contacted through Craig Morse:

Craig Morse
Creative Building Solutions, LLC
37 Stockwell Drive
Brattleboro, VT 05303

And/or


P.O. Box 2381
Brattleboro, VT 05303

14. Respondent shall notify the Attorney General of any change to the method of contact described above.

SIGNATURE

In lieu of instituting an action or proceeding against Respondent, the Office of the Vermont Attorney General, pursuant to 9 V.S.A. § 2459, accepts this Assurance of Discontinuance. By signing below, Respondent voluntarily agrees with and submits to the terms of this Assurance of Discontinuance.

DATED at _____, this 26 day of June, 2023.


Craig Morse
Authorized agent of Creative Building Solutions, LLC

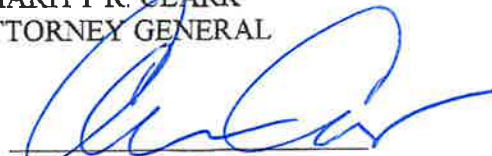
ACCEPTED on behalf of the Attorney General:

DATED at Montpelier, Vermont this 8 day of September, 2023.

STATE OF VERMONT

CHARITY R. CLARK
ATTORNEY GENERAL

By:



Christopher J. Curtis
Assistant Attorney General
Office of Attorney General
109 State Street
Montpelier, Vermont 05609
christopher.curtis@vermont.gov
(802) 279-5496