

STATE OF VERMONT

SUPERIOR COURT
CHITTENDEN UNIT

CIVIL DIVISION
DOCKET NO. _____

STATE OF VERMONT,)
)
 Plaintiff,)
)
 v.)
)
 PLUMB PERFECT, LLC and)
 STANLEY SELIG,)
)
 Defendants.)

COMPLAINT

The Vermont Attorney General brings this suit against Defendants for violations of the Vermont Consumer Protection Act, 9 V.S.A. § 2453, which prohibits unfair and deceptive acts and practices. Defendants have engaged in persistent unlicensed plumbing activity and advertising of the same. These activities constitute unfair and/or deceptive acts under the statute. For these violations, the Attorney General seeks civil penalties, restitution, injunctive relief, disgorgement, fees and costs, and other appropriate relief.

I. PARTIES, JURISDICTION, AND VENUE

A. Plaintiff

1. The Vermont Attorney General is authorized under the Vermont Consumer Protection Act, 9 V.S.A. § 2458, to sue to enforce the Act’s prohibitions on unfair and deceptive acts and practices in commerce.

2. The Vermont Attorney General also has the right to appear in any civil action in which the State has an interest. 3 V.S.A. § 157. The Attorney General has an interest in ensuring that entities that do business in Vermont do so in a lawful

manner.

B. Defendants

3. Defendant Stanley Selig (“Mr. Selig”) is a resident of Vermont with his principal place of residence at 1197 North Avenue, #201, Burlington, Vermont, 05408.

4. Mr. Selig is the Owner and Principal Member of Plumb Perfect, LLC.

5. Defendant Plumb Perfect, LLC. (“Plumb Perfect”), is a Vermont for-profit corporation with its principal place of business located at 1433 North Avenue, Burlington, Vermont, 05408.

6. Plumb Perfect’s primary business is to own and operate a plumbing business.

7. Plumb Perfect advertises its services to the public via a website (www.stantheplumber.com).

8. Mr. Selig, through Plumb Perfect, performs plumbing services to the public.

C. Jurisdiction and Venue

9. The Court has personal jurisdiction over Defendants because they reside in Vermont and conduct business in Vermont, including in Chittenden County.

10. Venue in this Court is proper because Defendants reside and are located in Chittenden County.

11. This action is in the public interest.

II. FACTUAL BACKGROUND

12. Mr. Selig has owned and operated Plumb Perfect and/or advertised plumbing services since at least 2004.

13. On or about November 19, 2004, the Vermont Division of Fire Safety issued notice to Mr. Selig that he was advertising plumbing services without a license in violation of 26 V.S.A. §§ 2197, 2198. Exhibit A; Affidavit of G.J. Garrow, Vermont State Plumbing Inspector (hereinafter “Garrow”).

14. On or about October 26, 2005, the Vermont Division of Fire Safety issued notice to Mr. Selig that he was advertising plumbing services without a license in violation of 26 V.S.A. §§ 2197, 2198. Exhibit B; Affidavit of Garrow.

a. The advertisement referred to by the Vermont Division of Fire Safety appeared as follows:



15. On or about September 9, 2011, Mr. Selig applied for licensure with the State of Vermont. Exhibit C.

16. On or about September 20, 2011, the State of Vermont denied, Mr. Selig's application for licensure. Exhibit C.

17. Since 2017, the City of Burlington has continued to receive plumbing complaints against Mr. Selig and/or Plumb Perfect. Affidavit of John Ryan, Inspector, City of Burlington.

18. Since 2017, the Vermont Division of Fire Safety has continued to receive plumbing complaints against Mr. Selig and/or Plumb Perfect. Affidavit of Garrow.

19. Since 2017, the Office of the Attorney General Consumer Assistance Program has continued to receive complaints against Mr. Selig and/or Plumb Perfect. Affidavit of Gabriel Taylor-Marsh, Home Improvement Specialist.

20. As of October 30, 2023, the State of Vermont has no record of Mr. Selig having a license to engage in the plumbing profession. Affidavit of Garrow.

21. Mr. Selig, or a party responding as the “service provider” for “Plumb Perfect” has admitted in online reviews that he is not a licensed plumber (“No I don't have a plumbing license as required by the state of Vermont. I acted mostly as a GC and project coordinator.”).¹

22. The Better Business Bureau also confirms that it has checked Mr. Selig’s credentials and has issued the following warning: “**CURRENT ALERTS FOR THIS BUSINESS; Licensing:** BBB confirmed that Plumb Perfect had not obtained a necessary license from Vermont Department of Public Safety. BBB encourages you to contact the following agency or agencies to confirm this information: - <http://dps.vermont.gov/> - 802-244-8727; 800-862-5402; TTY/TDD 888-545-7598”.²

23. Multiple online review pages including the Better Business Bureau website (previously referenced), Angi (previously referenced), and Yelp include negative consumer reviews and allegations of unlicensed practice.³

¹ See, e.g.: <https://www.angi.com/companylist/us/vt/burlington/plumb-perfect-reviews-6327943.htm>. Last viewed October 26, 2023.

² See, e.g.: <https://www.bbb.org/us/vt/burlington/profile/plumber/plumb-perfect-0021-119640>. Last viewed October 26, 2023.

³ Id., and see, e.g.: https://www.yelp.com/biz/plumb-perfect-burlington-2?osq=plumbers&override_cta=Get+pricing+%26+availability. Last viewed October 26, 2023.

24. As of the date of filing (November 17, 2023) Mr. Selig and/or Plumb Perfect continues to advertise plumbing services to the Vermont consumers at www.stantheplumber.com.

a. Defendants' representations on the website referred to above include references to "expert service", "highly trained technicians" and "the experience and expertise to provide service and repair to your existing plumbing systems or installing a new plumbing or heating system. Call Stan the Plumber when you need plumbing or heating work done."

b. See, for example:

Plumb Perfect Services

Plumb Perfect is here to provide you with expert plumbing service, repair and installation & heating installation and retrofitting. We stand by our work and will get it right the first time.



Our team of highly trained technicians have the experience and expertise to provide service and repair to your existing plumbing systems or installing a new plumbing or heating system. Call Stan the Plumber when you need plumbing or heating work done.

Plumb Perfect Installations

Stan the Plumber and his Plumb Perfect team are experts when it comes to plumbing installations and retrofitting in Chittenden County homes. Stan and his team can install showers, hand showers, tubs, walk-ins, sink basins, faucets and toilets. Stan's Plumb Perfect Team can even take care of your tiling and sealing!



(Available at: <https://www.stantheplumber.com/plumbing-repair-service-installation.php>;

last visited and printed on November 6, 2023 at 12:13PM and 12:21 PM, respectively).

VIOLATIONS OF THE LAW

COUNT ONE

Unfair Acts and Practices in Violation of 9 V.S.A. § 2453

25. The State realleges and incorporates by reference each of the allegations contained in all paragraphs of this Complaint as though fully alleged herein.

26. Defendants have engaged and are continuing to engage in unfair acts and practices in commerce, in violation of the Vermont Consumer Protection Act, 9 V.S.A. § 2453(a), which offend the public policy and laws as expressed in state laws and rules relating to licensed professions, and specifically that are immoral, unethical, oppressive and unscrupulous; and cause substantial injury to consumers which is not reasonably avoidable by consumers themselves and not outweighed by countervailing benefits to consumers or to competition.

27. Specifically, Defendants violate the policy behind Vermont’s licensed plumbing laws which purpose are to “protect and improve the general health and welfare of the people of the State of Vermont... by authorizing and enforcing rules and regulations for properly designed, acceptably installed, and adequately maintained plumbing, water treatment, and hydronically related water heating systems and by licensing qualified plumbers and qualified heating and water treatment specialists” 26 V.S.A. § 2171.

28. Defendants have committed unfair and/or deceptive acts by representing they are qualified to perform plumbing work, when in fact, Defendants violate state law by:

- a. performing plumbing activity without a license; and

b. advertising for services that are only permitted by licensed plumbing practitioners.

29. Activities prohibited by Vermont law (26 V.S.A. §§ 2197, 2198) are per se unfair or deceptive actions in the marketplace that consumers cannot reasonably avoid when an unlicensed person advertises and holds themselves out to be “plumber” because a reasonable consumer expects a “plumber” to mean a licensed plumber.

WHEREFORE, Plaintiff State of Vermont respectfully requests that the Court enter judgment in its favor and the following relief:

1. A judgment determining that Defendants have violated the Vermont Consumer Protection Act;

2. A permanent injunction prohibiting Defendants from engaging in the unfair acts and practices identified herein;

3. A judgment requiring Defendants to provide restitution to all Vermont consumers who purchased services and complained to a public agency from Defendants in the last six (6) years;

4. Civil penalties of \$10,000 for each violation of the Vermont Consumer Protection Act;

5. The award of investigative and litigation costs and fees to the State of Vermont; and

6. Such other and further relief as the Court may deem appropriate.

Dated: November 28, 2023.

STATE OF VERMONT

CHARITY R. CLARK
ATTORNEY GENERAL

By: /s/ Christopher J. Curtis
Christopher J. Curtis
Assistant Attorney General
Office of Attorney General
109 State Street
Montpelier, Vermont 05609
christopher.curtis@vermont.gov
(802) 828-3171