

Date May 22, 2020

Attorney General Moody's Week In Review - May 22, 2020



This week, I issued a Consumer Alert for Floridians with loved ones residing in nursing homes or assisted living facilities. Reports of these facilities seizing residents' stimulus payments are beginning to surface nationwide. According to the Federal Trade Commission, some facility operators are taking payments meant for residents on Medicaid—justifying the seizure by claiming the facility, not the individual, is entitled to the payments.

This is disgraceful and unacceptable.

As we have seen throughout this crisis, residents in these facilities are at a higher risk of suffering and dying from COVID-19. They shouldn't have to carry the additional burden of worrying about their stimulus money being taken by those entrusted with their care. CARES Act payments are classified as a tax credit, not a federal benefit, and are allocated to individuals, not these facilities.

Please check on your loved ones living in nursing homes or assisted living facilities.

Ask if their stimulus payments have been received. If they haven't, ask the facility's management if they are holding the payments.

If they are, contact my office immediately by calling 1(866) 9NO-SCAM or by visiting [MyFloridaLegal.com](https://www.MyFloridaLegal.com). For more information, please visit my Consumer Alert webpage at [MyFloridaLegal.com/ConsumerAlert](https://www.MyFloridaLegal.com/ConsumerAlert).

Stay safe, Florida.

A handwritten signature in black ink, appearing to read "Ashley". The signature is written in a cursive, flowing style with a large initial "A".

In The News

Florida AG warns that nursing homes cannot seize patients' stimulus checks, WINK News

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Consumer Alert: Some nursing homes are stealing stimulus payments from residents, Florida Politics

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Florida AG: Nursing homes can't claim your loved one's stimulus payments, WJXT Jacksonville

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FTC warns some nursing homes, assisted living facilities trying to take patient stimulus checks, Action News Jax

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Don't let nursing homes take stimulus checks, Florida AG warns, WFLA Tampa

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Florida AG: Don't let nursing homes take your loved one's stimulus check, WEAR Pensacola

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Customers want a resolution to attorney general investigation into A/C contractor, WINK News

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Petland sold 'sick puppies,' says complaint filed by Florida attorney general, Orlando Sentinel

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**Florida attorney general says Petland store sold sick puppies as ‘high quality, healthy’,
Miami Herald**

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Ashley Moody takes on Orlando pet store selling sick puppies, Florida Politics

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Attorney General gives update to price gouging crisis, WMBB Panama City

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**Ashley Moody Warns About Robocall, Phishing and Imposter Scams as Florida Reopens,
Florida Daily**

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State warns of COVID scams, Key West Citizen

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**COVID-19 scammers are exploiting Florida’s reopening, attorney general warns, Sun
Sentinel**

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**COVID-19: Price gouging, robocalls, census scams prompt statewide warnings, crackdown,
Orlando Sentinel**

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**Ashley Moody secures \$7.7 million from Santander for ‘taking advantage’ of borrowers,
Florida Politics**

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**Ashley Moody: Millions in Relief from Subprime Auto Financing Company Headed to
Florida, Florida Daily**

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Attorney General seek to honor first responders killed or injured by COVID-19, Port

Protecting Floridians



Puppies

Attorney

General Ashley Moody filed a complaint against Hoof's Pets, Inc., d/b/a Petland Orlando East and Petland Waterford Lakes, and its owners and directors Geoffrey M. Hoofnagle and Ben W. Hoofnagle. The defendants allegedly misrepresent to consumers that the puppies are healthy, high-quality animals, and fit for sale, when in fact, in some instances, puppies have died soon after being purchased or suffered from congenital or other hereditary disorders.

Attorney General Ashley Moody said, "The sale of sick and dying puppies is both immoral and illegal. Planning for a new puppy requires a great deal of time and money—and certainly there is an emotional investment. Families deserve the assurance that they will in fact receive the high-quality puppy they were promised. It is reprehensible that the defendants would exploit the trust of new pet owners to make a profit while risking the health and safety of these puppies." [Read More](#)

Attorney General Moody Secures \$550 Million in Borrower Relief from Nation's Largest Subprime Auto Financing Company

Attorney General **Ashley Moody**

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Attorney

General Ashley Moody, along with a coalition of 34 attorneys general, secured an agreement with Santander Consumer USA Inc. that includes approximately \$550 million in relief nationally for auto loan borrowers, with even more relief expected in the form of additional deficiency waivers. Floridians are eligible for more than \$7.7 million in consumer restitution and more than \$35 million in waivers for balances owed on certain car loans owned by Santander. The proposed consent judgment, accompanying a complaint filed in circuit court in Hillsborough County, resolves allegations that Santander violated consumer protection laws by exposing subprime consumers to unnecessarily high levels of risk and knowingly placing these consumers into auto loans with a high probability of default.

Attorney General Ashley Moody said, "My office is committed to holding irresponsible lenders and servicers accountable when they take advantage of economically challenged Floridians. I urge affected Floridians to pursue their claims through the process made possible by this multistate settlement." [Read More](#)

Judge Rules in Favor of Attorney General Moody's Motion, Appoints Receiver over FCADV Foundation

Attorney General **Ashley Moody**

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A Leon County

Circuit Judge ruled in favor of Attorney General Ashley Moody, granting a motion to appoint a receiver over the Florida Coalition Against Domestic Violence Foundation. The receiver, Mark Healy, is already the receiver over the Florida Coalition Against Domestic Violence, and now controls the Foundation's assets amounting to approximately \$1.5 million plus some undeveloped parcels of real estate. Healy can use \$500,000 of the Foundation's funds to pay creditors, fund the mission of FCADV, distribute money to the state's 42 domestic violence shelters and for administrative costs. The remaining funds will be held by the receiver under court supervision. Today's ruling also ensures former Chief Executive Officer Tiffany Carr will no longer control the Foundation's finances.

Attorney General Ashley Moody said, "Today's ruling will help ensure funds contributed by donors will be used to support the mission of the FCADV as intended. Furthermore, the ruling advances our fight to hold former CEO Tiffany Carr accountable for the misappropriation of millions of dollars provided to the FCADV to help victims of domestic violence. We will continue to litigate this case to ensure justice is served." [Read More](#)

Caregiver Arrested for Neglect of an Elderly Adult



Attorney General Ashley Moody's Medicaid Fraud Control Unit and the Okaloosa County Sheriff's Office announced the arrest of a Fort Walton Beach woman for neglecting an elderly adult for more than a month. While employed at Destin Healthcare and Rehabilitation Center, Deanna Kay Tobin oversaw the care of pressure wounds by nurses and staff under her supervision. Tobin, charged with tending to elderly patients, failed to do so, and authorities arrested her on Wednesday.

Attorney General Ashley Moody said, "The behavior exhibited by this caregiver is disturbing and unacceptable. Residents and loved ones should never have to worry about whether treatment will be administered while in a long-term care facility. To neglect a resident for more than a month is shameful, dangerous and will not be tolerated." [Read More](#)

California Man Arrested for Bilking Dozens of Florida Seniors with the Promise of Eliminating Mortgage Payments

Attorney General Ashley Moody

NEWS ALERT



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Attorney

General Ashley Moody's Office of Statewide Prosecution and Chief Financial Officer Jimmy Patronis's Department of Financial Services today announced the arrest of a California man bilking Florida seniors. California authorities Thursday arrested Carlo Hamrahi in Los Angeles on a warrant issued out of Lee County, Florida. The arrest follows an investigation by DFS and OSP uncovering massive mortgage fraud targeting dozens of seniors.

Attorney General Ashley Moody said, "For many seniors, their homes are their most valuable asset and a cornerstone of their retirement plan. The defendant in this case used the allure of reducing or eliminating mortgage payments to defraud Florida seniors. He promised them financial freedom and in doing so risked losing his own freedom for decades to come. I want to commend my Statewide Prosecutors and DFS investigators for their diligent efforts in this case. I also want to thank California authorities for apprehending the suspect." [Read More](#)