

NEWS RELEASE

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FOR IMMEDIATE RELEASE

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AG LUTHER STRANGE ANNOUNCES SETTLEMENT TO COMPENSATE CONSUMERS AND REFORM PRACTICES OF PLUMBING COMPANY

(MONTGOMERY) – Attorney General Luther Strange today announced an agreement with a Jefferson County plumbing company to compensate certain wronged consumers and implement major reforms to its business practices. Attorney General Strange and the Alabama Plumbers and Gasfitters Examining Board have entered into a settlement with Plumbing 911 Inc. of Moody, and its owner and president, Tony C. Gowins of Talladega.

The agreement settles a complaint, also filed today in Jefferson County Circuit Court, that alleges numerous violations of the Alabama Deceptive Trade Practices Act and state plumbing regulations. These violations include charging consumers double the price of estimates, performing substandard and unnecessary work, causing major damage to property, failing to obtain required permits and licensing, and more. The settlement compensates five consumers in the total amount of \$109,044.12. The Attorney General's Office has already collected cashier's checks to be distributed to consumers upon court approval of the settlement. In addition, the State will receive \$140,955 for penalties, attorneys' fees and costs of the investigation.

"I am extremely pleased that we were able to obtain triple damages for these consumers, who suffered from egregious violations and wrongdoing by Plumbing 911," said Attorney General Strange. "Furthermore, the company is being compelled to abide by honest and scrupulous standards going forward. This should serve as a strong warning to others who engage in deceptive and unfair business practices."

Plumbing 911 operates throughout the greater Birmingham area and is alleged to have often mislead and deceived consumers. According to the complaint, "Plumbing 911 boasts of its 'fast and reliable drain service,' 'knowledgeable team of experts,' and offers a 'Senior Citizen Discount' on its website and in its Yellow Pages advertisements. It urges potential customers to 'save yourself from a disaster with our help,' but, unfortunately, disaster is exactly what Plumbing 911 delivered to a number of consumers and senior citizens who unwittingly relied on the phone book to choose a plumber."

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“The State of Alabama Plumbers and Gas Fitters Examining Board was glad to work with the Alabama Attorney General’s Office to bring resolution to this case,” said Executive Director David Wilcox. “The Board remains dedicated to the people of Alabama by striving to ensure quality work is performed by certified individuals and honest contractors. We would like to expressly recognize Compliance Officer Supervisor, Mr. Michael Leonhardi, and our Board’s attorney, Ms. Joy Whatley, for all their work on this case. Each plumber or gas fitter should possess a current card issued by the Board. The public should always feel free to contact the Board with any questions or concerns they may have.” Consumers may contact the Board by calling 205-945-4857.

According to the complaint, “This company has frequently given no written or oral estimate for its work unless explicitly requested by the customer, performed sub-optimal work on the homes and businesses it services, performed unnecessary work on homes and businesses, left homes in a dangerous condition, and charged more than double its own estimated price for the work performed. Customers are often left to pick up the debris, call a different plumbing company to fix Plumbing 911’s mistakes, and spend more time and money to fix a bigger dilemma than they had originally.”

For example, one couple called the company to fix a clogged toilet and later asked about a slow-draining shower. They were told the plumbing system in the house had been installed improperly and that the entire drainage system would have to be replaced. However, a previous city inspection showed the plumbing had been properly installed when the house was built. “Plumbing 911 performed hours of unnecessary work ... and essentially charged \$9,300 to unclog a toilet,” the complaint states. In the process, the company unnecessarily removed several portions of the floor joists, which compromised structural integrity and safety.

In addition to the financial compensation for involved consumers, the settlement sets forth detailed requirements for the company to operate in a reliable and responsible manner. This includes that the company must always provide a written estimate ahead of time, cannot pay employers commission or bonuses that could motivate overcharging and unnecessary work, must obtain all necessary licenses, permits and inspections of its work, must inform consumers of exceptional charges such as after-hours fees before an appointment is made, and cannot accept full or partial payment or collect credit card information until a job is fully completed.

Attorney General Strange commended those involved in bringing this case to a successful conclusion, noting in particular Assistant Attorneys General Noel Barnes and Tina Hammonds of his Consumer Interest Division and thanked the Alabama Plumbers and Gasfitters Examining Board.