

IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT IN AND
FOR BROWARD COUNTY, FLORIDA

OFFICE OF THE ATTORNEY GENERAL,
DEPARTMENT OF LEGAL AFFAIRS,
STATE OF FLORIDA,

Plaintiff,

v.

Case No. _____

A REALTY RX, LLC.,
and JIM PLATTS.

Defendants.

_____ /

**COMPLAINT FOR CIVIL PENALTIES, DAMAGES, INJUNCTIVE AND OTHER
EQUITABLE RELIEF**

The OFFICE OF THE ATTORNEY GENERAL, DEPARTMENT OF LEGAL AFFAIRS,
STATE OF FLORIDA sues Defendants, A REALTY RX, LLC, a Florida Corporation and JIM
PLATTS, an individual, and alleges:

JURISDICTION AND VENUE

1. This is an action for civil penalties, damages, injunctive, and equitable relief brought pursuant to the Florida Deceptive and Unfair Trade Practices Act (FDUTPA), Chapter 501, Part II, Florida Statutes against both Defendants.
2. This Court has jurisdiction pursuant to the provisions of said statutes.
3. The statutory violations alleged herein occurred in or affected more than one judicial circuit in the State of Florida.
4. Venue is proper in the Seventeenth Judicial Circuit, Broward County, Florida, as the Defendants engaged in business in Broward County and/or because much of the conduct

alleged below occurred in Broward County, Florida.

5. Plaintiff, Office of the Attorney General, Department of Legal Affairs, State of Florida, is an enforcing authority of Florida's Deceptive and Unfair Trade Practices Act, Chapter 501 Part II, Florida Statutes. Plaintiff is authorized to seek injunctive and other statutory and civil relief pursuant to the provisions of that Act.
6. Plaintiff conducted an investigation, and the head of the enforcing authority, Attorney General Bill McCollum, has determined that an enforcement action serves the public interest.
7. Defendants, at all times material hereto, have engaged in "trade or commerce" by advertising, soliciting, offering or distributing a good or service, within the definition of Section 501.203(8), Florida Statutes.
8. Defendants, at all times material hereto, provided goods or services as defined within Section 501.203(8), Florida Statutes.
9. Defendants, at all times material hereto, solicited consumers within the definitions of Section 501.203(7), Florida Statutes.

DEFENDANTS

10. Defendant A REALTY RX, LLC is an active for-profit Florida corporation with its principal place of business at 1440 Coral Ridge Dr., Suite 441, Coral Springs, FL 33071. A REALTY RX, LLC was, at all times material, owned and operated by Defendant JIM PLATTS.
11. Defendant JIM PLATTS was the President, Director, owner and operator of A REALTY RX, LLC. At all times material hereto, Defendant JIM PLATTS controlled the activities of

the Defendant corporation A REALTY RX, LLC.

FACTUAL ALLEGATIONS

12. On November 15, 2007, the Commonwealth of Pennsylvania filed a complaint against Defendant Jim Platts and his Pennsylvania company, Easy Realty Solutions. That complaint alleged that Platt and his company violated Pennsylvania's Consumer Protection Law and Pennsylvania's Secondary Mortgage Loan Act in part by utilizing false and misleading advertising practices, acting as a real estate broker without a license, engaging in the business of secondary mortgage lending without a license, and foreclosure rescue through fraudulent short sale negotiations. Said complaint is attached and incorporated herein as Plaintiff's Exhibit "1".
13. Although Mr. Platts' Pennsylvania real estate scams have been shut down, he is attempting to set up the same or similar real estate scams in Florida.
14. Mr. Platts' Florida company, Defendant A Realty RX, LLC, was incorporated in April, 2007. A Realty RX, LLC and Easy Realty Solutions maintained separate but nearly identical websites until the Easy Realty Solutions website was shut down as a result of the Pennsylvania complaint and subsequent injunction. *See* Exhibit "2". A Realty Rx, LLC's website shut down for a period of time immediately following the demise of Easy Realty Solutions, but is currently accessible.
15. A Realty RX, LLC and Easy Realty Solutions websites were identical such that all testimonials listed on each site were the same, albeit from either a Florida or Pennsylvania city. For example, on November 20, 2007, www.easyrealtysolutions.com provided the

following testimonial:

“Our home was listed for over one year without any offers and very little traffic. You were able to get it under agreement in only one week.”

J.M.- Moon Twp.

On the same date, www.arealtyrx.com contained the following testimonial:

“Our home was listed for over one year without any offers and very little traffic. You were able to get it under agreement in only one week.”

BP- Coral Springs, FL

The testimonials were identical because they were false. As of February 20, 2008, the A Realty Rx, LLC website continues to list the same testimonials. Said testimonials are incorporated herein as Plaintiff’s Exhibits “3” and “4”.

16. Currently, A Realty Rx, LLC’s website, www.arealtyrx.com, represents that the company buys properties, sells properties, and facilitates foreclosure solutions.
17. A Pennsylvania court froze all of Jim Platts’ and Easy Realty Solutions’ assets, including any located in Florida. A Realty Rx, LLC does not or should not have the liquid assets necessary to make real estate purchases. Said order is attached and incorporated herein as Plaintiff’s Exhibit “5”.
18. A Realty Rx, LLC does not own any of the 30 Florida properties it lists for sale on its website.
19. At no time relevant and material hereto, did A Realty Rx, LLC have a Florida real estate

- broker or sales associate license, in violation of Section 475.42, Florida Statutes.
20. All property listings on A Realty Rx, LLC's website include the same sales representative phone number, specifically "Sales Rep Name/#:954-696-5997". Although the number is answered by a female voice message, Jim Platts returns the call. Subsequently, Mr. Platts begins negotiations to sell the property.
 21. At no time relevant and material hereto, did Mr. Platts have a Florida real estate broker or sales associate license, in violation of Section 475.42, Florida Statutes.
 22. A Realty Rx, LLC purports to contain links to other useful sites. However, the only other link is to IStopForeclosures.net, another company associated with Jim Platts.
 23. IstopForeclosures.net is not registered with the Florida Department of State, in violation of Section 607.0505, Florida Statutes.
 24. Neither A Realty Rx, LLC nor Jim Platts has a Florida mortgage broker license. The A Realty Rx, LLC web site solicits information for the purpose of providing mortgage loans, which constitutes acting as a mortgage broker without a license, in violation of Section 494.0025, Florida Statutes. Since the A Realty Rx, LLC website impliedly represents that A Realty Rx, LLC can lawfully act as a mortgage broker in the State of Florida, the violation of Section 494.0025, Florida Statutes is unfair and deceptive.
 25. Neither A Realty Rx, LLC nor Jim Platts has registered any investments as securities within Florida. The A Realty Rx, LLC web site solicits private mortgage investors in mortgages as securities in violation of Section 517.07, Florida Statutes. Since the A Realty Rx, LLC website impliedly represents that A Realty Rx, LLC is lawfully selling securities, the violation of Section 517.07, Florida Statutes is unfair and deceptive.

COUNT 1

**DECEPTIVE AND UNFAIR TRADE PRACTICES
CHAPTER 501 PART II, FLORIDA STATUTES**

26. Plaintiff adopts, incorporates herein and re-alleges paragraphs 1 through 25 as if fully set forth below.
27. Chapter 501.204(1), Florida Statutes, declares that unfair or deceptive acts or practices in the conduct of any trade or commerce are unlawful.
28. At all times material, Defendants engaged in various deceptive and unfair trade practices, as set out further herein, in willful violation of Chapter 501, Part II, Florida Statutes (2001). Among said acts and practices were the following:
- (a) The Defendants use false testimonials to promote A Realty Rx, LLC.
 - (b) The Defendants misrepresent that they have the liquid assets to buy houses.
 - (c) The Defendants are not licensed Florida real estate brokers or sales agents, contrary to Defendants' implied representations on the A Realty Rx, LLC website.
 - (d) The Defendants implied to consumers that they were licensed mortgage brokers pursuant to Section 494.0025, Florida Statutes.
 - (e) The Defendants implied to consumers that they were lawfully selling securities pursuant to Section 517.07, Florida Statutes.
29. The acts and practices of the Defendants, as herein alleged, have been injurious to the public

and have resulted in damages thereto and as to Defendants' competitors, constitute unfair and deceptive acts and practices and/or unfair methods of competition, within the intent and meaning of Section 501 Part II, Florida Statutes. Said acts and practices further constitute unfair and deceptive acts and practices within the intent and meaning of the Federal Trade Commission Act and pursuant to the standards of unfairness and deception set forth and interpreted by the Federal Trade Commission and federal court.

30. Defendants' activities violate FDUTPA and should be enjoined.
31. Defendants knew or should have known that their acts and practices were unfair or deceptive.

WHEREFORE, Plaintiff requests this Court to:

- (a) enter an order permanently enjoining the Defendants, its agents, employees, or any other persons who act under, by, through, in concert with or on behalf of the Defendant from engaging in any real estate activities or business including but not limited to real estate sales, foreclosure rescue activities, and short sales;
- (b) enter a temporary injunction upon motion, and waive bond in connection with the entry of the same;
- (c) award actual damages to all consumers who are shown to have been injured in this action, pursuant to Section 501, Part II, Florida Statutes (2001);
- (d) award reasonable attorney's fees and costs to Plaintiff herein, pursuant to Section 501.2105, Florida Statutes (2001);
- (e) assess against the Defendants herein civil penalties in the amount of Ten Thousand Dollars (\$10,000.00) for each act or practice found to be in violation of Chapter 501,

Part II, Florida Statutes (2001) and;

- (f) grant such other and further relief as this Court deems just and proper.

Dated this ____ day of February, 2008.

Respectfully Submitted,

BILL McCOLLUM
ATTORNEY GENERAL

Judith Levine
Assistant Attorney General
Office of the Attorney General
Department of Legal Affairs
Fla. Bar. No. 0862789
110 S.E. 6th Street, Tenth Floor
Ft. Lauderdale, FL 33301
Tel: (954) 712-4600