



PRESS RELEASE

Colorado Department of Law
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Attorney General Cynthia H. Coffman Announces Settlement Against Colorado Springs Company that Misled Distressed Homeowners, Including Members of the Military, in the Foreclosure Process

DENVER—Colorado Attorney General Cynthia H. Coffman announced that her office has settled a lawsuit against Austin Home Ventures, LLC dba Capital Asset Recovery dba Capital Realty, Bryan Jensen, Ethan Eaton aka Ethan Graham, Bailey Perez, and Billy Fuston. The settlement requires Defendants to pay \$125,000 and includes injunctive relief to ensure compliance with the law and prevent future harm to consumers.

“If you are an unscrupulous business or individual looking to take advantage of homeowners in distress, my office is going to make sure you are held accountable,” said Attorney General Coffman. “This settlement returns money to homeowners in foreclosure who were misled by these Defendants and also helps to prevent future violations of the Colorado Consumer Protection Act directed at people already facing the loss of their homes.”

The lawsuit, filed in December 2015, alleged that Defendants failed to comply with the Colorado Consumer Protection Act and Colorado Foreclosure Protection Act

when they offered to assist foreclosed homeowners in obtaining overbid funds. An overbid occurs when a home is sold for more than the total amount owed on the mortgage loan. Although homeowners can obtain overbid funds at no cost through the appropriate public trustee's office, Defendants charged 20-50% of the amount of the overbid for their services and misrepresented the nature of the overbid recovery process. Consumers who paid Defendants for their overbid recovery services will receive restitution under the settlement. The settlement also prohibits Defendants from acting as foreclosure consultants.

Additionally, the Attorney General asserted that three of these Defendants—Austin Home Ventures, LLC, Mr. Jensen, and Mr. Eaton—violated Colorado law when they misled distressed homeowners about the services they would provide. Instead of helping homeowners, the Attorney General claimed that these Defendants rented homeowners' properties to third parties and collected and kept rental payments without the knowledge or consent of the homeowners. Many of the impacted homeowners were members of the military who needed to quickly relocate. The settlement prohibits Defendants from acting as equity purchasers or entering into any agreement concerning real property that is either subject to a foreclosure or where the underlying mortgage loan is at least 30 days delinquent or in default.

Attorney General Coffman thanks the public trustees of Adams, Arapahoe, Denver, El Paso, Larimer, Pueblo, and Weld counties for their assistance in this investigation and lawsuit.

To review a copy of the State's complaint and final consent judgment please go to <http://www.stopfraudcolorado.gov/our-cases/mortgage-foreclosure/austin-home-ventures-llc-dba-capital-asset-recovery-dba-capital>.

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