

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

STATE OF RHODE ISLAND,)	
<i>Plaintiff,</i>)	
)	
v.)	C.A. No.: PC 22 -
)	
Metro Motors, Inc.)	
<i>Defendant.</i>)	

COMPLAINT

The State of Rhode Island *ex rel.* Peter F. Neronha, Attorney General, and for its Complaint against Defendant states:

I. INTRODUCTION

1. This is a consumer protection action brought to redress and restrain violations of the Rhode Island Deceptive Trade Practices Act, R.I. Gen. Laws § 6-13.1.1 – § 6-13.1.11.

2. Defendant is engaging in a course of continuing conduct directed at Rhode Island motor vehicle buyers constituting unfair and deceptive trade practices.

3. Defendant is engaged in an ongoing practice of advertising one price for a motor vehicle, and then refusing to honor that price unless a customer pays thousands of dollars more, often in the form of an undisclosed “addendum fee.”

4. Defendant’s actual, higher price for these vehicles is not disclosed in their advertisements. A customer may only learn that Defendant never intended to honor the advertised price after taking the time to go to the dealership, test drive a vehicle, and deciding to make their purchase. At that point, they are often left with the difficult choice of either paying a higher price or taking more time out of their lives to find and test drive a vehicle at a different dealership.

5. This course of conduct leads to confusion, frustration, and, potentially, the loss of thousands of dollars for consumers above what they expected to pay for a motor vehicle.

II. PARTIES

6. Rhode Island Attorney General Peter F. Neronha is authorized to bring this action on behalf of the State of Rhode Island by R.I. Gen. Laws § 6-13.1, *et seq.*

7. Defendant, Metro Motors, Inc., operating under the fictitious name Grieco Honda (“Grieco Honda”), is a domestic Profit Corporation registered with the Rhode Island Secretary of State. Grieco Honda’s principal office address is 1880 Hartford Avenue, Johnston, RI 02919. According to their filings with the Secretary of State, Grieco Honda’s President is Michael A. Grieco.

8. Grieco Honda operates a new and used car dealership located at 1880 Hartford Avenue, Johnston, RI 02919.

III. JURISDICTION AND VENUE

9. This Court has subject matter jurisdiction over this matter under R.I. Gen. Laws § 6-13.1-5.

10. This Court has personal jurisdiction over Grieco Honda because it is a Rhode Island business.

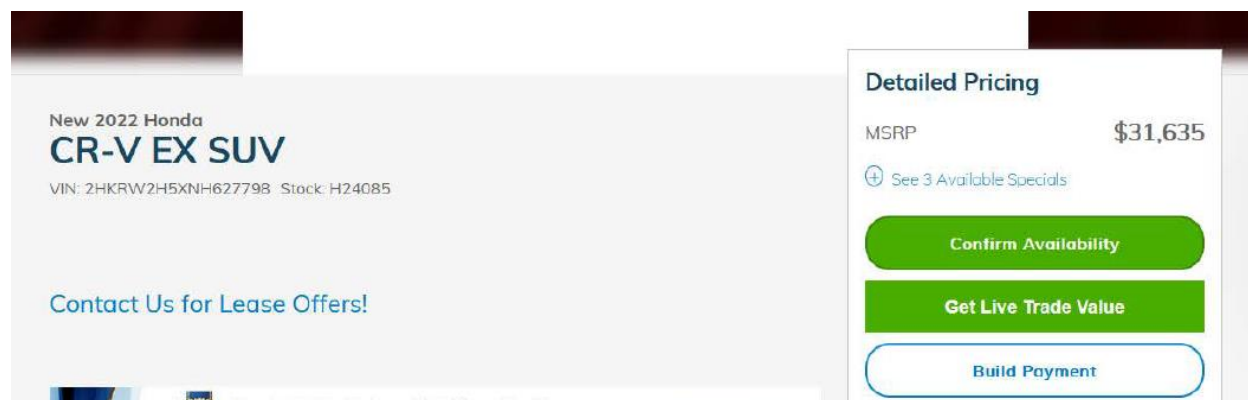
IV. FACTUAL ALLEGATIONS

11. Grieco Honda is unfairly and deceptively advertising prices for motor vehicles and then refusing to sell them at those prices or demanding that the consumer pay thousands of dollars in additional, undisclosed fees.

Grieco Honda’s Deceptive Advertising

12. Grieco Honda advertises prices for new and used vehicles on their website: GriecoHonda.com.

13. For each motor vehicle listed on their website, Grieco Honda advertises a single price titled as the “MSRP,” or the manufacturer’s suggested retail price. As demonstrated in Exhibit A, this price appears at the top of the online advertisement:



14. Grieco Honda’s online advertisements include a disclosure that the price shown does “not include taxes, license, or doc fee.” [sic].

15. Grieco Honda’s advertisements do not disclose any other types of fees that may be added to the price of the motor vehicle, such as an “addendum fee.”

16. Based on Grieco Honda’s false advertising, customers are deceived into believing that they can purchase vehicles for a certain price when, in fact, Grieco Honda has no intention of honoring that price.

Grieco Honda’s Refusal to Sell Vehicles at the Advertised Price

17. The Attorney General’s investigation has revealed that Grieco Honda engages in a practice of refusing to sell motor vehicles for the prices they advertise. Once a potential customer inquires about the price of a vehicle, Grieco Honda salespeople then assert that the car will actually cost thousands of dollars more than promised.

18. For example, in December 2021, a potential customer discussed a Honda CR-V SUV with a Grieco Honda representative. When the customer asked whether Grieco Honda would sell the vehicle for MSRP, a salesperson texted him that the vehicle would cost “5K over sticker...”

19. On January 20, 2022, an investigator from the Office of the Attorney General inquired about a 2022 Honda Civic listed on Grieco Honda’s website. Grieco Honda advertised that the price of the vehicle was \$24,365. When the investigator contacted Grieco Honda about the vehicle and whether it was available at the advertised price, a salesperson informed the investigator that the vehicle would, in fact, cost \$29,365.

20. On January 21, 2022, an investigator from the Office of the Attorney General inquired about a 2022 Honda Ridgeline RTL-E Truck Crew Cab listed on Grieco Honda’s website with an advertised price of \$44,795.00. When the investigator asked whether, if she were to come into Grieco Honda that day, they would honor the \$44,795.00 advertised price, a salesperson stated that all new vehicles are sold at the MSRP but there is an additional, negotiable \$5,000 “addendum fee” added to the vehicle.

21. On March 3, 2022, an investigator from the Office of the Attorney General inquired about a 2022 Honda CR-V EX SUV listed on Grieco Honda’s website with an advertised price of \$31,635. When asked about the price of the vehicle, a salesperson stated that all new vehicles sell above MSRP and have a \$5,000 “addendum fee” that could be negotiated.

Violation of Division of Motor Vehicle Rules and Regulations

22. Grieco Honda’s deceptive practices are also in direct violation of the rules and regulations governing how they can advertise prices and the types of fees they can charge.

23. Grieco Honda is licensed to operate its motor vehicle dealership by the Rhode Island Division of Motor Vehicles (“DMV”).

24. Therefore, Grieco Honda is subject to DMV rules and regulations, including rules and regulations related to how dealerships can advertise pricing.

25. DMV rules and regulations provide that “[n]o dealer shall advertise the price of motor vehicles unless such price is the full delivered price. Charges for freight, handling, vehicle preparation, overhead expenses, consultation fees, or any other fees that are inconsistent with these rules shall not be used in advertising nor included on the bill of sale.” 280-30-20 R.I. Code R. § 1.9(B)(1).

26. DMV rules and regulations provide that “[n]o price shall be used in the advertising for sale of motor vehicles unless a vehicle or vehicles are actually available at the price stated and as described.” 280-30-20 R.I. Code R. § 1.9(B)(6).

27. DMV rules and regulations allow dealers to charge customers a \$20.00 title preparation fee and provide that “[n]o dealer shall impose any other fees of similar meaning and/or for related services, such as, but not limited to: freight, handling, overhead expenses, vehicle preparation, etc., in an attempt to circumvent this rule.” 280-30-20 R.I. Code R. § 1.6(M)(2). Dealers are also authorized to charge a maximum \$400.00 document preparation fee. 280-30-20 R.I. Code R. § 1.6(N).

28. The purpose of these rules and regulations is to “protect the interest of the public when dealing with motor vehicle dealers in Rhode Island.” 280-30-20 R.I. Code R. § 1.2(A)

V. COUNTS

COUNT I: VIOLATION OF THE RHODE ISLAND DECEPTIVE TRADE PRACTICES ACT R.I. GEN. LAWS § 6-13.1-2

29. Paragraphs 1 through 28 are incorporated herein.

30. Defendant engaged in an unfair and deceptive ongoing course of conduct whereby they advertise prices that they have no intention of honoring.

31. This practice is deceptive and unfair to customers who rely on the prices promised by Grieco Honda, and are then either prevented from buying the vehicle at that advertised price or are left paying thousands of dollars more than they expected.

32. This practice is also offensive to public policy promoting motor vehicle price transparency and fair dealing, as embodied by the DMV's rules and regulations.

33. It is an unfair or deceptive act or practice to "advertise[] goods or services with intent not to sell them as advertised" and to "mak[e] false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions," in addition to other applicable types of unfair or deceptive acts or practices evidenced by Grieco Honda's conduct. R.I. Gen. Laws § 6-13.1-1(6).

34. Therefore, Defendant engaged in unfair acts or practices in the conduct of trade or commerce, in violation of R.I. Gen. Laws § 6-13.1-2, as defined by R.I. Gen. Laws § 6-13.1-1(6).

**COUNT II: RESTRAINT OF PROHIBITED ACTS UNDER
DECEPTIVE TRADE PRACTICES ACT
R.I. GEN. LAWS § 6-13.1-5**

35. Paragraphs 1 through 34 are incorporated herein.

36. Defendant is using and is about to use methods, acts, and practices declared to be unlawful by § 6-13.1-2.

37. Proceedings to restrain such acts are in the public interest.

VI. PRAYER FOR RELIEF

WHEREFORE, the State of Rhode Island requests that this Honorable Court, after trial on the merits, grant the following relief:

- A. Enter an order pursuant to R.I. Gen. Laws § 6-13.1-5 permanently enjoining Defendant from:
 - a. Advertising false and misleading prices for motor vehicles;
 - b. Refusing to honor the advertised price for a motor vehicle; and

- c. Advertising a price for a motor vehicle without full disclosure of any additional fees and the amount of those fees, including documentary preparation and title preparation fees.
- B. Order Defendant to pay restitution to all Rhode Islanders who paid Defendant more for a motor vehicle than the price advertised by Defendant.
- C. Order Defendant to pay the State's costs and attorneys' fees.
- D. Order Defendant to pay a civil penalty of up to ten thousand dollars (\$10,000.00) per violation of the Deceptive Trade Practices Act as provided by R.I. Gen. Laws § 6-13.1-8.

Respectfully submitted,

STATE OF RHODE ISLAND,

PETER F. NERONHA,
ATTORNEY GENERAL,
BY HIS ATTORNEY

/s/ Stephen N. Provazza
STEPHEN N. PROVAZZA (Bar #10435)
Special Assistant Attorney General
Chief, Consumer & Economic Justice Unit
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Providence, RI 02903
(401) 274-4400

EXHIBIT A



- Home
- New Inventory
- Pre-Owned Inventory
- Lease Return Center
- Specials & Financing
- Service/Parts Departments
- Collision Center
- About Our Dealership

- 6 Viewed
- Saved
- Alerts
- Log In

We'll Buy Any Vehicle Up To 150% over KBB!

[Value Your Trade](#)

IMAGES COMING SOON



1 of 1 Photos

New 2022 Honda
CR-V EX SUV

VIN: 2HKRW2H5XNH627798 Stock: H24085

Contact Us for Lease Offers!

Detailed Pricing

MSRP **\$31,635**

[See 3 Available Specials](#)

[Confirm Availability](#)

[Get Live Trade Value](#)

[Build Payment](#)



Grieco Honda

We'd love to help you.
Would you like to start a chat?

[Let's chat](#)

[Maybe Later](#)





GRIECO
Honda

We'll Buy Any Vehicle Up To 150% over KBB!

Value Your Trade

New 2022 Honda
CR-V EX SUV

VIN: 2HKRW2H5XNH627798 Stock: H24085

Detailed Pricing

MSRP \$31,635

MSRP Detailed Pricing \$31,635

[+ See 3 Available Specials](#)

We're here to help



Ready to Trade In or Sell Your Car?

Get a **Kelley Blue Book® Instant Cash Offer** in minutes.

GET MY OFFER ➔

(<https://www.griecohonda.com/value-your-trade-in.htm>)

Exterior Color



Transmission

continuously variable
automatic

Filed in Providence/Bristol County Superior Court

Submitted: 3/4/2022 3:56 PM

Envelope: 3518516

Reviewer: Carol M

Drivetrain

Other

All-Wheel Drive

Fuel Economy ⓘ

Engine

27.0/32.0 MPG City/Hwy

1.5L I-4 cyl

Body/Seating

SUV/5 seats

Highlighted Features

- 🚗 Lane departure
- 🌡️ Automatic temperature control
- ☀️ Power moonroof
- 📶 Wireless phone connectivity
- 📷 Exterior parking camera rear
- ❄️ Front dual zone A/C
- 🚗 Auto high-beam headlights
- 🌧️ Speed sensitive wipers

Detailed Specifications

- ⊕ Convenience Features
- ⊕ Suspension/Handling
- ⊕ Entertainment Features
- ⊕ Warranty
- ⊕ Seats And Trim
- ⊕ Powertrain
- ⊕ Off-Road Capability
- ⊕ Body Exterior
- ⊕ Specs And Dimensions
- ⊕ Lighting, Visibility And Instrumentation
- ⊕ Safety And Security



Factory MSRP: \$31,635 AWD. 27/32 City/Highway MPG

TO KEEP YOU SAFE, WE DELIVER!

BUY ONLINE-TEXT-EMAIL-CHAT-PHONE AND WE WILL DELIVER YOUR NEXT VEHICLE TO YOUR DOOR!

FROM OUR SALES FLOOR TO YOUR DOOR!

IT'S THAT EASY!

Equipped with AWD, 18" Alloy Wheels, 4-Wheel Disc Brakes, 5.64 Axle Ratio, 6 Speakers, ABS brakes, Adaptive Cruise Control (ACC) with Low-Speed Follow, Air Conditioning, Alloy wheels, AM/FM radio: SiriusXM, Apple CarPlay/Android Auto, Auto High-beam Headlights, Automatic temperature control, Brake assist, Bumpers: body-color, Cloth Seat Trim, Compass, Delay-off headlights, Driver door bin, Driver vanity mirror, Dual front impact airbags, Dual front side impact airbags, Electronic Stability Control, Forward collision: Collision Mitigation Braking System (CMBS) + FCW mitigation, Four wheel independent suspension, Front anti-roll bar, Front Bucket Seats, Front Center Armrest, Front dual zone A/C, Front fog lights, Front reading lights, Heated door mirrors, Heated Front Bucket Seats, Heated front seats, Illuminated entry, Low tire pressure warning, Occupant sensing airbag, Outside temperature display, Overhead airbag, Overhead console, Panic alarm, Passenger door bin, Passenger vanity mirror, Power door mirrors, Power driver seat, Power moonroof, Power steering, Power windows, Radio data system, Radio: 180-Watt AM/FM/HD/SiriusXM Audio System, Rear anti-roll bar, Rear seat center armrest, Rear View Camera, Rear window defroster, Rear window wiper, Remote keyless entry, Security system, Speed control, Speed-sensing steering, Speed-Sensitive Wipers, Split folding rear seat, Spoiler, Steering wheel mounted audio controls, Tachometer, Telescoping steering wheel, Tilt steering wheel, Traction control, Trip computer, Turn signal indicator mirrors, and Variably intermittent wipers.

KBB.com Consumer Reviews



Overall
4.1
Out of 5

Good Car With Major Engine Problem
By New Honda Owner | Monday, April 30, 2018

3.0

During the first 3000 miles I would have rated the CRV excellent in most categories. It is comfortable and roomy for both myself at over 6 feet tall, and my wife at 5 feet...
[Read More](#)



in The Oil!
Wednesday, May 23, 2018

1.0

commute.

Honda said they are looking into it but wouldnt do anything else. I said they...

[Read More](#)

I Want To Love This Car But

By Cliff | Saturday, April 07, 2018

1.0

The turbo engine in the EX and above models has a major problem. Fuel is getting into the oil. Oil level rises. This problem has been reported on 2016 - 2018 models but...

[Read More](#)

Based on 235 consumer ratings for 2017–2022 models. | [Privacy](#)

(<https://www.kbb.com/company/privacy-policy/>)

Prices shown are manufacturer suggested retail prices only and do not include taxes, license, or doc fee. Manufacturer vehicle accessory costs, labor and installation vary. Please contact us with any questions.

**Based on 2021 EPA mileage estimates, reflecting new EPA fuel economy methods beginning with 2008 models. Use for comparison purposes only. Do not compare to models before 2008. Your actual mileage will vary, depending on how you drive and maintain your vehicle.

For EV Models, 132 city/105 highway/118 combined miles per gallon of gasoline-equivalent (MPGe) rating; 82 mile combined (city/highway) driving range rating (adjusted). Ratings determined by EPA. Use for comparison purposes only. Your MPGe and range will vary depending on driving conditions, how you drive and maintain your vehicle, lithium-ion battery age/condition, and other factors. For additional information about EPA ratings, visit <http://www.fueleconomy.gov/feg/label/learn-more-electric-label.shtml> (<http://www.fueleconomy.gov/feg/label/learn-more-electric-label.shtml>).

For 2014 Honda Accord Plug-In Hybrid, 115 combined miles per gallon of gasoline-equivalent (MPGe) electric rating; 47 city/46 highway/46 combined MPG gasoline only rating. 13 mile maximum EV mode driving range rating. 570 mile combined gas-electric driving range rating. Based on 2021 EPA mileage and driving range ratings. Use for comparison purposes only. Your MPGe/MPG and driving range will vary depending on driving conditions, how you drive and maintain your vehicle, lithium-ion battery age/condition, and other factors. For additional information about EPA ratings, visit <http://www.fueleconomy.gov/feg/label/learn-more-PHEV-label.shtml>. (<http://www.fueleconomy.gov/feg/label/learn-more-PHEV-label.shtml>)

For 2014 Honda Accord Hybrid, 50 city/45 highway/47 combined mpg rating. Based on 2021 EPA mileage ratings. Use for comparison purposes only. Your mileage will vary depending on driving conditions, how you drive and maintain your vehicle, battery-pack age/condition, and other factors.



Ready to Trade In or Sell Your Car?

Get a **Kelley Blue Book® Instant Cash Offer** in minutes.



Also Recommended for You...



Filed in Providence/Bristol County Superior Court

Submitted: 3/4/2022 3:56 PM

Envelope: 3518516

Reviewer: Carolyn



2022 Honda CR-V EX SUV
\$31,635



2022 Honda CR-V EX SUV
\$32,030



2022 Honda CR-V EX SUV
\$32,030



2022 Honda CR-V EX SUV
\$31,635

New Vehicle Special:

As low as 0.9% APR for a limited term is available on new 2022 Pilot and 2022 HR-V models. With approved credit for well-qualified buyers through HFS, not all will qualify. Actual down payment may vary. See dealer for details. Expires 5/2/22.

