

STATE OF INDIANA
IN THE ST. JOSEPH CIRCUIT COURT

CAUSE NO. 71C01-2305-MI-000182

MARLENA ELIAS,

Plaintiff,

and

OFFICE OF THE INDIANA
ATTORNEY GENERAL,

Plaintiff-Intervenor,

v.

STEVEN KOLLAR,

AMERICAN REALTY
INVESTMENTS LLC,

GR HOUSING LLC,

RCN CAPITAL, LLC;

Defendants.

CONSENT JUDGMENT

I. INTRODUCTION

1. The State of Indiana, Office of the Indiana Attorney General, by Deputy Attorney General Chase M. Haller, having filed its Complaint for Injunctive Relief, Restitution, Civil Penalties, Costs, and Jury Demand, and Defendants American Realty Investments, LLC and GR Housing, LLC, hereby enter Into this Consent Judgment without trial and adjudication of any issue of fact or law.

2. The parties believe it is in their best interest to resolve the issues presented by the State of Indiana and avoid further litigation with regard to the issues addressed in this Consent Judgment.
3. The parties consent to entry of judgment in this proceeding by the Court and accept this Consent Judgment as the final adjudication of this civil action.
4. Upon execution by all required parties, the State will file a Motion to Approve this Consent Judgment with the Court.
5. The terms of this Consent Judgment shall have the full force and effect of a Judgment issued by the Court upon the Court's approval of this Consent Judgment. No agreement, understanding, representation, or interpretation not contained in the Consent Judgment may be used to vary or contradict its terms.
6. The Court's approval of this Consent Judgment shall not act as a bar to any private right of action.

II. RELIEF

7. The parties consent to the Court entering Judgment in favor of the State of Indiana for the relief described in Paragraphs 8 through 9 of this Consent Judgment.
8. Pursuant to Ind. Code § 24-5-0.5-4(c)(2), judgment is granted in favor of the Plaintiff, State of Indiana, for consumer restitution and costs in the total amount of \$88,000.00 (Eighty-Eight Thousand Dollars). Such restitution shall be paid by the Defendants upon execution of this Consent Judgment directly to the

following consumer according to the terms of that certain settlement agreement negotiated directly with the respective consumer:

<u>Consumer</u>	<u>Amount</u>
9.1 Marlena Elias	\$80,000.00

9. The remaining \$8,000.00 shall be retained by the Office of the Indiana Attorney General to reimburse the Homeowner Protection Unit for costs incurred in prosecution of this action pursuant to Ind. Code § 24-9-8-3(3).
10. Upon receipt of proof of payment of all amounts contemplated in Section II, the Office of the Indiana Attorney General shall promptly file a motion to dismiss this action with prejudice and release of judgment as to Defendants American Realty Investments, LLC and GR Housing, LLC.

III. ADDITIONAL TERMS

11. By entry of this Consent Judgment, the State of Indiana, Office of the Indiana Attorney General, releases and forever discharges all claims that would be considered to in any way encumber the real property that formed the basis of this complaint or any other real property owned by American Realty Investments, LLC and/or GR Housing, LLC.
12. Contemporaneously with the filing of this Consent Judgment, the State of Indiana, Office of the Indiana Attorney General, will file a Motion to Dismiss Defendant RCN Capital, LLC with prejudice.

IV. CONTINUING JURISDICTION

13. The Court shall retain jurisdiction for the purpose of issuing such orders as may be necessary to interpret or enforce the provisions herein.

IN WITNESS WHEREOF, the parties have executed this Consent Judgment this 12th day of March, 2024.

STATE OF INDIANA

THEODORE E. ROKITA
Indiana Attorney General
Attorney No. 18857-49

By: 

Chase M. Haller
Deputy Attorney General
Attorney No. 29944-49

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DEFENDANTS

AMERICAN REALTY INVESTMENTS,
LLC

By: 

Name: GARY L. GRINER

Title: MEMBER/MANAGER

GR HOUSING, LLC

By: 

Name: GARY L. GRINER

Title: MEMBER/MANAGER