

May 13, 2021

ATTORNEY GENERAL RAOUL ANNOUNCES SETTLEMENT WITH TAX PREPARER FOR DEFRAUDING CONSUMERS

Chicago — Attorney General Kwame Raoul today announced a consent order with tax preparer Su Familia Income Tax, requiring the company to pay restitution to Illinois consumers and prohibiting the company from engaging in fraudulent practices related to its tax preparation services.

The [consent decree](#), filed in Cook County Circuit Court, resolves a lawsuit the Attorney General's office initially filed against the Chicago tax preparer in 2018 alleging that Su Familia defrauded consumers out of thousands of dollars in illegal fees for tax preparation services. The consent order requires Su Familia to pay over \$100,000 in restitution to 59 Illinois consumers and prohibits the company from misrepresenting the cost of services or taking payment from consumers' tax refunds.

"Su Familia defrauded low-income residents out of thousands of dollars by charging hidden fees and taking money from their tax returns," Raoul said. "Today's consent order ensures Su Familia does not take advantage of customers by charging people illegal fees to file their tax returns. I will continue working to protect Illinois consumers by holding businesses accountable for deceptive practices, and I encourage people to check the IRS' website when looking for reputable tax filing services."

Su Familia offered low-cost tax preparation services for a fee of around \$150. In reality, the company signed consumers up for unnecessary and expensive tax-related financial products and deducted significant additional fees from consumers' tax refunds without their knowledge. These undisclosed fees were typically \$500 per person but could cost more than \$1,000, and in some cases, accounted for over 50 percent of a consumer's expected tax refund.

To disguise the undisclosed fees that the company took from consumers' tax refunds, Su Familia gave customers fake tax returns showing a lower tax refund amount. When people discovered the inconsistency and confronted Su Familia, the company threatened to initiate legal action. As a result, customers, many of whom were low-income, did not receive their full tax refunds.

Under the consent order, Su Familia is prohibited from advertising or performing tax preparation services where the company is compensated with any proceeds from any refund anticipation check or refund anticipation loan. The company cannot misrepresent the cost of services, the manner by which customers can pay for services, or the amount of the customer's expected IRS tax refund. Su Familia also must give customers an itemized bill that includes the total cost of services prior to or at the time of service and a copy of the finalized, signed tax return prior to filing with the IRS. Additionally, for three years following the entry of the consent order, Su Familia must maintain a log of all tax preparation services the company provides Illinois consumers.

Raoul encourages consumers who need a tax preparer to seek assistance from reputable sources such as the IRS' [Taxpayer Advocate Service](#). Additionally, the IRS offers access to free tax filing services to qualified consumers. Raoul encourages individuals to check their qualifications and browse the [IRS Free File Online Lookup Tool](#). Taxpayers also can search online for free, [in-person tax preparation assistance](#).

Individuals who need to report a complaint involving a tax preparer or tax refund anticipation product should call the Attorney General's Consumer Fraud hotlines:

1-800-386-5438 (Chicago)
1-800-243-0618 (Springfield)
1-800-243-0607 (Carbondale)

Assistant Attorneys General Greg Jones and Alan Williams handled the case for Raoul's Consumer Fraud Bureau.

A Spanish translation of this press release is [available here](#).

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - CHANCERY DIVISION

THE PEOPLE OF THE STATE OF ILLINOIS,

Plaintiff,

-vs-

MICHELLE LOPEZ, individually and d/b/a Su
Familia Income Tax;

MELISSA GASCA, individually and d/b/a Su
Familia Income Tax;

VANESSA CAMPOS, individually and d/b/a Su
Familia Income Tax;

Defendants.

Case No. 2018 CH 2164

Judge Sophia Hall

FINAL JUDGMENT AND CONSENT DECREE

Plaintiff, the People of the State of Illinois, by Kwame Raoul, Attorney General of Illinois, filed a Complaint for Injunctive and Other Relief ("Complaint") against Michelle Lopez, Melissa Gasca, and Vanessa Campos, each individually and doing business as Su Familia Income Tax (collectively, "Su Familia" or "Defendants"), for alleged violations of the Consumer Fraud and Deceptive Business Practices Act ("Consumer Fraud Act"), 815 ILCS § 505/1, *et seq*, and the Tax Refund Anticipation Loan Reform Act (the "RAL Act"), 815 ILCS § 177/1, *et seq* ("Claims").

Plaintiff and Defendants have agreed to the entry of this Final Judgment and Consent Decree by the Court. This Final Judgment and Consent Decree is entered into for the purpose of resolving the Claims raised in the Complaint. It does not bind any other officers or agencies of the State of Illinois. This Final Judgment and Consent Decree shall not be construed to and does not resolve or preclude any other civil, criminal, or administrative action. Defendants acknowledge that they have read and understood the terms and conditions of this Final Judgment and Consent Decree. Defendants further

understand the legal obligations imposed on them by this Final Judgment and Consent Decree and understand that a violation of this Final Judgment and Consent Decree may result in proceedings against them, including an action for violating the Consent Decree, contempt of court, or any other remedy.

Now with the consent of the parties and the Court being fully advised of the matter, it is hereby ordered as follows:

FINDINGS

1. This Court has jurisdiction over the subject matter of the Complaint having been filed herein and over all Parties to this Final Judgment and Consent Decree.

2. Defendants have at all relevant times, engaged in trade and commerce within the meaning of the Section 1(f) of the Consumer Fraud and Deceptive Business Practices Act, 815 ILCS § 505/1(f) by advertising, providing, offering for sale, or soliciting tax preparation services to the general public of the State of Illinois.

3. Venue in this county is proper pursuant to Section 2-101 and 2-102(a) of the Illinois Code of Civil Procedure, 735 ILCS: § 5/1-101 *et seq.*

DEFINITIONS

4. Except as hereafter stated and unless a different meaning of a term is clear from its context, for purposes of this decree, the definitions of terms used in this Final Judgment and Consent Decree shall be the same as those used in the Consumer Fraud Act and the RAL Act.

5. "**Refund Anticipation Check**" shall mean a check, stored value card, or other payment mechanism: (i) representing the proceeds of the consumer's tax refund; (ii) which was issued by a depository institution or other person that received a direct deposit of the consumer's tax refund or tax credits; and (iii) for which the consumer has paid a fee or other consideration for such payment mechanism.

6. "**Refund Anticipation Loan**" shall mean a loan that is secured by or that the creditor arranges to be repaid directly from the proceeds of the consumer's income tax refund or tax credits. "Refund Anticipation Loan" also includes any sale, assignment, or purchase of a consumer's tax refund at a discount or for a fee, whether or not the consumer is required to repay the buyer or assignee if the Internal Revenue Service denies or reduces the consumer's tax refund.

7. "**Tax Preparation Services**" shall mean any service at any time related to the preparation or filing of any federal or state tax returns, including but not limited to:

- A. Advertising any services relating to preparation or submission of any tax-related documents, including federal or state tax returns, social security number or individual taxpayer identification number applications, and property tax documents;
- B. Filling out federal or state tax documents for any reason, even if not to be directly submitted to the Internal Revenue Service or the applicable state tax entity;
- C. Assisting in any way in the application for individual taxpayer identification numbers or social security numbers;
- D. Meeting with consumers to discuss their federal or state taxes;
- E. Providing any tax advice;

- F. Corresponding with either the Internal Revenue Service or any state tax entity on a consumer's behalf or in any way relating to a consumer's taxes;
- G. Reviewing consumer tax documents, including W-2s;
- H. Referring consumers to a third-party for any tax preparation or filing;
- I. Providing administrative services to a tax preparer;
- J. Issuing checks to consumers relating in any way to the consumer's taxes.

INJUNCTIVE TERMS

8. Defendants and their respective agents, employees, officers, and all persons or entities associated, affiliated, or connected with them and any successor corporation or business entity are hereby permanently enjoined from:

- A. Advertising, offering, or performing Tax Preparation Services where Defendants or any other person (whether an individual, legal entity, or business) are compensated in whole or in part with proceeds from any Refund Anticipation Check or Refund Anticipation Loan;
- B. Offering or performing Tax Preparation Services unless:
 - i. Any and all compensation Defendants receive for such services – whether made via cash, check, or credit card – is received *directly* from the consumer; and
 - ii. Defendants provide the consumer a bill or receipt prior to or at the time such services are provided, which conspicuously details the itemized and total cost of Defendants' services, including what entity receives each itemized fee.
- C. Being employed in any manner by or compensated in any manner for services relating to Tax Preparation from First American Tax and Financial Services Prof. Corp. or Ahmed Zorab;

- D. Failing to provide a copy of every consumer's finalized, signed tax return to the consumer prior to filing with the IRS;
- E. Failing to promptly return, at a consumer's request, all records provided by the consumer, no later than twenty-one days after request;
- F. Failing to provide Spanish translations of documents written in English to any primarily Spanish-speaking customer that the consumer has to complete or sign as part of any Tax Preparation Services prior to execution of such documents;
- G. Misrepresenting the cost of goods or services and the manner by which consumers can pay for such services;
- H. Misrepresenting the amount of the consumer's expected IRS tax refund.

9. Defendants are permanently enjoined from working for, or accepting compensation for referring a taxpayer to, any entity or corporation which engages in acts prohibited in this Final Judgment and Consent Decree or acts which would otherwise circumvent any part of this Final Judgment and Consent Decree or the spirit or purposes of this Final Judgment and Consent Decree, including but not limited to receiving compensation from a third-party providing Tax Preparation Services where said third-party receives a portion of their payment for Tax Preparation Services out of a taxpayer's refund.

10. Defendants shall provide any individual or company from which they receive compensation a copy of this Final Judgment and Consent Decree prior to being employed by that company or performing any work on that company's behalf, if that individual or company provides any Tax Preparation Services in or from the State of Illinois.

11. Defendants are permanently enjoined from disclosing or threatening to disclose "tax return information," as defined in 26 C.F.R. § 301.7216-1(b)(3) that Defendants possess or otherwise obtain, in a manner inconsistent with the requirements of federal law and federal

regulations, including, but not limited to:

- A. Disclosure or threatened disclosure of an individual's address;
- B. Disclosure or threatened disclosure of an individual's Social Security Number;
- C. Disclosure or threatened disclosure of an individual's Individual Taxpayer Identification Number; and
- D. Disclosure or threatened disclosure of an individual's citizenship status.

12. Defendants are permanently enjoined from violating Section 2N of the Consumer Fraud Act by:

- A. Failing to provide the forms required under 815 ILCS 505/2N(a) if Defendants conduct, in a language other than English, a retail transaction or negotiation related to a retail transaction resulting in a written contract and the consumer used an interpreter other than Defendants or an employee of Defendants in conducting the transaction or negotiations;
- B. Failing to have the consumer sign the form required in 815 ILCS 505/2N(b) in the consumer's native language if Defendants conduct, in a language other than English, a transaction or negotiation related to a transaction resulting in a written contract, and Defendants or an employee of Defendants acted as the consumer's interpreter in conducting the transaction or negotiations; and
- C. Failing to have a consumer sign the form required in 815 ILCS 505/2N(b) in English if Defendants conduct, in a language which cannot be written, a transaction or negotiation related to a transaction resulting in a written contract,

and Defendants or an employee of Defendants acted as the consumer's interpreter in conducting the transaction or negotiations.

13. Defendants are further permanently enjoined from participating directly or indirectly in any activity to form a separate entity or corporation which engages in acts prohibited in this Final Judgment and Consent Decree or acts which would otherwise circumvent any part of this Final Judgment and Consent Decree or the spirit or purposes of this Final Judgment and Consent Decree.

COMPLIANCE REPORTING

14. For three years following the entry of this Final Judgment and Consent Decree, Defendants must maintain a log of all Tax Preparation Services provided to Illinois consumers. The log shall include: (i) the consumer's name, address, telephone number and email address, if the consumer has an email address; (ii) the services provided the consumer and the dates of service; (iii) itemized list of fees charged to the consumer; and (iv) any third- parties involved in the Tax Preparation Services for that consumer, including but not limited to any entity receiving any fees from the consumer, software companies, financial institutions, other tax preparers who file the return or provide any sort of other service. Defendants shall produce the log within 28 days upon request by the Illinois Attorney General's Office.

15. Defendants shall also maintain a file of each taxpayer in Illinois that Defendants provide Tax Preparation Services for. Each file shall include all disclosures, invoices, or any other documents provided to the consumer. Defendants shall within 28 days produce any file requested by the Illinois Attorney General's Office.

16. Defendants shall maintain records relating to all complaints received from Illinois consumers, including telephone call and in-person or written complaints, and Defendants shall maintain a log of all consumer complaints relating to Tax Preparation Services; any written

complaints submitted directly to Defendants; and any complaints forwarded to Defendants. The log shall include: (i) the consumer's name, address, telephone number and email address, if the consumer has an email address; (ii) the services provided the consumer and the dates of service; (iii) a description of the complaint; and (iv) Defendants' response to the complaint. Defendants shall produce the log and complaints within 28 days upon request by the Illinois Attorney General's Office.

RESTITUTION

17. At the time of entry of this Final Judgment and Consent Decree by the Court, Defendants Michelle Lopez, Melissa Gasca, and Vanessa Campos shall pay Plaintiff restitution in the amount of \$104,799.05 for the benefit of the consumers listed in Exhibit A. Payment shall be tendered to Plaintiff in the form of a wire transfer to the "Attorney General's Consumer Trust Account," in accordance with payment instructions provided separately by Plaintiff.

18. Upon receipt of payment, the Office of the Attorney General shall distribute the funds to provide restitution to the consumers listed in Exhibit A. The Office of the Attorney General will disburse restitution to the aforementioned consumers from the proceeds of restitution payments made pursuant to this Final Judgment Order. Defendants shall not be entitled to any further accounting regarding the money deposited in said fund.

19. This sum is no way to be construed as an admission of guilt or liability, but solely as a good faith sum to resolve this matter without further litigation

PAYMENT TO THE STATE

20. At the time of entry of this Judgment, Defendants shall pay \$25,200.95 to the Office of the Illinois Attorney General as a voluntary contribution to the Attorney General Court Ordered and Voluntary Compliance Payment Projects Fund. Defendants shall make a payment in the form of a wire transfer to Plaintiff in the amount of \$25,200.95 made out to the "Attorney General Court

Ordered and Voluntary Compliance Fund,” in accordance with payment instructions separately provided by Plaintiff. Such funds may be used by the Illinois Attorney General for any purpose authorized by Section 7(e) of the Consumer Fraud Act, 815 ILCS 505/7(e). Defendants shall not be entitled to further accounting regarding the money deposited into this account.

SEVERABILITY

21. If any portion of this Final Judgment and Consent Decree is held to be invalid, unenforceable, or void for any reason whatsoever, then such portion will be severed from the remainder, and will not affect the validity and enforceability of the remaining portions of the Final Judgment and Consent Decree.

JURISDICTION RETAINED

22. Jurisdiction is expressly retained by this Court for the purpose of enforcing compliance with this Final Judgment and Consent Decree, which enforcement shall be solely upon application of the Attorney General or her successor in office.

EFFECTIVE DATE

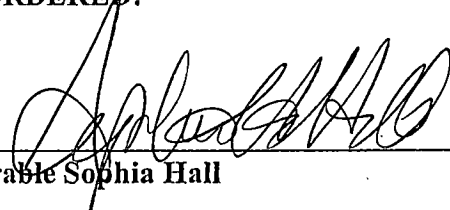
23. The terms of this Final Judgment and Consent Decree shall become effective upon entry by the Court. Pursuant to Illinois Supreme Court Rule 304(a), this is a final order and no just reason exists to delay enforcement or appeal of this Final Judgment and Consent Decree.

SO ORDERED:

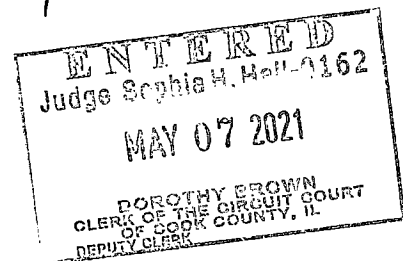
Dated: _____

5/7/21

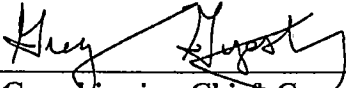
Honorable Sophia Hall



SO STIPULATED AND AGREED:



**Attorneys for Plaintiff
People of the State of Illinois
By Kwame Raoul, Attorney General of Illinois**



Greg Grzeskiewicz, Chief, Consumer Fraud Bureau

Dated: 4/28/2021


Gregory W. Jones
Alan Williams
Assistant Attorneys General
Consumer Fraud Bureau
100 West Randolph Street, 12th floor
Chicago, Illinois 60601
312.814.4987
Fax: 312.814.2593
gjones@atg.state.il.us
ajwilliams@atg.state.il.us

Defendant Michelle Lopez, individually and d/b/a Su Familia Income Tax



Attorney for Michelle Lopez

Dated: 2/18/21



Defendant Michelle Lopez

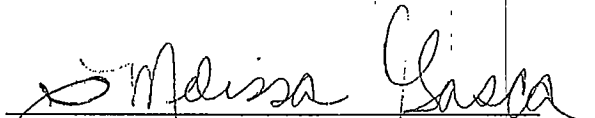
Dated: 2/18/21

Defendant Melissa Gasca, individually and d/b/a Su Familia Income Tax



Attorney for Melissa Gasca

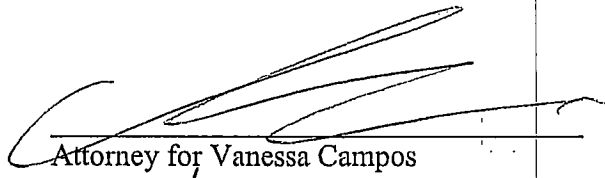
Dated: 2/18/21



Defendant Melissa Gasca

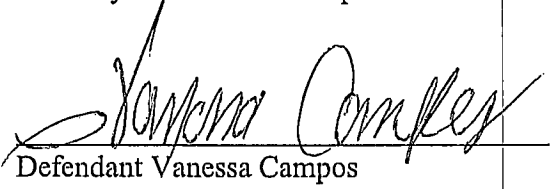
Dated: 2/18/21

Defendant Vanessa Campos, individually and d/b/a Su Familia Income Tax



Attorney for Vanessa Campos

Dated: 2/18/21



Defendant Vanessa Campos

Dated: 2/18/21

Exhibit A	
No.	Consumer Name
1	Abad Fierro, Liliana
2	Alvarado, Iliana
3	Aranda, Julio
4	Ariza, Angelica
5	Bautista, Maria
6	Borrer, Jessica
7	Camacho Gervacio, Juan Carlos
8	Castro, Juana and Pedro
9	Cisneros, Leticia
10	Cortes, Susana and Eduardo
11	De La O, Jesus M.
12	Escutia Torres, Perla
13	Fajardo Hernandez, Marco
14	Fernandez Loeza, Arturo and Maria Rico
15	Frano, Christina
16	Gallardo, Erica
17	Galvan, Elizabeth
18	Galvan, Guadalupe
19	Garcia Ayala, Juan Manuel
20	Garcia, Nora
21	Grimaldo, Maria and Leonel Victoria
22	Gutierrez, Luis
23	Hernandez, Bertha A.
24	Hernandez, Nemecio and Maribel Vidal
25	Hernandez, Vanessa
26	Hidalgo, Francisco
27	Jacobo, Brenda I.
28	Lopez, Jorge O. and Erika
29	Lopez, Victor C.
30	Menchaca, Juan A. and Juana C.
31	Mondragon, Guadalupe
32	Montanez Davila, Alejandra J. and Pedro Castro
33	Monterrey, Jessica V.
34	Ochoa, Dulce
35	Olvera, Ruben
36	Ortega, Amada
37	Palafox, Silvia and Omar Martinez Medina
38	Pilero, Serafin
39	Quiterio, Silvano
40	Rangel, Ismael
41	Rendon, Nadia
42	Reyes, Maria G.
43	Rodriguez, Efigenia
44	Rodriguez, Oscar
45	Romano, Deisy
46	Rubio, Irene
47	Ruiz, Maria
48	Salgado, Cruz
49	Salgado, Esteban
50	Sanchez, Gonzalo
51	Torres, Gloria
52	Valtierra, Arturo and Cecilia
53	Vargas, Maria G.
54	Vargas, Vicente
55	Vazquez, Helen K.
56	Vazquez, Jaime
57	Vazquez, Jesus
58	Velazquez, Juan
59	Villarreal, Jacqueline



May 13, 2021

EL PROCURADOR GENERAL RAOUL ANUNCIA UN ACUERDO CON UN PREPARADOR DE IMPUESTOS POR DEFRAUDAR A LOS CONSUMIDORES

Chicago — El Procurador General Kwame Raoul hoy anunció un decreto de consentimiento con el preparador de impuestos Su Familiar Income Tax, requiriendo que la empresa pague una restitución a los consumidores de Illinois y prohibiendo que la empresa participe en prácticas fraudulentas relacionadas con sus servicios de preparación de impuestos.

El [decreto de consentimiento](#), declarado en la Corte Circuito del Condado de Cook, resolvió una demanda de la Oficina del Procurador General originalmente presentada contra el preparador de impuestos de Chicago en 2018 alegando que Su Familia había defraudado a los consumidores de más de miles de dólares en honorarios ilegales por sus servicios de preparación de impuestos. El decreto de consentimiento requiere que Su Familia pague más de \$100,000 en restituciones a 59 consumidores de Illinois y prohíbe que la empresa malinterprete el costo de servicios o tome pagos de la devolución de impuestos del consumidor.

"Su Familia defraudó a residentes de bajos ingresos de miles de dólares cobrando honorarios escondidos y tomando dinero de sus devoluciones de impuestos," dijo Raoul. "El decreto de consentimiento de hoy garantiza que Su Familia no se aproveche de los consumidores cobrando honorarios ilegales por preparar la devolución de impuestos. Seguiré trabajando para proteger a los consumidores de Illinois responsabilizando a las empresas por sus prácticas engañosas, y recomiendo que todos revisen la página web del Servicio de Impuestos Internos, conocidos como el IRS, cuando buscan servicios respetables para la preparación de impuestos."

Su Familia ofrecía servicios de preparación de impuestos a bajo costo cobrando honorarios de \$150. En realidad, la empresa registraba a los consumidores para productos financieros relacionados con impuestos que eran innecesarios y costosos sustrayendo honorarios adicionales significativos de las devoluciones de impuestos de consumidores sin su conocimiento. Estos honorarios no relevados normalmente eran de \$500 por persona, pero podían costar más de \$1,000, y en unos casos, contaban con más del 50 por ciento de la devolución de impuestos anticipada por el consumidor.

Para ocultar los honorarios no revelados que la empresa tomaba de la devolución de impuestos de consumidores, Su Familia proporcionaba a los consumidores devoluciones de impuestos falsos mostrando una cantidad menor. Cuando los consumidores descubrían las inconsistencias y enfrentaban a Su Familia, la empresa amenazaba tomar acciones legales. Como resultado, los consumidores, muchos de bajos ingresos, no recibían sus devoluciones de impuestos en su totalidad.

Bajo el decreto de consentimiento de hoy, Su Familia estará prohibida de anunciar y cumplir servicios de preparaciones de impuestos donde la empresa será compensada con cualquier ganancia de cualquier anticipo de devolución de impuestos o préstamo anticipado. La empresa no podrá malinterpretar el costo de servicios, la manera de cuáles consumidores podrán pagar sus servicios, o la cantidad anticipada de devolución de impuesto del consumidor. Su Familia también tendrá que presentar a cada consumidor una factura detallada que incluye el costo total de los servicios antes de o al tiempo de los servicios y una copia de la devolución de impuestos finalizada, declaración de ingresos firmada antes de presentarla con el IRS. Además, los próximos tres años siguiendo el decreto de consentimiento, Su Familia tendrá que mantener un registro de todos los servicios de preparación de impuestos que la empresa proveerá a los consumidores de Illinois.

Raoul recomienda a los consumidores que necesiten un preparado de impuestos que busquen asistencia de origen respetable como el [Servicio del Defensor del Contribuyente del IRS](#). Además, el IRS ofrece acceso a servicios de preparación gratuitos a consumidores que califiquen. Raoul recomienda que todos revisen sus calificaciones y exploren el programa de [Free File del IRS](#). Contribuyentes también pueden hacer búsqueda en internet para [asistencia de preparación de impuestos en persona gratuita](#).

Individuos quienes necesiten reportar una queja implicando a un preparador de impuestos o producto de anticipación de devolución de impuestos deberían llamar a la línea de ayuda en Español del Procurador General:

1-800-386-5438 (Chicago)
1-800-243-0618 (Springfield)
1-800-243-0607 (Carbondale)

Asistente al Procurador General Greg Jones y Alan Williams presentaron el caso por el Departamento de fraude al consumidor de Raoul.

[Return to May 2021 Press Releases](#)



[© 2020 Illinois Attorney General](#)

[Home](#) • [Privacy Policy](#) • [Contact Us](#)