

Dannlaw wins Appeals Decision Upholding Class Certification: Auto Dealer charges unitemized document fees

Appellate Court Affirms Class Certification in Consumer Protection Case Against Bergen County Auto Dealer

NORTH BRUNSWICK, NJ, NJ, UNITED STATES, August 5, 2026 /EINPresswire.com/ -- [DannLaw](#) announced today that the Superior Court of New Jersey, Appellate Division, has affirmed the certification of a consumer class action against Daytona Auto Sales, Inc. and its co-owner John E. Velez in a decision issued August 4, 2026. The court also partially reversed the trial court's denial of class certification as to co-owner Jackeline Velez, holding that she can be held personally liable for violations of the ASP Regulationsthe scope of the case.

The case, Helen Graham v. Daytona Auto Sales, Inc., Docket No. A-1236-24, involves allegations that Daytona unlawfully charged a documentary fee to its buyers by failing to itemize the services performed and the price for each service in its sales documents, in violation of the New Jersey Automotive Sales Practices Regulations, the Consumer Fraud Act, and the Truth-in-Consumer Contract, Warranty and Notice Act.

"This is a significant victory for the hundreds of consumers who were charged unlawful, unitemized fees by Daytona Auto Sales," said Javier Merino, the Managing Partner of DannLaw's New Jersey Office . "The Appellate Division's thorough opinion validates the strength of our clients' claims and clears the way for these consumers to seek the relief they deserve."

The certified class encompasses all persons who purchased or leased a motor vehicle from Daytona between January 1, 2017, and February 15, 2023, who were charged a "Doc fee" or similar fee without the sales document itemizing each specific service performed or the price for each service. The class includes approximately 852 members.

The appellate court found that the trial court properly analyzed each element required for class certification under Rule 4:32-1(a) and (b), including numerosity, commonality, typicality, and adequacy of representation. The court noted that individual claims involve relatively modest amounts — between \$71.85 and \$2,819.90 in unlawful fees per class member — making a class action the superior method for adjudication.

The court further upheld the trial court's finding that John Velez could be held individually liable

for violations of the Consumer Fraud Act, noting that he managed Daytona's day-to-day operations, determined the fees to charge customers, and chose the buyer's order form used in transactions. On cross-appeal, the appellate court partially reversed the trial court's denial of certification as to Jackeline Velez, holding that as a co-owner and officer of the dealership, she can be held personally liable for violations of the ASP regulations under N.J.A.C. 13:21-15.7(c).

DannLaw, along with co-counsel Kim Law Firm LLC, represents the plaintiff class. The case will now proceed on the merits, where it remains the plaintiff's burden to prove violations of the ASP regulations and entitlement to relief under the CFA and TCCWNA.

For more information about this case or to determine whether you may be a member of the certified class, please contact DannLaw at:

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