



Injunction granted against oil dealer

By Julie Manganis

Staff writer

March 11, 2010 05:45 am

MARBLEHEAD — A Suffolk Superior Court judge has issued a preliminary injunction barring a Marblehead oil business from continuing to engage in what the attorney general's office alleges are fraudulent practices.

Judge Charles Spurlock issued the injunction at the request of lawyers in Martha Coakley's office, who last week filed a civil complaint against Anita and Peter G. Davekos and their oil business, which operates under several names, including Astrofuel, Apollo Oil and Anchor Oil.

The order bars the company from continuing to improperly file mechanics liens against homeowners over disputed oil bills (mechanics liens are not intended for that purpose, under state law), prohibits them from continuing to use delivery cards that fail to specify all of the fees and terms of their oil delivery, and bars them from doing business in any city or town where they have not filed a business certificate, said Jill Butterworth, a spokeswoman for the attorney general.

The Davekoses and their businesses have come under scrutiny several times in recent years. Last year, The Salem News and a local television station reported on dozens of what Southern Essex Register of Deeds John O'Brien has called questionable mechanics liens filed against homeowners across the North Shore.

The liens, which are supposed to be available only to contractors or other business owners who have done work to the structure of a home or on major systems like the boiler or air-conditioning unit, were being filed quietly and, O'Brien and the attorney general's office say, in violation of the statute.

Homeowners were never notified of the liens, and Anita Davekos never went to court to "perfect" the liens by proving their validity to a judge, the attorney general alleged.

Copyright © 1999-2010 cnhi, inc.