

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION**

**COMMISSIONERS: Jon Leibowitz, Chairman
J. Thomas Rosch
Edith Ramirez
Julie Brill
Maureen K. Ohlhausen**

In the Matter of

**LONG FENCE & HOME, LLLP,
a partnership.**

Docket No. C-4352

COMPLAINT

The Federal Trade Commission, having reason to believe that Long Fence & Home, LLLP (“respondent”) has violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Long Fence is a Maryland limited liability limited partnership with its principal office or place of business at 10236 Southard Drive, Beltsville, Maryland 20705. Respondent does business under its own name and various trade names bearing the “Long” mark, including “Long Windows.”
2. Respondent advertises, offers for sale, sells, and/or distributes windows, including its “Long Windows” replacement window lines manufactured by Serious Energy, Inc., which formerly did business under the name Serious Materials, Inc. Respondent sells these windows through its own salespersons to consumers for residential use.
3. The acts and practices of respondent alleged in this complaint have been in or affecting commerce, as “commerce” is defined in Section 4 of the Federal Trade Commission Act.
4. Respondent has disseminated or has caused the dissemination of advertising and promotional materials, including print advertising, advertising on its website, and brochures and other promotional materials provided to its salespersons, including but not necessarily limited to the attached Exhibits A through F. Respondent disseminated or caused the dissemination of these advertisements and promotional materials to consumers. The advertisements and promotional materials contain the following statements or depictions:

A. Long Windows Print Advertisement

50%
SAVINGS
GUARANTEED

PLEASE READ!

Our energy use dropped so much after installing your windows – Dominion Virginia Power thought our meter was broken! We look forward to using Long Fence and Home for many years to come!

*Derek and Jennifer H.
Springfield, Virginia*

Exhibit A (Jan. 2010) (Washington Post, Red Plum).

B. Long Windows Print Advertisement

**50%
ENERGY
SAVINGS
GUARANTEED***

AMAZING RESULTS!

Our energy use dropped so much after installing your windows – Dominion Virginia Power thought our meter was broken! We look forward to using Long Fence and Home for many years to come!

*Derek and Jennifer H.
Springfield, Virginia*

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* 50% Energy Savings based on manufacturer's one year savings guarantee. Many factors determine actual savings and results may vary. Call for further details on our written savings guarantee.

Exhibit B (Jan.-Nov. 2010) (Washington Post, Red Plum, Examiner).

C. Long Windows Print Advertisement



Exhibit C (Mar.-June 2009) (Washington Post, Red Plum, Examiner, Merchandiser).

D. Long Windows Print Advertisement



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- . 50% energy savings guarantee

Exhibit D (Sept. 2009) (Washington Post, Red Plum, Examiner, Merchandiser).

E. Long Windows Internet Promotional Material



We guarantee you'll save 50% on your heating and cooling costs - and cut your energy bills in half - when you install Long Windows throughout your home or we'll reimburse you the difference.[] Speak to your Long Windows consultant for full details.

Exhibit E (Sept. 2010) (<http://www.longwindows.com>).

F. Long Windows Energy Saving Pledge:



*50% Energy Savings
Guarantee*

This pledges a savings of at least 50% of energy consumption for heating and cooling the residence listed below during the 12 month period beginning with the date of this pledge. In the event energy saving[s] are less than 50% of the previous 12 months['] energy consumption, the homeowner should notify Long Fence and Home who will provide the homeowner with the necessary forms to file for benefits under this pledge. If energy savings are less than 50% of the previous 12 month[s'] energy consumption, the homeowner will be reimbursed the difference between the actual savings and 50% of the energy costs for the previous 12 months.

Notwithstanding anything herein to the contrary, it is hereby agreed and understood that this pledge only be effective if the homeowner, located at the address shown hereon, has purchased a complete installation of Quantum2 replacement windows with SuperPak Glass™ glazing, and is effective on the dates shown.

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Exhibit F.

5. Many factors determine the savings homeowners can realize by replacing their windows, including the home's geographic location, size, insulation package, and existing windows. Consumers who replace single or double-paned wood or vinyl-framed windows – common residential window types in the United States – with Long Windows replacement windows are not likely to achieve a 50% reduction in residential energy consumption or heating and cooling costs.

6. Through the means described in Paragraph 4, respondent has represented, expressly or by implication, that:

- A. Consumers who replace windows with Quantum2 replacement windows with SuperPak Glass are likely to achieve residential energy savings of 50%; or
- B. Consumers who replace windows with Quantum2 replacement windows with SuperPak Glass are likely to save 50% on residential heating and cooling costs.

7. Through the means described in Paragraph 4, respondent has represented, expressly or by implication, that it possessed and relied upon a reasonable basis that substantiated the representation(s) set forth in Paragraph 6 at the time that the representation(s) were made.

8. In truth and in fact, respondent did not possess and rely upon a reasonable basis that substantiated the representation(s) set forth in Paragraph 6 at the time that the representation(s) were made. Therefore, the representation set forth in Paragraph 7 was false or misleading.

9. Respondent's practices, as alleged in this complaint, constitute unfair or deceptive acts or practices in or affecting commerce in violation of Section 5(a) of the Federal Trade Commission Act.

THEREFORE, the Federal Trade Commission, this fifth day of April, 2012, has issued this complaint against respondent.

By the Commission, Commissioner Rosch and Commissioner Ohlhausen not participating.

Donald S. Clark
Secretary

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