

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



P.O. Box 30736
LANSING, MICHIGAN 48909

DANA NESSEL
ATTORNEY GENERAL

September 24, 2025

MTVRS LLC
c/o Onyx Hotels LLC and Ryan Windsor
[REDACTED]
Austin, TX 78701

Re: *MTVRS, LLC*

Dear Onyx Hotels and Mr. Windsor:

This letter gives MTVRS, LLC notice of intended action in accordance with MCL 445.905(2) and provides you with an opportunity to immediately cease and desist from engaging in the unlawful business practices described below.

As background, this Office is responsible for enforcement of the Michigan Consumer Protection Act, MCL 445.901 *et seq.* Under this Act, the Attorney General may bring injunctive actions to protect the interests of consumers and to impose civil fines for persistent and knowing violations. The Attorney General can also bring an action for money damages on behalf of affected consumers.

This Office has collected evidence demonstrating you are actively exploiting a popular tourist destination in our State, Mackinac Island, through the operation of two deceptive websites.

As you are obviously aware, Mackinac Island is a nationally recognized vacation destination and a treasured part of Michigan's tourism industry. Situated in Lake Huron between our State's two peninsulas, the Island was the setting for the 1981 film "Somewhere In Time," starring Jane Seymour and Christopher Reeves.

As motorized vehicles are not allowed on the Island, countless families enjoy surveying it each Spring, Summer, and Fall through walking, bicycling, and horse-drawn carriage rides. Visitors delight in sampling the myriad flavors of Mackinac Island fudge from the many shops to be found there as a prelude to selecting those they will consume more passionately (after abandoning the fiction the purchase is for loved ones back home).

Each year, more than 200,000 people tour historic Fort Mackinac—which is just one of the Island's notable attractions. Part of the Mackinac Historic State

Parks, the Fort tickets are sold by a governmental agency responsible for park preservation. The real website for purchasing such tickets is www.mackinacparks.com. But you have created an imposter site, complete with a fake logo of your own design (or likely one generated by artificial intelligence.) Your imposter website is found at www.fortmackinactickets.com. Although you do make a disclosure that your website is not connected with the Fort, that disclosure comes far down on the home page and well after consumers are given multiple opportunities to buy tickets. The disclosure you do make falls far short of the legal requirements under the MCPA, and the upcharge you place on Fort tickets is far from conspicuous. Entities like yours—that have no contract, affiliation, or other association with the State agency—must adhere to MCL 445.903m, which states:

(1) If a third party charges customers a fee or requires customers to disclose personal information for online services that are similar to online services performed by a governmental agency in this state and the third party is not affiliated with that governmental agency or under contract with that governmental agency to provide those online services, the third party shall do all of the following:

(a) Have a conspicuous notification on the website offering those online services stating that the third party is not a governmental agency of this state.

(b) Have a conspicuous notification on the website offering those online services stating that the third party's services are not endorsed or approved by a governmental agency of this state.

(c) Have a conspicuous notification on the website offering those online services stating that the third party is not affiliated with a governmental agency of this state or under contract with a governmental agency of this state to provide those online services.

(d) Provide a link on the website offering those online services to the website of the governmental agency of this state on which a person may utilize the governmental agency's online service.

(e) Before a transaction for an online service is completed, ensure that a conspicuous notification of any fee it will charge for the online service occurs.

(2) A person that is not part of or associated with a governmental entity shall not do any of the following:

(a) Simulate a summons, complaint, jury notice, or other court, judicial, or administrative process of any kind.

(b) Represent, imply, or otherwise engage in an action that may reasonably cause confusion that the person using or employing the action is a part of or associated with a governmental entity.

(c) Represent, imply, or otherwise reasonably cause confusion that goods, services, an advertisement, or an offer was disseminated by or has been approved, authorized, or endorsed, in whole or in part, by a governmental entity, when such is not true.

(d) Use or employ language, symbols, logos, representations, statements, titles, names, seals, emblems, insignia, trade or brand names, business or control tracking numbers, website or email addresses, or any other term, symbol, or other content that represents or implies or otherwise reasonably causes confusion that goods, services, an advertisement, or an offer is from a governmental entity, when such is not true. [MCL 445.903m(1), (2).]

Most visitors reach Mackinac Island by boat. The other of your misleading websites affecting Michigan, www.mackinacticketing.com, targets such consumers. Your imposter site has copied the schedule information and address for Shepler's Ferry. Unless the consumer visits the terms and conditions page of your website, they are likely to believe they are purchasing the ticket directly from Shepler's Ferry rather than from you. They would also likely not understand that you are charging a \$7.95 fee to take the name, email address and credit/debit card information being supplied to you and using it to then yourself purchase a ticket from the Shepler's Ferry website that is then sent to the consumer by Shepler's Ferry. But a sample purchase done by one of our witnesses shows that is precisely what you are doing—at least in the best possible scenario. While Shepler's Ferry is not a governmental agency, your misleading conduct here violates MCL 445.903 which prohibits:

(a) Causing a probability of confusion or misunderstanding as to the source, sponsorship, approval, or certification of goods or services.

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(bb) Making a representation of fact or statement of fact material to the transaction such that a person reasonably believes the represented or suggested state of affairs to be other than it actually is. [MCL 445.903(1)(a), (bb)]

We are advised by both the operators of Fort Mackinac and Shepler's Ferry that in recent weeks visitors have shown up to their locations with no ticket, having only an email from you suggesting one had been purchased. But emails from your company do not suffice to get consumers onto the ferry or into the Fort. That this is happening at both sites gives this Office probable cause to believe you are engaging in the further unfair trade practice of failing to deliver promised benefits (by failing to deliver the purchased tickets) in violation of MCL 445.903(1)(y).

You are invited to explore an agreement for voluntary assurance with us at a meeting to be held on or before October 6, 2025. Meanwhile, you should either take down the above referenced websites or change them to comply with Michigan law. Should a lawsuit become necessary to accomplish this, any failure to do so will be alleged as persistent and knowing as we seek civil fines. Further, if there is to be an assurance agreement, we will need to explore the extent to which consumers purchased tickets that were not delivered so that appropriate refunds can be given. Finally, we observe you have similarly deceptive websites for tourist destinations in other States. As to those other websites, we have an interest in protecting Michigan consumers from falling victim to your deceit and want to explore with you a methodology for ensuring Michigan consumers are either given clear disclosures before making purchases or are safeguarded against such purchases entirely.

We look forward to your prompt attention to the Mackinac Island websites and to hearing from you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Darrin F. Fowler", with a long, sweeping horizontal line extending to the right.

Darrin F. Fowler
Lauren M. Rogers
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Corporate Oversight Division
(517) 335-7632