

Meeting Summary
Dealer Practices Committee
Monday July 14, 2025

Chair Andrew Wiley called the Dealer Practices Committee meeting to order at 9:00 a.m. This meeting was conducted at the Department of Motor Vehicles, 2300 W. Broad Street, Executive Conference Room 702, Richmond, Virginia. Roll call confirmed the following Committee members being present: Tom Barton, Chris Maher, Tim Pohanka, Jeff Ryer and Don Sullivan. Those absent included Alexis Barker-Taplett, M'Lissa Dunn, Dick Myers. Other Board members present: Chip Lindsay, Edward Maulbeck. Interim Executive Director Melanie Lester, Lisa Mack-Nelson, Ann Majors and Micah Bailey represented the Dealer Board. Alex Page represented the Attorney General's office.

The May 12, 2025 meeting summary was approved.

PUBLIC COMMENT – There was no public comment.

OLD BUSINESS

TABLED: Review and Action: Informal Fact-Finding Conference:

Shorehaven Motor Sports and Steven C. Epstein #51564. On February 11, 2025, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529, 46.2-1533 and 46.2-1575(2). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$1,750.00 (\$500 for 46.2-1529, \$250 for 46.2-1547 and \$1,000 for 46.2-1575(2)), suspension of licenses until a satisfactory inspection can be conducted and successfully complete the 2-day Dealer-Operator course.

Mr. Epstein and David Phillips were present, and Mr. Epstein spoke on his own behalf.

Chris Maher moved to accept the hearing officer's recommendation, minus the suspension of all licenses. Don Sullivan seconded. The motion carried unanimously.

OLD BUSINESS FROM THE FLOOR – No old business from the floor.

NEW BUSINESS

Jerry's Auto Service and Sales, Jerry Farmer #833 – Request for a Variance in Hours. VA Code Section § 46.2-1533 requires that each motor vehicle dealer be open for business for a minimum of 20 hours per week, and at least 10 of those hours shall be between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday. The Board on written request by a dealer, may modify these requirements for good cause.

Chris Maher moved to approve the request for a variance in hours. Tim Pohanka seconded. The motion carried unanimously.

Review and Action: Informal Fact-Finding Conferences:

Premium Auto Collections, Inc. and Johnathan L. Wright, Jr. #51239. On May 16, 2025 an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1503 (4), 46.2-1574 (2), 46.2-1575 (6) and 46.2-1575 (14). Based on the information provided at the conference, the hearing officer recommended no action for 46.2-1503 (4), Revocation for violations of 46.2-1574 (2), access a civil penalty of \$1,000 for violations of 46.2-1575 (4) and \$1,000 for violations of 46.2-1575 (6).

Chris Maher moved to accept the hearing officer's recommendation. Don Sullivan seconded. The motion carried unanimously.

Flat Rock Auto Sales and Sergio Canas #53353. On June 10, 2025, an informal fact-finding conference was conducted to address the alleged violations of VA Code Section 46.2-1529, 46.2-1532, 46.2-1539, 46.2-1548 and 46.2-1575(2). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$3,000.00 (\$500 for 46.2-1529, \$500 for 46.2-1532, \$500 for 46.2-1539, \$750 for 46.2-1548 and \$750 for 46.2-1575 (2), follow-up inspection within 45 days and the owner successfully complete the 2-day Dealer-Operator course with 30 days.

Sergio Canas and his daughter, Carla Canas, were present and Ms. Canas spoke on behalf of her Father.

Chris Maher moved to accept the hearing officer's recommendation. Tom Barton seconded. The motion carried unanimously.

Car Stop Auto, Inc. and Murtaza Z. Mirza #56496. On June 10, 2025, an informal fact-finding conference was conducted to address the alleged violations of VA Code Section 46.2-1542(B), 46.2-1574 and 46.2-1575(2) and 46.2-1575(6). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$5,750.00 (\$1,250.00 for violation of 46.2-1542 (B), \$1,000.00 for violation of 46.2-1574, \$1,000.00 for violation of 46.2-1575 (2) and \$2,500.00 for violation of 46.2-1575 (6), satisfactory inspections of dealer records and proper use of POD system and to successfully complete the 2-day Dealer-Operator course.

Murtaza Mirza was present and spoke on his own behalf.

Jeff Ryer moved to accept the hearing recommendation. Tim Pohanka seconded. The motion carried unanimously.

Osaka Automotive and Johnathan Schaberg #57156. On June 26, 2025, an informal fact-finding conference was conducted to address the alleged violations of VA Code Section 46.2-1533 46.2-1575 (2). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$500.00 (\$250 for violations of 46.2-1533 and \$250.00 for violations of 46.2-1575 (2)) and a satisfactory inspection within 90 days of the Board's decision.

Johnathan Schaberg was present and spoke on his own behalf.

Tim Pohanka moved to accept the hearing officer's recommendation. Don Sullivan seconded. The motion carried unanimously.

Certified Automotive Group, LLC and Darren Kellam #56853. On June 17, 2025, an informal fact-finding conference was conducted to address the alleged violations of VA Code Section 46.2-1503.4(8) and 46.2-1575(6). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$1,500 (\$500 for violation of 46.2-1533, \$1,000 for violation of 46.2-1575 (2)), suspension of all licenses for 45 days, follow-up inspection within 45 days and to successfully complete the 2-day Dealer-Operator course within 30 days.

Tim Pohanka moved to accept the hearing officer's recommendation. Jeff Ryer seconded. The motion carried unanimously.

Gopal Motors and Urvi D. Pancholi #58342. On June 17, 2025, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1533 and 46.2-1575 (2). Based on the information provided at the conference, the hearing officer recommended a \$1,000.00 civil penalty (\$750.00 for violations of 46.2-1533 and \$250.00 for violations of 46.2-1575(2)), suspension of all licenses until a satisfactory inspection is conducted and \$50.00 administrative fee paid.

Jeff Ryer moved to accept the hearing officer's recommendation. Chris Maher seconded. The motion carried unanimously.

Review and Action: Formal Hearing:

Auto Buying Service and Usman Masim #49298. Historical Overview leading up to the Formal Hearing: On September 25, 2024, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529, 46.2-1550(2), 46.2-1575(2) and 46.2-1575(6). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$18,250.00 (\$17,250 for violations of 46.2-1529 - \$50 for each missing 345 record and \$1,000 for violations of 46.2-1552 - 131 missing transport records) and a satisfactory inspection within 90 days. During the Full Board meeting, the Board Members adopted resolution indicated that, due to the severity of the violations, they assessed a \$50,000.00, suspend all licenses and certificates issued by the Board to Usman Nasim for 30 days, a satisfactory inspection to be conducted on or before February 25, 2025 and for Usman Nasim and Quais Sidiqi successfully complete the 2-day Dealer-Operator on or before

April 28, 2025. They had until March 3, 2025 to either accept or appeal the Decision. On February 21, 2025, an IS 12 was completed for the board mandated inspection that was due on or before February 25, 2025. On February 24, 2025, the inspection was completed and that inspection resulted in an unsatisfactory. On February 27, 2025, the dealer appealed for a formal hearing. On May 13, 2025, a formal hearing was conducted to address the alleged violations of VA Code Sections 46.2-1529, 46.2-1550(2), 46.2-1575(2) and 46.2-1575(6). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$18,250.00 (\$17,250 for violations of 46.2-1542 (B) and \$1,000.00 for violations of 46.2-1550(2), satisfactory inspection of dealer records and of PoD records and to successfully complete the 2-day Dealer-Operator course.

David Mahdavi, attorney for Mr. Usman, Quais Sidiqi, Dealer-Operator and Sam Rasuli, General Manager were present for Usman Masim. Mr. Mahdavi spoke on behalf of his client.

Chris Maher moved to accept the hearing officer's recommendation, minus the inspection and class. Don Sullivan seconded. The motion carried unanimously.

NEW BUSINESS FROM THE FLOOR – No new business from the floor.

NEXT MEETING – During Full Board, the members agreed to have the meeting September 8, 2025.

The Dealer Practices committee meeting adjourned at 10:12 a.m.

Meeting Summary
Dealer Licensing Committee
NO MEETING WAS CONDUCTED DUE TO NO QUORUM
Monday, July 14, 2025

This meeting was not conducted at the Department of Motor Vehicles, 2300 W. Broad Street, Executive Conference Room 702, Richmond, Virginia.

The May 12, 2025 meeting summary was not approved, due to no quorum.

PUBLIC COMMENT – No public comment.

OLD BUSINESS – No old business.

OLD BUSINESS FROM THE FLOOR – No old business from the floor.

NEW BUSINESS – No new business.

Review and Action: Informal Fact-Finding Conferences:

NEW BUSINESS FROM THE FLOOR – No new business from the floor.

**Meeting Summary
Advertising Committee
Monday, July 14, 2025**

Committee Chair Tim Pohanka called the Advertising Committee meeting to order at 10:13 a.m. This meeting was conducted at the Department of Motor Vehicles, 2300 W. Broad Street, Executive Conference Room 702, Richmond, Virginia. Roll call confirmed the following Committee members being present: Chip Lindsay, Chris Maher, Edward Maulbeck, Jeff Ryer, Don Sullivan. Those absent included Tom Bates, Kevin Reynolds. Other Board members present: Alexis Barker-Taplett, Tom Barton and Andrew Wiley. Interim Executive Director Melanie Lester, Lisa Mack-Nelson, Ann Majors and Micah Bailey represented the Dealer Board. Alex Page represented the Attorney General's office.

The May 12, 2025 meeting summary was approved.

PUBLIC COMMENT – No public comment.

OLD BUSINESS – No old business.

OLD BUSINESS FROM THE FLOOR – No old business from the floor.

NEW BUSINESS

Board Member Edward Maulbeck Discussion:

- * Discussed advertising trends and explore them in the context of Virginia Code Sections 46.2-1535, which covers non-disclosure of "VA DLR" in advertisements, 46.2-1575, which covers untrue, misleading, or deception issues, 46.2-1581, which covers a processing fee not listed as a specific dollar amount and not disclosed, Administrative Code Provisions 24VAC22-30-20 thru 24VAC22-30-40, Deliberate on Board actions and Clarification of Board's enforcement authority.

There was much discussion of possible changes to reflect that advertising should be included in the field representative inspections, changes to the current policy and possible motions to change civil penalties and warnings, but it was held off so that the revised Transformation Checklist could be reviewed in the Full Board. The consensus of the Committee was to wait until the Full Board.

NEW BUSINESS FROM THE FLOOR – No new business from the floor.

NEXT MEETING – During Full Board, the members agreed to have the meeting September 8, 2025.

The Advertising committee meeting adjourned at 10:56 a.m.

Meeting Summary
Transaction Recovery Fund Committee
Monday, July 14, 2025

Committee Chair Chris Maher called the Transaction Recovery Fund Committee meeting to order at 10:56 a.m. This meeting was conducted at the Department of Motor Vehicles, 2300 W. Broad Street, Executive Conference Room 702, Richmond, Virginia. Roll call confirmed the following Committee members being present: Tom Barton, Chip Lindsay, Ed Maulbeck, Jeff Ryer, Don Sullivan and Andrew Wiley. Those absent included Tom Bates, M'Lissa Dunn. Other Board members present: Timothy Pohanka. Interim Executive Director Melanie Lester, Lisa Mack-Nelson, Micah Bailey and Ann Majors represented the Dealer Board. Alex Page represented the Attorney General's office.

The May 12, 2025 meeting summary was approved.

PUBLIC COMMENT

OLD BUSINESS – No old business.

OLD BUSINESS FROM THE FLOOR – No old business from the floor.

NEW BUSINESS – No new business.

Review and Action: Informal Fact-Finding Conferences:

Pam McZeal vs. John D. Wilson. On June 30, 2025, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1527.3 against John Wilson. Based on the information provided at the conference, the hearing officer determined there is insufficient clear evidence for approval of payment and requested deliberation from the Board on payment of \$7,182.24 from the Fund.

Pam McZeal was present and spoke on her own behalf.

Jeff Ryer moved to authorize payment of \$7,182.24 to Ms. McZeal from the Fund against John D. Wilson. Andrew Wiley seconded. The motion carried unanimously.

NEW BUSINESS FROM THE FLOOR – No new business from the floor.

NEXT MEETING – During Full Board, the members agreed to have the meeting September 8, 2025.

The Transaction Recovery Fund committee meeting adjourned at 11:33 a.m.

Meeting Summary
Motor Vehicle Dealer Board
Monday, July 14, 2025

Board Chair Gerald Lackey called the Dealer Board meeting to order at 11:46 a.m. This meeting was conducted at the Department of Motor Vehicles, 2300 W. Broad Street, Executive Conference Room 702, Richmond, Virginia. Roll call confirmed the following members being present: Tom Barton Chip Lindsay, Chris Maher, Ed Maulbeck, Timothy Pohanka, Jeff Ryer, Don Sullivan and Andrew Wiley. Those absent included Alexis Barker-Taplett, Tom Bates, M'Lissa Dunn, Dennis Ellmer, Dick Myers and Kevin Reynolds. Interim Executive Director Melanie Lester, Lisa Mack-Nelson, Ann Majors and Micah Bailey represented the Dealer Board. Christian Parrish represented the Attorney General's Office. Alice Weedon was the recording secretary.

The May 12, 2025 meeting summary was approved.

PUBLIC COMMENT – No public comment.

STATUTORY COMMITTEE REPORTS

Dealer Practices Committee

Committee Vice-Chair Andrew Wiley summarized discussions held and actions taken during the Committee Meeting.

Review and Action: Informal Fact-Finding Conferences:

TABLED ISSUE: Shorehaven Motor Sports and Eric S. Epstein #51564. Committee Vice-Chair Andrew Wiley presented the following motion: The Board has reviewed and considered the facts, evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Shorehaven Motor Sports & Steven C. Epstein for the alleged violations. Based on due consideration, the Board believes the following actions should be taken against Shorehaven Motor Sports & Steven C. Epstein: Assessed a civil penalty of \$1,750.00, follow up inspection by a Motor Vehicle Dealer Board field representative within 60 days and that inspection shall be satisfactory; and successful completion of the 2-day dealer-operator course within 60 days. The Board hereby mandates that Shorehaven Motor Sports & Steven C. Epstein shall be assessed a civil penalty of \$1,750.00 due on or before August 20, 2025, Shorehaven Motor Sports shall undergo an inspection by a Motor Vehicle Dealer Board field representative and that inspection must be satisfactory on or before October 20, 2025, and Steven C. Epstein shall complete the 2-day dealer-operator course on or before October 20, 2025. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time Shorehaven Motor Sports & Steven C. Epstein successfully comply with the Board's mandates.

Chris Maher seconded. The motion carried unanimously.

Jerry's Auto Service and Sales, Jerry Farmer #833: Request for a Variance in Hours. Committee Vice-Chair Andrew Wiley presented the following motion: The Board has reviewed and considered the request for a variance in hours, the Board grants the request as stated. The Board hereby grants Jerry's Auto Service and Sales and Jerry Farmer to maintain business hours between 4:00pm and 8:00pm Monday through Friday.

Don Sullivan seconded. The motion carried unanimously.

Premium Auto Collections, Inc. and Johnathan Wright, Jr. #51239. Committee Vice-Chair Andrew Wiley presented the following motion: The Board has reviewed and considered the facts, evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Premium Auto Collections, Inc. and Johnathan Wright, Jr. for the alleged violations. Based on due consideration, the Board believes the following actions should be taken against Premium Auto Collections, Inc. and Johnathan Wright, Jr.: Assessed a civil penalty of \$2,000.00. The Board hereby mandates that Premium Auto Collections, Inc. and Johnathan Wright, Jr. shall be assessed a civil penalty of \$2,000.00 due on or before August 20, 2025. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time Premium Auto Collections, Inc. and Johnathan Wright, Jr., successfully comply with the Board's mandates.

Mr. Wright was late to the Dealer Practices Committee meeting; therefore, he spoke on his own behalf during Full Board.

Don Sullivan seconded. The motion carried unanimously.

Flat Rock Auto Sales and Sergio Canas #53353. Committee Vice-Chair Andrew Wiley presented the following motion: The Board has reviewed and considered the facts, evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Flat Rock Auto Sales and Sergio Canas for the alleged violations. Based on due consideration, the Board believes the following actions should be taken against Flat Rock Auto Sales and Sergio Canas; Assessed a civil penalty of \$3,000.00; and A follow up inspection by a Motor Vehicle Dealer Board field representative within 45 days and that inspection shall be satisfactory; and successful completion of the 2-day dealer-operator course within 30 days. The Board hereby mandates that Flat Rock Auto Sales and Sergio Canas shall be assessed a civil penalty of \$3,000.00 due on or before August 20, 2025, Flat Rock Auto Sales shall undergo an inspection by a Motor Vehicle Dealer Board field representative and the inspection must be satisfactory on or before October 6, 2025, and Sergio Canas shall successfully complete the 2-day dealer-operator course on or before September 19, 2025. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time Flat Rock Auto Sales and Sergio Canas successfully comply with the Board's mandates.

Jeff Ryer seconded. The motion carried unanimously.

Car Stop Auto, Inc. and Murtaza Z. Mirza #56496. Committee Vice-Chair Andrew Wiley presented the following motion: The Board has reviewed and considered the facts, evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Car Stop Auto, Inc. and Murtaza Z. Mirza for the alleged violations. Based on due consideration, the Board believes the following actions should be taken against Car Stop Auto, Inc. and Murtaza Z. Mirza; Assessed a civil penalty of \$5,750.00; and A follow up inspection by a Motor Vehicle Dealer Board field representative within 60 days and that inspection shall be satisfactory. Successful completion of the 2-day dealer-operator course within 60 days. The Board hereby mandates that Car Stop Auto, Inc. and Murtaza Z. Mirza shall be assessed a civil penalty of \$5,750.00 due on or before August 20, 2025, Car Stop Auto, Inc. shall undergo an inspection by a Motor Vehicle Dealer Board field representative and the inspection must be satisfactory on or before October 20, 2025, and Murtaza Z. Mirza shall successfully complete the 2-day dealer-operator course on or before October 20, 2025. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time Car Stop Auto, Inc. and Murtaza Z. Mirza successfully comply with the Board's mandates.

Tim Pohanka seconded. The motion carried unanimously.

Osaka Automotive and Johnathan Schaberg #57156. Committee Vice-Chair Andrew Wiley presented the following motion: The Board has reviewed and considered the facts, evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Osaka Automotive and Johnathan Schaberg for the alleged violations. Based on due consideration, the Board believes the following actions should be taken against Osaka Automotive and Johnathan Schaberg: Assessed a civil penalty of \$500.00 and a follow up inspection by a Motor Vehicle Dealer Board field representative within 90 days and that inspection shall be satisfactory. The Board hereby mandates that Osaka Automotive and Johnathan Schaberg shall be assessed a civil penalty of \$500.00 due on or before August 20, 2025, and Osaka Automotive shall undergo an inspection by a Motor Vehicle Dealer Board field representative and the inspection must be satisfactory on or before November 18, 2025. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time Osaka Automotive and Johnathan Schaberg successfully comply with the Board's mandates.

Don Sullivan seconded. The motion carried unanimously.

Certified Automotive Group, LLC and Darren Kellman #56853. Committee Vice-Chair Andrew Wiley presented the following motion: The Board has reviewed and considered the facts, evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Certified Automotive Group, LLC and Darren Kellam for the alleged violations. Based on due consideration, the Board believes the following actions should be taken against Certified Automotive Group, LLC and Darren Kellam: Assessed a civil penalty of \$1,500.00; and Suspend all licenses and certificates issued by the Board for 45 days and a follow up inspection by a Motor Vehicle Dealer Board field representative within 45 days and that inspection shall be satisfactory; and successful completion of the 2-day dealer-operator course within 45 days. The Board hereby mandates that Certified Automotive Group, LLC and

Darren Kellam shall be assessed a civil penalty of \$1,500.00 due on or before August 20, 2025, shall serve a 45-day suspension of all licenses and certificates issued by the Board commencing on August 20, 2025, through October 6, 2025, Certified Automotive Group, LLC shall undergo an inspection by a Motor Vehicle Dealer Board field representative on or before November 20, 2025, and Darren Kellam shall successfully complete the 2-day dealer-operator course on or before October 6, 2025. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time Certified Automotive Group, LLC and Darren Kellam successfully comply with the Board's mandates.

Tom Barton seconded. The motion carried unanimously.

Gopal Motors and Urvi D. Pancholi #58342. Committee Vice-Chair Andrew Wiley presented the following motion: The Board has reviewed and considered the facts, evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Gopal Motors and Urvi D. Pancholi for the alleged violations. Based on due consideration, the Board believes the following actions should be taken against Gopal Motors and Urvi D. Pancholi; assessed a civil penalty of \$1,000.00, suspend all licenses and certificates issued by the Board for 30 days and a follow-up inspection by a Motor Vehicle Dealer Board field representative within 45 days and that inspection shall be satisfactory. The Board hereby mandates that Gopal Motors and Urvi D. Pancholi shall be assessed a civil penalty of \$1,000.00 due on or before August 20, 2025, shall on August 20, 2025, or upon being reinstated from a current suspension, serve a 30 day suspension of all licenses and certificates issued by the Board, and Gopal Motors shall undergo a follow up inspection by a Motor Vehicle Dealer Board field representative within 45 days of the reinstatement of the licenses and certificates from the 30-day suspension. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time Gopal Motors and Urvi D. Pancholi successfully comply with the Board's mandates.

Chris Maher seconded. The motion carried unanimously.

Review and Action: Formal Hearing:

Auto Buying Service and Usnan Masim #49298. Committee Vice-Chair Andrew Wiley presented the following motion: The Board has reviewed and considered the facts, evidence and the report of a formal hearing as prepared by the hearing officer concerning Auto Buying Auto Service and Usman Nasim for the alleged violations. Based on due consideration, the Board believes the following actions should be taken against Auto Buying Auto Service and Usman Nasim; Assessed a civil penalty of 18,250.00. The Board hereby mandates that Auto Buying Auto Service and Usman Nasim shall be assessed a civil penalty of \$18,250.00 due on or before August 20, 2025. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time Auto Buying Auto Service and Usman Nasim successfully comply with the Board's mandates.

Don Sullivan seconded. The motion carried unanimously.

Licensing Committee

There was not a quorum; therefore, a meeting was not conducted.

Advertising Committee

Committee Chair Tim Pohanka summarized discussions held and actions taken during the Committee.

Transaction Recovery Fund Committee

Committee Chair Chris Maher summarized discussions held and actions taken during the Committee Meeting.

Review and Action: Informal Fact-Finding Conferences:

Pamela McZeal vs. John D. Wilson. Committee Chair Chris Maher presented the following motion: Pursuant to Section §46.2-1527.1 et seq. of the Code of Virginia, which is known as the Motor Vehicle Transaction Recovery Fund (Fund), the Board has reviewed and considered a claim for payment from the Fund, and the recommendations of the Hearing Officer on the claim. Based on due consideration and the recommendation of the Hearing Officer, the Board approves and acknowledges that the applicant's claim of \$7,118.24 should be payable from the Fund after July 31, 2025, with a stipulation. The Board hereby approves and reaffirms the claim for payment from the Fund after July 31, 2025, unless the Office of the Attorney General advises the Motor Vehicle Dealer Board does not have the legal authority to approve payment of the claim from the Fund.

| Claimant | Judgement Amount | Fund Payment: |
|-----------------|-------------------------|----------------------|
| Pamela McZeal | \$7,118.24 | \$7,118.24 |

Don Sullivan seconded. The motion carried unanimously.

OLD BUSINESS:

UPDATE: MVDB Operating Systems Update: See attached Motor Vehicle Dealer Board Transformation Checklist.

Legislative Updates – VADA and VIADA

VADA: Anne Gambardella indicated there was nothing to report.

VIADA: Tommy Melendez indicated there was nothing to report.

INTERIM EXECUTIVE DIRECTOR'S REPORT – Melanie Lester presented the following:

1. New Policy Request – Enforcing VA Code Section 46.2-1545 re: 30-day notice to the Board of a dealership closing.
2. Enforcement Checklists.
3. Board Mandated policies/procedures – Fitness Test.

1. New Abandonment Policy. All dealers must notify the Board when they are closing their business. According to the audit, MVDB did not do well in this category. So, Ms. Lester suggested placing an Abandonment Policy in the current MVDB current policy which purposes are: Post-Abandonment Enforcement and Future Business Restrictions.

Chris Maher moved to give authority to the Dealer Board to place the Abandonment Policy into the MVDB current policy. Jeff Ryer seconded. The motion carried unanimously.

2. Virginia MVDB Policy/Guidance Document Fitness Test Checklist: 1. Legal Support, 2. Legal Consistency. 3. Tangibility & Practical Access. 4. Not Legal Advice. 5. Appropriate Scope. 6. Evidenced Need. Final Consideration (Optional Use). Additional Considerations (if needed for refinement).

Chris Maher moved to adopt the policy fitness test. Staff run a new policy through a fitness test (6 step checklist) before the policy can be changed. Tim Pohanka seconded. The motion carried unanimously.

3. Advertising Checklist: 1. Clarity and Truthfulness in Advertising VA Code Section 46.2-1581 and 24VAC22-30-30. 2. Legal Identification and Platform Use. 3. Other. 4. Results. 5. Notes.

Jeff Ryer moved to adopt the Advertising Checklist and to incorporate new ideas. Tim Pohanka seconded. The motion carried unanimously.

Tim Pohanka suggested that all vehicles should have the Monroney sticker and buyers guide.

OLD BUSINESS FROM THE FLOOR – There was no old business from the floor.

NEW BUSINESS – There was no new business.

NEW BUSINESS FROM THE FLOOR – There was no new business from the floor.

Board Chairman Lackey announced that the next Board meeting will take place on September 8, 2025.

At 1:40 p.m. Chris Maher moved to go into Executive Session. Tim Pohanka seconded. The motion carried unanimously. The roll was called and all voted Aye.

Recorder was stopped.

Recorder was turned back on at 2:15 p.m. Gerald Lacky brought the Full Board meeting out of Executive Session and there being no further business to come before the Motor Vehicle Dealer Board, Board Chairman Lackey adjourned the meeting.