

Meeting Summary
Dealer Practices Committee
Monday March 10, 2025

Vice-Chair Andrew Wiley called the Dealer Practices Committee meeting to order at 9:01 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, M'Lissa Dunn, Chip Lindsay, Chris Maher, Dick Myers and Tim Pohanka. Those absent included Alexis Barker-Taplett, Nick Rush and Don Sullivan. Other Board members present: Jeff Ballard, Edward Maulbeck 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.

The January 27, 2025 meeting summary was approved.

PUBLIC COMMENT – There was no public comment.

OLD BUSINESS

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

NEW BUSINESS

Review and Action: Informal Fact-Finding Conferences:

Uncle Russell and Russell Johnson #57515. On January 31, 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 assessing a civil penalty of \$500.00 (\$250 for violations of 45.2-1533 and \$250 for violations of 46.2-1575 (2)).

Chris Maher moved to accept the hearing officer's recommendation of assessing a civil penalty of \$500. M'Lissa Dunn seconded. The motion carried unanimously.

Review and Action: Formal Hearings:

Fairfax Motors, Inc. and Aqela Saleh #5507. Historical Overview leading up to the Formal Hearing: On June 26, 2024, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1510, 46.2-1529, 46.2-1537 and 46.2-1542 (B). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$4,000.00 (\$750.00 for violations of 46.2-1529, \$2,500.00 for violations of 46.2-1537, \$750.00 for violations of 46.2-1542 (B)) and a satisfactory inspection within 90 days. On October 1, 2024 Aqela Saleh appealed and requested a formal hearing. On December 17, 2024, a formal hearing was conducted to address the alleged violations of VA Code Sections 46.2-1529, 46.2-1537, 46.2-1542 (B) and 46.2-1510 (4). Based on the information provided at the formal hearing, the hearing officer recommended assessing a civil penalty of \$4,500.00 (\$750.00 for violations of 46.2-1529, \$2,500.00 for violations of 46.2-1537, \$1,000.00 for violations of 46.2-1542 (B) and \$250.00 for violations of 46.2-1510 (4), satisfactory inspection of all records and to successfully complete the 2-day Dealer Operator course.

Chris Maher moved to assess a civil penalty of \$11,000 and revocation of all licenses and certificates. Tim Pohanka seconded. The motion carried unanimously.

Carzone Inc. and Maroun Chaoul #23119. Historical Overview leading up to the Formal Hearing: On September 17, 2024, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529, 46.2-1542 (C), 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 \$4,000.00 (\$2,500 for violations of 46.2-1529 – 10 records x \$250, \$500 for violations of 46.2-1542 (C), \$750 for violations of 46.2-1550 (2) – 3 records x 4 \$250 and \$250 for violations of 46.2-1575 (2)), satisfactory inspection of dealer records with dealer present and proper use of POD system and to successfully complete the 2-day Dealer-Operator course. Don Sullivan moved to increase the civil penalty to \$10,000, satisfactory inspection and to successfully complete the 2-day Dealer-Operator course. Tim Pohanka seconded. The motion carried unanimously. On November 22, 2024, the dealer appealed for a formal hearing. On February 5, 2025, a formal hearing was conducted to address the alleged violations of VA Code Sections 46.2-1529, 46.2-1542 (C), 46.2-1550 (2), 46.2-1575 (2) and 46.2-1575 (6). Based on the information provided at the formal hearing, the hearing officer recommended assessing a civil penalty of \$12,750.00 (\$1,750.00 for violations of 46.2-1529, \$1,000.00 for violations of 46.2-1542 (C), \$750.00 and \$1,250.00 for violations of 46.2-1550 (2), \$1,000.00 for violations of 46.2-1575 (2) and \$7,000.00 for violations of 46.2-1575 (6)), satisfactory inspection and to successfully complete the 2-day Dealer Operator course.

Maroun Chaoul was present and spoke on his own behalf.

Chris Maher moved to accept the hearing officer's recommendation assessing a civil penalty of \$12,750.00 of a satisfactory inspection within 90 days and to successfully complete the 2-day Dealer-Operator course within 60 days. Tim Pohanka seconded. All in favor: 6 (Barton, Chip, Maher, Myers, Pohanka and Sullivan). Opposed: 1 (Dunn). The motion carried.

NEW BUSINESS FROM THE FLOOR – Chris Maher moved to suggest to the Full Board members to mandate that all field representatives should successfully attend the 2-day Dealer-Operator course once every 2 years. M'Lissa Dunn seconded. The motion passed unanimously.

Chris Maher also suggested having a committee of members, plus the field representative Supervisor, to discuss this matter and to review updating the check list.

NEXT MEETING – During the Full Board, they agreed to have the meeting May 12, 2025.

The Dealer Practices committee meeting adjourned at 10:04 a.m.

Meeting Summary
Dealer Licensing Committee
Monday, March 10, 2025

Committee Vice-Chair Jeff Ballard called the Dealer Licensing Committee meeting to order at 10:04 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: M'Lissa Dunn, Ed Maulbeck, Dick Myers, Tim Pohanka, Kevin Reynolds and Andrew Wiley. Those absent included Alexis Barker-Taplett, Tom Bates. Other Board members present: Tom Barton, Chip Lindsay and Chris Maher. 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.

The January 27, 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 – No new business.

Review and Action: Informal Fact-Finding Conferences:

Emmanuel William Jones, Salesperson Applicant. On December 16, 2024, an informal fact-finding conference was conducted to address the alleged violations of VA Code Section 46.2-1575 (13). Based on the information provided at the conference, the hearing officer recommended denial of a sales license to Mr. Jones.

Andrew Wiley moved to accept the hearing officer's recommendation of denying the sales license for Emmanuel W. Jones. Kevin Reynolds seconded. The motion carried unanimously.

Bashir Aslami, 95 Motors #50738. On February 21, 2025, an informal fact-finding conference was conducted to address the alleged violations of VA Code Section(s) 46.2-1503.4 (8), 46.2-1574 and 46.2-1575 (6). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$8,750.00 (\$6,750.00 for violations of 46.2-1503 (4), \$1000.00 for violations of 46.2-1574 and \$1,000.00 for violations of 46.2-1575 (6)).

Bashir Aslami was present and spoke on his own behalf.

Andrew Wiley moved to reduce the civil penalty to \$3,000.00 and a satisfactory inspection. Kevin Reynolds seconded. The motion carried unanimously.

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

NEXT MEETING – During the Full Board, they agreed to have the meeting May 12, 2025.

The Licensing Committee meeting adjourned at 10:29 a.m.

Meeting Summary
Advertising Committee
Monday, March 10, 2025

Committee Chair Tim Pohanka called the Advertising Committee meeting to order at 10:30 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: Jeff Ballard, M'lissa Dunn, Edward Maulbeck, Chris Maher, Kevin Reynolds. Those absent included Alexis Barker-Taplett, Tom Bates and Nick Rush. Other Board members present: Tom Barton, Chip Lindsay, Dick Myers and Andrew Wiley. 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.

The January 27, 2025 meeting summary was approved.

PUBLIC COMMENT – No public comment.

OLD BUSINESS

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

NEW BUSINESS

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

NEXT MEETING – During the Full Board, they agreed to have the meeting May 12, 2025

The Advertising committee meeting adjourned at 10:31 a.m.

Meeting Summary
Transaction Recovery Fund Committee
Monday, March 10, 2025

Committee Chair Chris Maher called the Transaction Recovery Fund Committee meeting to order at 10:31 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: Jeff Ballard, Tom Barton, M'Lissa Dunn, Chip Lindsay, Ed Maulbeck and Andrew Wiley. Those absent included Tom Bates, Nick Rush and Don Sullivan. Other Board members present: Dick Myers, Timothy Pohanka and Kevin Reynolds. Executive Director Melanie Lester, Lisa Mack-Nelson, Ann Majors and Micah Bailey represented the Dealer Board. Christian Parrish represented the Attorney General's office.

The January 27, 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:

Brian Jones, Motor Sports vs. Chad's Auto Sales, Inc. #38819. On February 25, 2025, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1527.3 against Chad's Auto Sales, Inc. Based on the information provided at the conference, the hearing officer recommended reversal of the Board's denial on the amount of \$25,000.00 from the Recovery Fund.

Brian Jones was present and spoke on his own behalf.

Andrew Wiley moved to accept the hearing officer's recommendation of reversing the denial notice, of the \$25,000.00 claim, for 46.2-1527 (4). M'Lissa Dunn seconded. The motion carried unanimously.

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

NEXT MEETING – During the Full Board, they agreed to have the meeting May 12, 2025

The Transaction Recovery Fund committee meeting adjourned at 10:54 a.m.

Meeting Summary
Motor Vehicle Dealer Board
Monday, March 10, 2025

Vice Board Chair Chris Maher called the Dealer Board meeting to order at 11:15 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: Jeff Ballard, Tom Barton, M'Lissa Dunn, Chip Lindsay, Ed Maulbeck, Dick Myers, Timothy Pohanka, Kevin Reynolds and Andrew Wiley. Those absent included Alexis Barker Taplett, Tom Bates, Dennis Ellmer, Gerald Lackey, Nick Rush and Don Sullivan. 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 January 27, 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:

Uncle Russell, LLC and Russell Johnson #57515. Committee Vice-Chair Andrew Wiley presented the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Uncle Russell, LLC and Russell Johnson for alleged violations of VA Code Sections 46.2-1533 and 46.2-1575(2). Based on due consideration, the Board believes that the following actions should be taken against Uncle Russell, LLC and Russell Johnson: Assessed a civil penalty of \$500.00. The Board hereby mandates, upon the expiration of the appeal period, Uncle Russell, LLC and Russell Johnson shall be assessed a civil penalty of \$500.00. 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 Uncle Russell, LLC and Russell Johnson successfully comply with the Board's mandates.

Jeff Ballard moved to accept the Committee's recommendation of assessing a \$500 civil penalty. Dick Myers seconded. The motion carried unanimously.

Review and Action: Formal Hearings:

Fairfax Motors and Aqela Saleh #5507. Committee Vice-Chair Andrew Wiley presented the following motion: The Board has reviewed and considered the facts and evidence and the report of a formal hearing as prepared by the hearing officer concerning Aqela Saleh and Fairfax Motors for alleged violations of Va. Code sections 46.2-1529, 46.2-1537 and 46.2-1542(B) and 46.2-1510.4. Based on due consideration, the Board believes that the following actions should be taken against Aqela Saleh and Fairfax Motors: Assessed a civil penalty of \$11,000; and Revoke all licenses and certificates issued by the Board to Aqela Saleh. The Board hereby mandates Aqela Saleh and Fairfax Motors shall be assessed a civil penalty of

\$11,000.00 (due on or before April 17, 2025) and the Board shall revoke all licenses and certificates issued by the Board to Aqela Saleh effective April 17, 2025.

Jeff Ballard moved to accept the Committee's recommendation of assessing a \$11,000 civil penalty and revocation of all licenses. Kevin Reynolds seconded. The motion carried unanimously.

Carzone, Inc. and Maroun Chaoul #23119. Committee Vice-Chair Andrew Wiley presented the following motion: The Board has reviewed and considered the facts and evidence and the report of a formal hearing as prepared by the hearing officer concerning Maroun Chaoul and Car Zone Inc. for alleged violations of Va. Code sections 46.2-1529, 46.2-1542(C), 46.2-1550.2, 46.2-1575.2 and 46.2-1575.6. Based on due consideration, the Board believes that the following actions should be taken against Maroun Chaoul and Car Zone Inc.: Assessed a civil penalty of \$12,750.00, Car Zone Inc. shall be inspected by a Motor Vehicle Dealer Board field representative within 90 days, and that inspection shall be satisfactory and Maroun Chaoul shall successfully complete the 2-day dealer-operator course within 60 days. The Board hereby mandates Maroun Chaoul and Car Zone Inc. shall be assessed a civil penalty of \$12,750.00 (due on or before April 17, 2025); Car Zone Inc. shall undergo an inspection by a Motor Vehicle Dealer Board field representative within 90 days and the inspection must be satisfactory, and Maroun Chaoul shall successfully complete the 2-day dealer-operator course within 60 days. 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 Maroun Chaoul and Car Zone Inc. successfully comply with the Board's mandates.

Maroun Chaoul spoke on his own behalf.

Ed Maulbeck moved to accept the Committee's recommendation of assessing a civil penalty of \$12,750, satisfactory inspection within 90 days and to successfully complete the 2-day Dealer-Operator course within 60 days. Jeff Ballard seconded. All in favor: (Ballard, Barton, Dunn, Lindsay, Maher, Maulbeck, Pohanka, Reynolds, Wiley). Opposed: 1 (Dunn). The motion carried.

Changes to the Check-Off List. Andrew Wiley and Chris Maher indicated that Gerald Lackey, Board Chairman, should be included in the creating a committee to discuss the check-off list changes for the field representatives.

Lisa Mack-Nelson indicated that she felt it would be a conflict of interest and that maybe the field representatives should not take the test at the end of the course. Chris Maher indicated that he didn't think that would be a problem.

Andrew Wiley made a motion that would require all field representatives attend the 2-day Dealer-Operator Course once every 2 years. M'Lissa Dunn seconded. All in favor: 1 (Dunn). Opposed: 9 (Ballard, Barton, Dunn, Lindsay, Maher, Maulbeck, Pohanka, Reynolds, Wiley) The motion failed.

Andrew Wiley indicated that this issue will be placed on the Agenda at the May meeting regarding the field representatives taking the 2-day Dealer Operator Course for further discussion.

Licensing Committee

Vice Committee Chair Jeff Ballard summarized discussions held and actions taken during the Committee.

Review and Action: Informal Fact-Finding Conferences:

Emmanuel William Jones, Salesperson Applicant. Committee Vice-Chair Jeff Ballard made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Emmanuel William Jones for an alleged violation of Va. Code section 46.2-1575(13). Based on due consideration, the Board believes the following actions shall be taken against Emmanuel William Jones: Denied a Salesperson application. The Board mandates that Emmanuel William Jones is hereby denied a salesperson application.

Andrew Wiley seconded. The motion carried unanimously.

Bashir Aslami, 95 Motors #50738. Committee Vice-Chair Jeff Ballard made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Bashir Aslami and Aslami Enterprise Inc., 95 Motors for alleged violations of Virginia Code Sections 46.2-1574 and 46.2-1575(6). Based on due consideration, the Board believes that the following actions should be taken against Bashir Aslami and Aslami Enterprise Inc., 95 Motors: Assessed a civil penalty of \$3,000.00; and Aslami Enterprise Inc., 95 Motors shall be inspected by a Motor Vehicle Dealer Board field representative, and that inspection shall be satisfactory. The Board hereby mandates, upon the expiration of the appeal period, Bashir Aslami and Aslami Enterprise Inc., 95 Motors shall be assessed a civil penalty of \$3,000.00, and Aslami Enterprise Inc., 95 Motors shall undergo an inspection by a Motor Vehicle Dealer Board field representative within 90 days and the inspection must be satisfactory. 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 Bashir Aslami and Aslami Enterprise Inc., 95 Motors successfully comply with the Board's mandates.

Mr. Aslami thanked the board members.

Andrew Wiley seconded. All in favor: 10 (Ballard, Barton, Dunn, Lindsay, Maulbeck, Reynolds, Pohanka, Reynolds, Sullivan, Wiley) Abstained: 1 (Maher) The motion carried.

Advertising Committee

Committee Chair Tim Pohanka reported quorum in place; however, no discussions or actions were on the agenda for the committee to consider. The committee will meet again on May 12, 2025.

Powersport Dealers and their Processing Fees. Mr. Maulbeck made a motion to have MVDB staff make sure that all powersport dealers are properly posting processing fees correctly on all advertising platforms. M'Lissa Dunn. The motion carried unanimously.

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:

Brian Jones Motor Sports, Inc. #38819 vs. Chad's Auto Sales (Expired 02/28/25).

Committee Chair Chris Maher made 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 denied 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 agrees with the hearing officer's recommendation and approves and acknowledges that Brian Jones Motor Sports' claim should be payable from the fund.

Kevin Reynolds seconded. The motion carried unanimously.

OLD BUSINESS:

UPDATE: Dealer Portal Update. Chris Maher indicated that the update will be presented at the May meeting.

Legislative Updates – VADA and VIADA

VADA: Anne Gambardella indicated there was nothing to report at this time.

VIADA: Alvin Melendez indicated there was nothing to report at this time.

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.

Vice-Board Chairman Maher announced that the next Board meeting will take place on May 12, 2025.

INTERIM EXECUTIVE DIRECTOR'S REPORT – Melanie Lester indicated there is nothing to report at this time.

There being no further business to come before the Motor Vehicle Dealer Board, Vice-Board Chairman Maher adjourned the meeting at 12:17 p.m.