

**Meeting Summary  
Dealer Practices Committee  
Monday September 12, 2022**

Committee Chair Ron Kody 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: Dan Banister, Michael Bor, Gardner Britt, Rob Fisher, David Lynn, Chris Maher, R.J. Robinson and Andrew Wiley. Those absent included Geoff Malloy Nick Rush. Other Board members present: Jeff Ballard, Trevor Coley, Dennis Ellmer, Maurice Slaughter. Executive Director William Childress, Lisa Mack-Nelson, Ann Majors and Micah Bailey represented the Dealer Board. Christian Parrish represented the Attorney General's office.

**The July 11, 2022 meeting summary was approved.**

**PUBLIC COMMENT** – There was no public comment.

**OLD BUSINESS** – There was no old business.

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

**NEW BUSINESS**

**Review and Action: Informal Fact-Finding Conferences:**

**Econo Auto, Inc. and Rasoul G. Paykar #35329.** On July 12, 2022, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529 and 46.2-1575 (6). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$4,850.00 and a satisfactory inspection of all dealer records and all PoD records.

Mr. Paykar was present and spoke on his own behalf.

Chris Maher moved to reduce the civil penalty to \$2,425.00. Michael Bor seconded. In favor: 3 (Bor, Maher, Robinson). Opposed: 6 (Kody, Banister, Britt, Fisher, Lynn and Wiley). The motion failed.

Andrew Wiley moved to accept the hearing officer's recommendation of assessing a \$4,850.00 civil penalty and a satisfactory inspection of all dealer records and all PoD records. Rob Fisher seconded. All in favor: 6 (Kody, Banister, Britt, Fisher, Lynn and Wiley). Opposed: 3 (Bor, Maher, Robinson). The motion carried.

**Car Web and Farshad Fakhriyazdi #53460.** On July 26, 2022, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529, 46.2-1539, 46.2-1542 and 46.2-1575 (6). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$4,150.00.

Rob Fisher moved to accept the hearing officer's recommendation of assessing a civil penalty of \$4,150.00. Andrew Wiley seconded. The motion carried unanimously.

**Auto Alvand Imports, LLC and Hossein Maghsoudi #44881.** On August 16, 2022, 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 \$1,250.00 and a satisfactory inspection of dealer records with the dealer present.

Andrew Wiley moved to accept hearing officer's recommendation of assessing a civil penalty of \$1,250.00 and a satisfactory inspection of dealer records with the dealer present. Chris Maher seconded. The motion carried unanimously.

**Review and Action: Formal Hearing:**

**South America Motors, Inc and Elva Benites #51706.** Historical Overview leading up to the Formal Hearing: On January 11, 2022, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529, 46.2-1559 and 46.2-1575(2). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$7,750.00, satisfactory inspection and successfully complete the 2-day Dealer-Operator course. At the March 14, 2022 Board meeting, the Board adopted a resolution to assess a civil penalty of \$7,750.00, satisfactory inspection on or before June 14, 2022 and to successfully complete the 2-day Dealer-Operator course on or before September 14, 2022. The dealer had until April 18, 2022 to accept or appeal the Decision. On April 5, 2022, Elva Benites appealed the Decision and requested a Formal Hearing. On June 28, 2022, a formal hearing was conducted to address the alleged violations. Based on the information provided at the hearing, the hearing officer recommended assessing a civil penalty of \$8,000.00, satisfactory inspection of dealer records and PoD records and to successfully complete the 2-day Dealer-Operator course.

Gardner Britt moved to accept the hearing officer's recommendation of assessing a civil penalty of \$8,000, satisfactory inspection of dealer records and PoD records, and to successfully complete the 2-day Dealer-Operator course. Rob Fisher seconded. The motion carried unanimously.

**ABC Motors and Naftali Lev #53162** – Historical Overview leading up to the Formal Hearing: On January 25, 2022, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529, 1537 and 1559. Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$60,000.00 and satisfactory inspection by February 25, 2022. At the March 14, 2022 Board meeting, the Board Members adopted a resolution to assess a civil penalty of \$60,000.00, satisfactory inspection on or before April 30, 2022 and to successfully complete the 2-day Dealer-Operator course on or before June 14, 2022. The dealer had until April 14, 2022 to accept or appeal the Decision. On April 12, 2022, Mr. Lev and his attorney, Robert G. Byrum, appealed the Decision and requested a Formal Hearing. On June 28, 2022, a formal hearing was conducted to address the alleged violations of VA Code Sections 46.2-1529, 46.2-1537, 46.2-1542 (B), 46.2-1559 and 46.2-1575 (6). Based on the information provided at the hearing, the hearing officer recommended assessing a civil penalty of \$60,000.00 and a satisfactory inspection within 30 days.

Robert Byrum, attorney for Mr. Lev, was present and spoke on behalf of his client. He indicated that Mr. Lev retired and that a Mr. Parker has taken over as the Dealer-Operator; however, Mr. Lev still owns the dealership.

Motion was made by Chris Maher to reduce the civil penalty to \$20,000.00 and a satisfactory inspection. The motion died, due to a lack of a second.

Motion was made by Dan Banister to reduce the civil penalty to \$10,000.00 and a satisfactory inspection. All in favor: 5 (Banister, Bor, Lynn, Maher, Robinson). Opposed: 4 (Kody, Wiley, Britt, Fisher). The motion carried.

**Kar Mart, LLC and Dennis J. Rogers #54886** – Historical Overview leading up to the Formal Hearing: On March 15, 2022, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529, 46.2-1539, 46.2-1559 and 46.2-1575 (6). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$38,050.00, suspension of dealer licenses pending paying the civil penalty, satisfactory inspection and completion of the 2-day Dealer-Operator course. At the May 9, 2022 Board meeting, the Board Members adopted a resolution to assess a civil penalty of \$38,050.00 and revocation of all licenses and certificates. The dealer had until June 13, 2022 to accept or appeal the Decision. On June 6, 2022, Mr. Rogers appealed the Decision and requested a Formal Hearing. On July 27, 2022, a formal hearing was conducted to address the alleged violations. Based on the information provided at the hearing, the hearing officer recommended assessing a civil penalty of \$38,050.00. The dealer never renewed his dealer licenses.

Rob Fisher moved to accept the hearing officer's recommendation of assessing a civil penalty of \$38,050.00. Andrew Wiley seconded. The motion carried unanimously.

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

**NEXT MEETING** – November 14, 2022

The Dealer Practices committee meeting adjourned at 10:06 a.m.

**Meeting Summary**  
**Dealer Licensing Committee**  
Monday, September 12, 2022

Committee Chair Maurice Slaughter called the Dealer Licensing Committee meeting to order at 10:06 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, Gardner Britt, Trevor Coley, Dennis Ellmer, Rob Fisher, David Lynn and R.J. Robinson. Those absent included Tom Bates. Other Board members present: Dan Banister, Michael Bor, Ron Kody, Chris Maher and Andrew Wiley. Executive Director William Childress, Lisa Mack-Nelson, Ann Majors and Micah Bailey represented the Dealer Board. Christian Parrish represented the Attorney General's office.

**The May 9, 2022 meeting summary was approved. The committed did not meet on July 11, 2022, there was 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:**

**Abdul Ahad Nahibkhil, Owner/Operator, Blue Ridge Auto Sales 42194.** On July 19, 2022, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1575 (6) and (13). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$2,000, suspension of all licenses and certificates until Mr. Nahibkhil successfully completes the 2-day Dealer-Operator course.

Rob Fisher moved to assess a civil penalty of \$50,000 and revocation of all licenses. Jeff Ballard seconded. All in favor: 4 (Fisher, Ballard, Lynn, Slaughter) Opposed: 4 (Banister, Britt, Coley, Ellmer, Robinson). The motion failed.

Gardner Britt moved to assess a civil penalty of \$5,000 and revocation of all licenses. Dennis Ellmer seconded. All in favor: 8 (Slaughter, Ballard, Britt, Coley, Ellmer, Lynn, Robinson). Opposed: 1 (Fisher). The motion carried.

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

**NEXT MEETING** – November 14, 2022

The Licensing Committee meeting adjourned at 10:14 a.m.

Meeting Summary  
**Advertising Committee**  
Monday, September 12, 2022

Committee Chair Andrew Wiley called the Advertising Committee meeting to order at 10:16 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, Dan Banister, Michael Bor, Trevor Coley, Dennis Ellmer, David Lynn and R. J. Robinson. Those absent included Tom Bates, Geoff Malloy and Nick Rush. Other Board members present: Gardner Britt, Rob Fisher, Ron Kody, Chris Maher and Maurice Slaughter. Executive Director William Childress, Lisa Mack-Nelson, Ann Majors and Micah Bailey represented the Dealer Board. Christian Parrish represented the Attorney General's office.

**The July 11, 2022 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 from the floor.

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

**NEXT MEETING** – November 14, 2022

The Advertising committee meeting adjourned at 10:16 a.m.

## **Transaction Recovery Fund Committee**

Monday, September 12, 2022

Committee Chair Chris Maher called the Transaction Recovery Fund Committee meeting to order at 10:16 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, Dan Banister, Michael Bor, Dennis Ellmer, Rob Fisher, Ron Kody, Maurice Slaughter and Andrew Wiley. Those absent included Geoff Malloy and Nick Rush. Other Board members present: Gardner Britt, Trevor Coley, David Lynn and R.J. Robinson. Executive Director William Childress, Lisa Mack-Nelson, Ann Majors and Micah Bailey represented the Dealer Board. Christian Parrish represented the Attorney General's office.

**The July 11, 2022 meeting summary was approved.**

### **PUBLIC COMMENT**

### **OLD BUSINESS**

There was no old business.

### **OLD BUSINESS FROM THE FLOOR**

There was no old business from the floor.

### **NEW BUSINESS**

#### **Review and Action: Informal Fact-Finding Conferences:**

**Margie S. Stewart vs. Mahmoud Rezaassa, Easy Motors #38437** – On August 18, 2022, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1527.3 against Easy Motors and Mahmoud Rezaassa. Based on the information provided at the conference, the hearing officer recommended approval of payment to Margie S. Stewart in the amount of \$4,369.00 from the Recovery Fund.

Rob Fisher moved to accept the hearing officer's recommendation by approving payment in the amount of \$4,369.00 to Margie S. Stewart. Dan Banister seconded. The motion carried unanimously.

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

**NEXT MEETING** – November 14, 2022

The Transaction Recovery Fund committee meeting adjourned at 10:18 a.m.

**Meeting Summary**  
**Motor Vehicle Dealer Board**  
Monday, September 12, 2022

Board Vice Chair Ron Kody called the Dealer Board 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 members being present: Jeff Ballard, Dan Banister, Michael Bor, Gardner Britt, Trevor Coley, Dennis Ellmer, Rob Fisher, David Lynn, Chris Maher, R. J. Robinson, Maurice Slaughter and Andrew Wiley. Those absent included Full Board Chair Linda Ford, Tom Bates, Geoff Malloy and Nick Rush. Executive Director William Childress, 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.

Ron Kody welcomed the new members - Jeff Ballard, Trevor Coley, David Lynn and R. J. Robinson. All members introduced themselves and shared their backgrounds (position, dealership, number of years in the business).

**The July 11, 2022 meeting summary was approved.**

**PUBLIC COMMENT** – No public comment.

**STATUTORY COMMITTEE REPORTS**

**Dealer Practices Committee**

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

**Review and Action: Informal Fact-Finding Conferences:**

**Econo Auto, Inc. and Rasoul G. Paykar #35329.** Ron Kody 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 Econo Auto and Rasoul Paykar for alleged violations of Virginia Code sections §46.2-1529, 46.2-1575 (6). Based on due consideration, the Board believes that the following actions should be taken against Econo Auto and Rasoul Paykar: Assessed a civil penalty of \$4,850.00; and Econo Auto shall be inspected by a Motor Vehicle Dealer Board field representative and that inspection shall be satisfactory. The Board mandates that Rasoul Paykar hereby be assessed a civil penalty of \$4,850.00, and the Econo Auto dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before December 14, 2022. 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 the Econo Auto dealership and Rasoul Paykar successfully complies with the Board's mandates.

Rob Fisher seconded. All in favor: 12 (Kody, Ballard, Banister, Bor, Britt, Coley, Ellmer, Fisher, Lynn, Robinson, Slaughter and Wiley). Opposed: 1 (Maher). The motion carried.

**Car Web and Farshad Fakhriyazdi #53460.** Ron Kody 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 Car Web and Farshad Fakhriyazdi for alleged violations of Virginia Code sections §46.2-1529, 46.2-1539, 46.2-1542 and 46.2-1575 (6). Based on due consideration, the Board believes that the following actions should be taken against Car Web and Farshad Fakhriyazdi: Assessed a civil penalty of \$4,150.00; and Farshad Fakhriyazdi shall successfully complete the dealer-operator course by March 12, 2023. The Board mandates that Farshad Fakhriyazdi hereby be assessed a civil penalty of \$4,150.00 and Farshad Fakhriyazdi shall successfully complete the dealer-operator course by March 12, 2023. 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 Farshad Fakhriyazdi successfully complies with the Board's mandates.

Mr. Melendez (VIADA) spoke on behalf of Mr. Fakhriyazdi.

Rob Fisher seconded. All in favor: 0. Opposed: (Kody, Maher, Ballard, Banister, Bor, Britt, Coley, Ellmer, Fisher, Lynn, Robinson, Slaughter and Wiley). The motion failed.

Chris Maher moved to accept the hearing officer's recommendation (a civil penalty of \$4,150.00) and to successfully complete the Dealer-Operator course. Dennis Ellmer seconded. The motion carried unanimously.

**Auto Alvand Imports, LLC and Hossein Maghsoudi #44881.** Ron Kody 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 Auto Alvand Imports and Hossein Maghsoudi for alleged violations of Virginia 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 Auto Alvand Imports and Hossein Maghsoudi: Assessed a civil penalty of \$1,250.00; and Auto Alvand Imports shall be inspected by a Motor Vehicle Dealer Board field representative and that inspection shall be satisfactory; and Hossein Maghsoudi shall successfully complete the dealer-operator course by March 12, 2023. The Board mandates that Hossein Maghsoudi hereby be assessed a civil penalty of \$1,250.00; and the Auto Alvand Imports dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before December 12, 2022; and Hossein Maghsoudi shall successfully complete the dealer-operator course by March 12, 2023. 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 the Auto Alvand Imports dealership and Hossein Maghsoudi successfully complies with the Board's mandates.

Rob Fisher seconded. The motion carried unanimously.

#### **Review and Action: Formal Hearing:**

**South America Motors, Inc. and Elva Benites #51706.** Ron Kody made the following motion: Based on the evidence and a report of an informal fact-finding conference as prepared by a hearing officer, the Motor Vehicle Dealer Board assessed a \$7,750.00 civil penalty to Elva Benites, a satisfactory inspection of the South America Motors dealership, and required Elva Benites to successfully complete the 2-day dealer operator course during the March 14, 2022 Board meeting. Elva Benites appealed the Board's decision on April 5, 2022 and requested a formal hearing that was conducted on June 28, 2022. The Board has reviewed and considered the facts and evidence and the report of the Formal Hearing as prepared by the hearing officer

concerning South America Motors and Elva Benites for alleged violations of Virginia Code sections § 46.2-1529, 46.2-1559 and 46.2-1575 (2). Based on due consideration, the Board believes that the following actions should be taken against South America Motors and Elva Benites: Assessed a civil penalty of \$8,000; and the South America Motors dealership shall be inspected by Motor Vehicle Dealer Board field representative by December 12, 2022 and that inspection shall be satisfactory; and Elva Benites shall successfully complete the 2 day dealer-operator course by March 12, 2023. The Board mandates that South American Motors and Elva Benites hereby be assessed a civil penalty of \$ 8,000.00; and the South America Motors dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before December 12, 2022; and Elva Benites shall successfully complete the dealer-operator course by March 12, 2023. 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 the South America Motors dealership and Elva Benites successfully complies with the Board's mandates.

R. J. Robinson seconded. The motion carried unanimously.

**ABC Motors and Naftali Lev #53162.** Ron Kody made the following motion: Based on the evidence and a report of an informal fact-finding conference as prepared by a hearing officer, during its March 14, 2022 Board meeting, the Motor Vehicle Dealer Board assessed a \$60,000.00 civil penalty against ABC Motors and Naftali Lev, in addition to requiring a satisfactory inspection of the ABC Motors dealership and requiring that Naftali Lev successfully complete the 2-day dealer-operator class. Naftali Lev appealed the Board's decision on April 12, 2022 and requested a formal hearing that was conducted on June 28, 2022. The Board has reviewed and considered the facts and evidence and the report of a formal hearing as prepared by the hearing officer concerning ABC Motors and Naftali Lev for alleged violations of Virginia Code sections 46.2-1529, 46.2-1537, 46.2-1542 (B), 46.2-1559 and 46.2-1575 (6). Based on due consideration, the Board believes that the following actions should be taken against ABC Motors and Naftali Lev: Assessed a civil penalty of \$10,000; and The ABC Motors dealership shall be inspected by Motor Vehicle Dealer Board field representative by October 18, 2022 and that inspection shall be satisfactory. The Board mandates that ABC Motors and Naftali Lev hereby be assessed a civil penalty of \$10,000; and the ABC Motors dealership shall be inspected by Motor Vehicle Dealer Board field representative on or before October 18, 2022 and that inspection shall 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 the ABC Motors dealership and Naftali Lev successfully complies with the Board's mandates.

Jeff Ballard seconded. All in favor: 7 ((Ballard, Banister, Bor, Coley, Maher, Robinson, Slaughter). Opposed: 6 (Britt, Ellmer, Fisher, Kody, Lynn, Wiley). The motion carried.

**Kar Mart, LLC and Dennis J. Rogers #54886.** Ron Kody made the following motion: Based on the evidence and a report of an informal fact-finding conference as prepared by a hearing officer, during its May 9, 2022 Board meeting, the Motor Vehicle Dealer Board assessed a \$38,050.00 civil penalty revocation of all licenses and certificates issued by the Board to Kar Mart, LLC and Dennis Rogers. Dennis Rogers appealed the Board's decision on June 6, 2022 and requested a formal hearing that was conducted on July 27, 2022. The Board has reviewed and considered the facts and evidence and the report of a formal hearing as prepared by the hearing officer concerning Kar Mart and Dennis Rogers for alleged violations of Virginia Code sections 46.2-1529, 46.2-1539, 46.2-1559 and 46.2-1575 (6). Based on due consideration, the Board believes that the following actions should be taken against Kar Mart LLC and Dennis Rogers: Assessed a

civil penalty of \$38,050.00. The Board mandates that Kar Mart and Dennis Rogers hereby be assessed a civil penalty of \$38,050.00.

Rob Fisher seconded. The motion carried unanimously.

### **Licensing Committee**

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

#### **Review and Action: Informal Fact-Finding Conferences:**

**Abdul A. Nahibkhil, Owner/Operator, Blue Ridge Auto Sales #42194.** Maurice Slaughter 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 Abdul Ahad Nahibkhil for alleged violations of Virginia Code sections §46.2-1575 (6) and (13). Based on due consideration, the Board believes that the following actions should be taken against Abdul Ahad Nahibkhil: Assessed a civil penalty of \$5,000.00; and revoke all licenses and certificates issued by the Board to Abdul Ahad Nahibkhil. The Board mandates that Abdul Ahad Nahibkhil be assessed a civil penalty of \$5,000.00, and revoke all licenses and certificates issued by the Board to Abdul Ahad Nahibkhil.

Rob Fisher seconded. All in favor: 12 (Kody, Ballard, Banister, Bor, Britt, Coley, Ellmer, Fisher, Lynn, Robinson, Slaughter and Wiley). Opposed: 1 (Maher). The motion carried.

### **Advertising Committee**

Committee Andrew Wiley reported quorum in place; however, no discussions or actions were on the agenda for the committee to consider.

### **Transaction Recovery Fund Committee**

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

#### **Review and Action: Informal Fact-Finding Conferences:**

**Margie S. Stewart vs. Mahmoud Rezaassa, Easy Motors #38437.** Committee Chair Maher made the following motion: Pursuant to Virginia Code § 46.2-1527.1 et seq. which is known as the Motor Vehicle Transaction Recovery Fund (Fund), the Board has reviewed and considered claims for payment from the Fund, and the recommendations of the Hearing Officer on the claims. Based on due consideration and the recommendation of the Hearing Officer, the Board approves and acknowledges that Margie S. Stewart's claim should be payable from the fund. The Board hereby approves and reaffirms the payment in the amount of \$4,369.00 to Margie S. Stewart from the fund.

Rob Fisher seconded. The motion carried unanimously.

## **OLD BUSINESS:**

**UPDATE: Dealer Portal Update.** For the knowledge of the new members, William Childress provided a brief history of the dealer portal and emphasized that the dealer portal will help bring the MVDB and dealer community into the technology era. It is envisioned that the portal will reduce the use of mail services (U.S. and overnight), allow for many same day transactions and will be more efficient. The system is scheduled to go live during the last quarter of calendar year 2023.

## **Legislative Updates – VADA and VIADA**

**VADA:** Ann Gambardella indicated that there was nothing at this time.

**VIADA:** Alvin Melendez indicating nothing at this time; however, he did speak on the civil penalty assessed against Mr. Rasoul G. Paykar of Econo Auto, Inc. He indicated he thought it was too harsh of a penalty.

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

## **NEW BUSINESS:**

**NEW BUSINESS FROM THE FLOOR** – Dennis Ellmer brought up the subject of holding Board meetings on a Tuesday rather than a Monday due to certain holidays, such as Mother's Day in particular. A few members agreed and a general discussion followed. Roll was taken to determine who wanted a Monday meeting and who wanted a Tuesday meeting. Monday: 8 (Ballard, Banister, Bor, Coley, Fisher, Lynn, Maher, Robinson). Tuesday: 4 (Britt, Ellmer, Kody, Wiley). Abstained: 1 (Slaughter). Monday will continue to be the meeting day. William Childress promised that the Board's meeting schedule for 2023 will be provided at the November meeting. William also will schedule future meetings that follow Sunday holidays like Mother's Day to the third Monday.

**EXECUTIVE DIRECTOR'S REPORT** – William Childress spoke to Tabs 9 and 10, which involved 2 salespersons cases referencing violations of VA Code Section 45.2-1575 (13) (Tab 9) and 46.2-1550 (Tab 10). William reminded Board members that he has the authority (as delegated by the Board) to make decisions based on the hearing officer's recommendations. When such decisions are made, William is required to share them with the Board. In these two cases, the information presented clearly warranted no action be taken against the dealer or salesperson.

The next meeting will be on November 14, 2022.

There being no further business to come before the Motor Vehicle Dealer Board, Full Board Vice Chair Ron Kody adjourned the Board meeting at 11:34 a.m.