

Meeting Summary
Motor Vehicle Dealer Board
Monday, September 10, 2018

Chairman Rick Holcomb called the Dealer Board meeting to order at 2:41 p.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. The roll was called and there were 12 Board members present. Present were Dan Banister, Michael Bor, David Duncan, Rob Fisher, Randy Harris, Ron Kody, Chris Maher, Geoff Malloy, Senior Saghafi, Maurice Slaughter and Joe Tate. (Absent: Ted Bailey, Liza Borches, Gardner Britt, Steve Farmer and Matt McQueen). Executive Director William Childress, Peggy Bailey, Prin Cowan, Lisa Mack-Nelson, Wanda Neely and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's Office. Alice Weedon was the recording secretary.

PUBLIC COMMENT

There was no public comment.

The July 9, 2018 meeting summary was approved.

STATUTORY COMMITTEE REPORTS

Dealer Practices Committee:

Committee Chairman Kody summarized discussions held and actions that were taken during the Committee Meeting.

G and N Auto Sales, LLC and Gyasi A. Alexander – Committee Chairman 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 G & N Auto Sales and Gyasi Alexander for alleged violations of Va. Code Sections 46.2-1561, 46.2-1575 (6) and 46.2-1575 (6). Based on due consideration, the Board believes that the following actions should be taken against G & N Auto Sales and Gyasi Alexander: G & N Auto Sales shall be inspected by a Motor Vehicle Dealer Board field representative by December 10, 2018 and that inspection shall be satisfactory; and Gyasi Alexander shall successfully complete the dealer-operator course by March 10, 2019. The Board mandates that the G & N Auto Sales dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before December 10, 2018, and Gyasi Alexander shall successfully complete the dealer-operator course by March 10, 2019. Failure to achieve a satisfactory inspection and successfully complete the dealer-operator course by the designated dates will result in the suspension of all licenses and certificates issued by the Board until such time Gyasi Alexander successfully complies with the Board's mandates.

Joe Tate seconded. The motion carried unanimously.

Auto Trend and Trucks, Inc. and Umar Pervez – Committee Chairman 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 Trend and Trucks and Umar Prevez for alleged violations of Va. Code Sections 46.2-1547, and 46.2-1575 (18). Based on due consideration, the Board believes that the following actions should be taken against Auto Trend and Trucks and Umar Prevez: Assessed a civil penalty of \$500.00; and Auto Trend and Trucks shall be inspected by a Motor Vehicle Dealer Board field representative by December 10, 2018 and that inspection shall be satisfactory. The Board mandates that Umar Prevez hereby be assessed a civil penalty of \$500.00, and the Auto Trend and Trucks dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before December 10, 2018. Failure to achieve a satisfactory inspection by the designated date will result in suspension of all licenses and certificates issued by the Board until such time Umar Prevez successfully complies with the Board’s mandates.

Joe Tate seconded. The motion carried unanimously.

F & K Auto, LLC and Alford Robertson – Committee Chairman 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 F & K Auto and Alford Robertson 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 F & K Auto and Alford Robertson: Assessed a civil penalty of \$2,000.00; and F & K Auto shall be inspected by a Motor Vehicle Dealer Board field representative by December 10, 2018 and that inspection shall be satisfactory. The Board mandates that Alford Robertson hereby be assessed a civil penalty of \$2,000.00, and the F & K Auto dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before December 10, 2018. Failure to achieve a satisfactory inspection by the designated date will result in suspension of all licenses and certificates issued by the Board until such time Alford Robertson successfully complies with the Board’s mandates.

Rob Fisher seconded. The motion carried unanimously.

Ameena Motors and Muhammad Khan Lodhi – Committee Chairman 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 Ameena Motors and Muhammad Khan Lodhi 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 Ameena Motors and Muhammad Khan Lodhi: Assessed a civil penalty of \$1,000.00; and Ameena Motors shall be inspected by a Motor Vehicle Dealer Board field representative by December 10, 2018 and that inspection shall be satisfactory; and Muhammad Khan Lodhi shall successfully complete the dealer-operator course by March 10, 2019.

The Board mandates that Muhammad Khan Lodhi hereby be assessed a civil penalty of \$1,000.00, and the Ameena Motors dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before December 10, 2018, and Muhammad Khan Lodhi shall successfully complete the dealer-operator course by March 10, 2019. Failure to achieve a satisfactory inspection and successfully complete the dealer-operator course by the designated dates will result in suspension of all licenses and certificates issued by the Board until such time Muhammad Khan Lodhi successfully complies with the Board's mandates.

Joe Tate seconded. The motion carried unanimously.

A Plus Motors, LLC and Abdel N. Abdeen – Joe Tate made the following substitute 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 A Plus Motors and Abdel Abdeen 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 A Plus Motors and Abdel Abdeen: Assessed a civil penalty of \$750.00; and A Plus Motors shall be inspected by a Motor Vehicle Dealer Board field representative by December 10, 2018 and that inspection shall be satisfactory. The Board mandates that Abdel Abdeen hereby be assessed a civil penalty of \$750.00, and the A Plus Motors dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before December 10, 2018. Failure to achieve a satisfactory inspection by the designated date will result in suspension of all licenses and certificates issued by the Board until such time Abdel Abdeen successfully complies with the Board's mandates.

Rob Fisher seconded. The motion carried unanimously.

NOTE: Original motion in the Committee was to assess a civil penalty of \$750 against A Plus Motors, LLC and Abdel N. Abdeen.

Duke Auto, LLC and Christopher J. McCall – Committee Chairman 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 Duke Auto and Christopher McCall for alleged violations of Va. Code Sections 46.2-1533, 46.2-1575 (1) and 46.2-1575 (2). Based on due consideration, the Board believes that the following actions should be taken against Duke Auto and Christopher McCall: Assessed a civil penalty of \$750.00; and Duke Auto shall be inspected by a Motor Vehicle Dealer Board field representative by January 10, 2019 and that inspection shall be satisfactory; and Christopher McCall shall successfully complete the dealer-operator course by March 10, 2019. The Board mandates that Christopher McCall hereby be assessed a civil penalty of \$750.00, and the Duke Auto dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before January 10, 2019, and Christopher McCall shall successfully complete the dealer-operator course by March

10, 2019. Failure to achieve a satisfactory inspection and successfully complete the dealer-operator course by the designated dates will result in suspension of all licenses and certificates issued by the Board until such time Christopher McCall successfully complies with the Board's mandates.

Chris Maher seconded. The motion carried unanimously.

Rockingham Auto Sales and Osman Rezai – Committee Chairman 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 Rockingham Auto Sales and Osman Rezai for alleged violations of VA. Code Sections 46.2-1529.1, 46.2-1537, 46.2-1547 and 46.2-1575. Based on due consideration, the Board believes that the following actions should be taken against Rockingham Auto Sales and Osman Rezai: Assessed a civil penalty of \$9,400.00; and suspend all licenses and certificates issued by the Board to Osman Rezai for a period not to exceed 30 days; and Rockingham Auto Sales shall be inspected by a Motor Vehicle Dealer Board field representative by December 10, 2018; and Osman Rezai shall successfully complete the dealer-operator course by March 10, 2019. The Board mandates that Osman Rezai hereby be assessed a civil penalty of \$9,400.00; and all licenses and certificates issued by the Board to shall be suspended for a period of 30 days and the Rockingham Auto Sales dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before December 10, 2018, and Osman Rezai shall successfully complete the dealer-operator course by March 10, 2019. Failure to achieve a satisfactory inspection and successfully complete the dealer-operator course by the designated dates will result in suspension of all licenses and certificates issued by the Board until such time Osman Rezai successfully complies with the Board's mandates.

Joe Tate seconded. All in favor: 10 (Tate, Banister, Bor, Duncan, Fisher, Harris, Maher, Malloy, Saghafi and Slaughter). Opposed: 2 (Kody and Holcomb). The motion carried

West Capitol Financial, LLC and Gregory Armstead – Committee Chairman 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 West Capitol Financial and Gregory Armstead, Jr. 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 West Capitol Financial and Gregory Armstead Jr.: Assessed a civil penalty of \$750.00; and West Capitol Financial shall be inspected by a Motor Vehicle Dealer Board field representative by November 10, 2018 and that inspection shall be satisfactory. The Board mandates that Gregory Armstead Jr. hereby be assessed a civil penalty of \$750.00, and the West Capitol Financial dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before November 10, 2018. Failure to achieve a satisfactory inspection by the designated date will result in suspension of all licenses and

certificates issued by the Board until such time Gregory Armstead Jr. successfully complies with the Board's mandates.

Chris Maher seconded. The motion carried unanimously.

All In One Auto Group, LLC and Zia Tabatabai – Committee Chairman 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 All in One Auto Group and Zia Tabatabai for alleged violations of Va. Code Sections 46.2-1575 (9). Based on due consideration, the Board believes that the following actions should be taken against All in One Auto Group and Zia Tabatabai: Assessed a civil penalty of \$750.00; and All in One Auto Group shall be inspected by a Motor Vehicle Dealer Board field representative by December 10, 2018 and that inspection shall be satisfactory. The Board mandates that Zia Tabatabai hereby be assessed a civil penalty of \$750.00; and the All in One Auto Group dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before December 10, 2018. Failure to achieve a satisfactory inspection by the designated date will result in suspension of all licenses and certificates issued by the Board until such time Zia Tabatabai successfully complies with the Board's mandates.

Senior Saghafi seconded. The motion carried unanimously.

Licensing Committee

Committee Chairman Tate summarized discussions held and actions that were taken during the Committee Meeting.

Douglas W. Hill, The Car Guys – Committee Chairman Tate 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 Douglas Hill for alleged violations of Va. Code Sections 46.2-1575 (4), 46.2-1575 (6) and 46.2-1575 (9). Based on due consideration, the Board believes that the following actions should be taken against Douglas Hill: Assessed a civil penalty of \$500.00. The Board mandates that Douglas Hill be assessed a civil penalty of \$500.00.

Chris Maher seconded. The motion carried unanimously.

Advertising Committee

Committee Chairman Duncan summarized discussions held and actions that were taken during the Committee Meeting.

Transaction Recovery Fund Committee:

Committee Chairman Maher summarized discussions held and actions that were taken during the Committee Meeting.

Remanded Issue from the July Meeting:

Casey Aylor vs. Victory Lane Motors, Inc. – Committee Chairman Maher summarized for the Board the discussion held in the committee meeting regarding Casey Aylor vs. Victory Lane Motors, Inc. Based on that discussion and the recommendations in this case, Committee Chairman 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 claims submitted for payment from the Fund, and the recommendation of the Hearing Officer on the claim. Based on due consideration and recommendation of the Hearing Officer, the Board believes the following claim should be denied:

Casey Aylor	\$6,249.57
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Rob Fisher seconded. The motion carried unanimously.

Omar and Julia Mejias vs. S & F Auto Sales, Inc. – Committee Chairman Maher summarized for the Board the discussion held in the committee meeting regarding Omar Mejias and Julia Mejias vs. S & F Auto Sales, Inc. Based on that discussion and the recommendation in this case, Committee Chairman 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 claims submitted for payment from the Fund, and the recommendation of the Hearing Officer on the claim. Based on due consideration and recommendation of the Hearing Officer, the Board believes the following claim should be payable from the Fund:

Omar and Julia Mejias	\$25,000
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Joe Tate seconded. The motion carried unanimously.

Thomas and Deborah Holaday vs. Towne Auto Brokers, Inc. and Savoy Epps vs. Lifestyle Motor Group – Committee Chairman Maher summarized for the Board the discussion held in the committee meeting regarding Deborah Holaday vs. Towne Auto Brokers, Inc. and Savoy Epps vs. Lifestyle Motor Group. Based on that discussion and the recommendations in this case, Committee Chairman 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 claims submitted for payment from the Fund, and the recommendation of the Hearing Officer on the claim. Based on due consideration and recommendations of the Hearing Officer, the Board believes the following claims should be tabled:

Thomas and Deborah Holaday	\$25,000
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Dan Banister seconded. The motion carried unanimously.

Savoy Epps	\$13,038
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Rob Fisher seconded. The motion carried unanimously.

OLD BUSINESS

* **Legislative Proposal: Transaction Recovery Fund – William Childress.** William indicated that VADA and VIADA assisted with the proposal. He was able to submit the legislation on time with the Secretary. Now staff will wait and see if it is accepted.

OLD BUSINESS FROM THE FLOOR

There was no old business from the floor.

NEW BUSINESS

* **Tariff's and Flood Damaged Vehicles** – Rick Holcomb asked the trade associations (VADA and VIADA) if they have seen any indications or heard any reports of how projected tariffs would affect the new and used car industry. Neither associations had any solid information to share and stated that they would get back with the Board when that information became available.

Rick Holcomb reminded the Virginia dealer community to be aware when purchasing vehicles, especially in light of the recent floods and the projected flooding that will come accompany Hurricane Florence.

EXECUTIVE DIRECTOR'S REPORT: William Childress reported that Prin Cowan had accepted a position with the Virginia Lottery and her last day of employment with the Board will be September 24. The Board Members praised her good work and wished her well.

NEW BUSINESS FROM THE FLOOR

There was no new business from the floor.

The next meeting was scheduled for November 5, 2018 since state offices will be closed on Monday, November 12 in observance of the Veterans Day holiday.

There being no further business to come before the Motor Vehicle Dealer Board, Chairman Holcomb adjourned the meeting at 3:32 p.m.

**Meeting Summary
Dealer Practices Committee
Monday September 10, 2018**

Chairman Ron Kody called the Dealer Practices Committee meeting to order at 12:10 p.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members Michael Bor, Rob Fisher, Geoff Malloy, Chris Maher, Senior Saghafi and Joe Tate. (Absent: Ted Bailey, Liza Borchers, Steve Farmer, Matt McQueen). Other Board members present: Rick Holcomb, Dan Banister, David Duncan, Randy Harris and Maurice Slaughter. Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Prin Cowan, Wanda Neely and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office. The Honorable Shannon Valentine, Secretary of Transportation and Amy Wight, Assistant Secretary of Transportation also attended.

The July 9, 2018 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:

G and N Auto Sales, LLC and Gyasi A. Alexander – On July 11, 2018, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1561 and 1575 (6) and (9). Based on the information provided at the conference, the hearing officer recommended a satisfactory inspection and to successfully complete the 2-day Dealer-Operator Course.

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

Motion was made by Chris Maher to accept the hearing officer's recommendation of a satisfactory inspection and to successfully complete the 2-day Dealer-Operator course. Rob Fisher seconded. The motion carried unanimously.

Auto Trend and Trucks, Inc. and Umar Perviz – On July 27, 2018, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1547 and 1575 (18). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$500 for the violation of 46.2-1547 and a satisfactory inspection.

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

Motion was made by Rob Fisher to accept the hearing officer's recommendation of assessing a civil penalty of \$500 and a satisfactory inspection. Joe Tate seconded. The motion carried unanimously.

F & K Auto, LLC and Alford Robertson – On July 26, 2018, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1533 and 1575 (2). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$2,000 and a satisfactory inspection.

Motion was made by Joe Tate to accept the hearing officer's recommendation of assessing a civil penalty of \$2,000 and a satisfactory inspection. Rob Fisher seconded. The motion carried unanimously.

Ameena Motors and Muhammad Khan Lodhi – On August 16, 2018, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1533 and 1575 (2). Based on the information provided at the hearing, the hearing officer recommended assessing a civil penalty of \$500 and to successfully complete the 2-day Dealer-Operator Course.

Motion was made by Joe Tate to assess a civil penalty of \$1,000, satisfactory inspection within 90 days and successfully complete the 2-day Dealer-Operator course. Rob Fisher seconded. The motion carried unanimously.

A Plus Motors, LLC and Abdel N. Abdeen – On August 15, 2018 an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1533 and 1575 (2). Based on the information provided at the hearing, the hearing officer recommended assessing a civil penalty of \$250.

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

Motion was made by Joe Tate to assess a civil penalty of \$750. Michael Bor seconded. The motion carried unanimously.

Duke Auto, LLC and Christopher J. McCall – On August 15, 2018 an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1533 and 1575 (1) and (2). Based on the information provided at the hearing, the hearing officer recommended a written warning for 46.2-1575 (1) and a 1 year suspension for violations of 46.2-1533 and 46.2-1575 (2). Also, it was recommended that the dealer operator, Ms. Allison McCall take the 2-day dealer-operator course.

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

Motion was made by Chris Maher to assess a civil penalty of \$750, satisfactory inspection within 120 days and successfully complete the 2-day Dealer-Operator course. Michael Bor seconded. The motion carried unanimously.

Rockingham Auto Sales and Osman Rezai – On August 23, 2018 an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529 (1), 1537, 1547, 1575 (1) and (2). Based on the information provided at the hearing, the hearing officer recommended assessing a civil penalty of \$9,400, a 90 day suspension of all licenses and certificates, a satisfactory inspection within 90 days of re-opening after the suspension and to successfully complete the 2-day Dealer-Operator course before the dealership can re-open.

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

Motion was made by Rob Fisher to assess a civil penalty of \$9,400, a 30-day suspension, satisfactory inspection within 90 days and to successfully complete the 2-day Dealer-Operator course. Chris Maher seconded. All in favor: 6 (Kody, Bor, Fisher, Maher, Malloy and Saghafi). Opposed: 1 (Tate). The motion carried.

West Capitol Financial, LLC and Gregory Armstead – On August 23, 2018 an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1533 and 1575 (2). Based on the information provided at the hearing, the hearing officer recommended assessing a civil penalty of \$750 and a satisfactory inspection within 60 days.

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

Motion was made by Michael Bor to accept the hearing officer's recommendation of assessing a civil penalty of \$750 and a satisfactory inspection within 60 days. Rob Fisher seconded. The motion carried unanimously.

All in One Auto Group, LLC and Zia Tabatabai – On August 29, 2018 an informal fact-finding conference was conducted to address the alleged violations of VA Code Section 46.2-1575 (9). Based on the information provided at the hearing, the hearing officer recommended assessing a civil penalty of \$750 and a satisfactory inspection within 90 days.

Motion was made by Chris Maher to accept the hearing officer's recommendation of assessing a civil penalty of \$750 and a satisfactory inspection within 90 days. Joe Tate seconded. The motion carried unanimously.

NEW BUSINESS FROM THE FLOOR

There was no new business from the floor.

Next Meeting

The next meeting is scheduled for November 5, 2018

The meeting adjourned at 1:14 p.m.

**Meeting Summary
Dealer Licensing Committee
Monday, September 10, 2018**

Chairman Joe Tate called the Dealer Licensing Committee meeting to order at 1:14 p.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members: Dan Banister, David Duncan, Rob Fisher, Randy Harris, Senior Saghafi and Maurice Slaughter. (Absent: Ted Bailey, Liza Borches.) Other Board members present: Rick Holcomb, Michael Bor, Ron Kody, Chris Maher, Geoff Malloy. Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Prin Cowan, Wanda Neely and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office.

The July 9, 2018 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:

Douglas W. Hill, Salesperson – On June 20, 2018, an informal fact-finding conference was conducted to address the alleged violations of VA Code Section 46.2-1575 (4), (6) & (9). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$500 for violations of VA Code Section 46.2-1575 (4) and a one year suspension of his salesperson license for violations of VA Code Section 46.2-1575 (9).

Ted Bruns, attorney for Mr. Hill, spoke on behalf of his client. Mr. Hill was present for questions posed by the Board Members.

Motion was made by Rob Fisher to assess a civil penalty of \$500. Maurice Slaughter seconded. The motion carried unanimously.

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

The next meeting was scheduled for November 5, 2018

The meeting adjourned at 1:35 p.m.

**Meeting Summary
Advertising Committee
Monday, September 10, 2018**

Chairman David Duncan called the Advertising Committee meeting to order at 1:35 p.m. in Room 702, DMV Headquarters, 2300 West Broad Street, Richmond, Virginia. Present were Committee members: Dan Banister, Michael Bor, Ron Kody, Geoff Malloy and Maurice Slaughter. (Absent: Ted Bailey, Liza Borches, Matt McQueen). Other Board members present: Rick Holcomb, Rob Fisher, Randy Harris, Chris Maher, Senior Saghafi, Joe Tate. Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Prin Cowan, Ann Majors and Wanda Neely represented the Dealer Board. Christian Parrish represented the Attorney General's office.

The July 9, 2018 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

There was no new business.

NEW BUSINESS FROM THE FLOOR

There was no new business from the floor.

The next meeting was scheduled for November 5, 2018.

The meeting adjourned at 1:36 p.m.

Meeting Summary
Transaction Recovery Fund Committee
Monday, September 10, 2018

Chairman Chris Maher called the Transaction Recovery Fund Committee meeting to order at 1:37 p.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members: Dan Banister, Michael Bor, Rob Fisher, Randy Harris, Ron Kody, Geoff Malloy and Maurice Slaughter. (Absent: Steve Farmer, Matt McQueen). Other Board members present: Rick Holcomb, David Duncan, Chris Maher, Senior Saghafi, Joe Tate. Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Prin Cowan, Wanda Neely and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office.

The July 9, 2018 meeting summary was approved.

PUBLIC COMMENT

There was no public comment.

OLD BUSINESS

Remanded Issue from the July Meeting:

Casey Aylor vs. Victory Lane Motors, Inc. – Committee Chairman Maher summarized for the Board the discussion held in the committee meeting regarding Casey Aylor vs. Victory Lane Motors, Inc. Based on that discussion, the remanded recommendation in this case, the hearing officer indicated that this claim does not meet the requirements set forth in code for a favorable recommendation.

Motion was made by Rob Fisher to accept the hearing officer's recommendation and deny Casey Aylor's claim, due to the fact that the claim does not meet the requirements of code for a favorable recommendation. Geoff Malloy seconded. The motion carried unanimously.

OLD BUSINESS FROM THE FLOOR

There was no old business from the floor.

NEW BUSINESS

Review and Action: Informal Fact-Finding Conferences:

Thomas and Deborah Holaday vs. Towne Auto Brokers, Inc. – On August 30, 2018, an informal fact-finding conference was conducted to address the alleged violation of VA Code Section 46.2-1527.3 against Towne Auto Brokers, Inc. Based on the information provided at the conference, the hearing officer recommended that because the dealer is still in business, an inspection should be conducted as soon as possible and it is also recommended that the Board consider approval for the amount of \$25,000 as payment from the Fund.

Amine Bensellam, Owner of Towne Auto Brokers, Inc. was present and spoke on his own behalf.

Michael Rezainik, Director of Operations for Towne Auto Brokers, Inc. was present and spoke on behalf of the dealership.

Robin Abbott, attorney for the Holaday's was present.

Motion was made by Dan Banister to table this issue, based on the fact that Towne Auto Brokers is seeking legal resolution through the court system. Robert Fisher seconded. Ms. Abbott reserved her right to speak until this issue is resolved in court and will come before the Board at that time. The motion carried unanimously.

Omar and Julia Mejias vs. S & F Auto Sales, Inc. – On August 30, 2018, an informal fact-finding conference was conducted to address the alleged violation of VA Code Section 46.2-1527.3 against S & F Auto Sales, Inc. Based on the information provided at the conference, the hearing officer recommended that the Board consider approval for the amount of \$25,000 as payment from the Fund.

Motion was made by Rob Fisher to accept the hearing officer's recommendation to approve the \$25,000 payment to the Mejias'. Dan Banister seconded. The motion carried unanimously.

Savoy Epps vs. Lifestyle Motor Group – On September 4, 2018, an informal fact-finding conference was conducted to address the alleged violation of VA Code Section 46.2-1527.3 against Lifestyle Motor Group. Based on the information provided at the conference, the hearing officer indicated that if the Board agrees with the findings and is satisfied the details meet the requirement of code, it is recommended that the Board consider approval for \$13,038 as payment from the Fund.

Ms. Epps was present and spoke on her own behalf.

Motion was made by Rob Fisher to table this issue; it appears the judgment was approved based on a contractual agreement and not fraud as required by the Virginia code. Once Ms. Epps is able to get a judgement for fraud, the Board will review the issue again for a more favorable decision. Dan Banister seconded. The motion carried unanimously.

NEW BUSINESS FROM THE FLOOR

There was no new business from the floor.

The next meeting was scheduled for November 5, 2018

The meeting adjourned at 2:27 p.m.