

Meeting Summary
Dealer Practices Committee
Monday July 8, 2019

Chairman Ron Kody called the Dealer Practices Committee meeting to order at 9:02 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members: Liza Borches, Gardner Britt, Steve Farmer, Rob Fisher, Geoff Malloy, Matt McQueen, Senior Saghafi, Joe Tate. (Absent: Michael Bor, Chris Maher). Other Board members present: Rick Holcomb, Ted Bailey, Dan Banister, David Duncan, Maurice Slaughter, Don Sullivan. Executive Director William Childress, Peggy Bailey, Micah Bailey and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office.

The May 13, 2019 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

Variance Request in Hours: Jerry's Auto Service and Sales Jerry Farmer. William Childress reported that for the past 20-plus years, Jerry Farmer has requested a variance in hours for his dealership, Jerry's Automotive Service and Sales, because of his teaching schedule. Mr. Farmer is now retired. He is required to be available to substitute teach at his former high school or as needed throughout the county per his contract. Mr. Farmer wishes to continue working from 4 p.m. to 8 p.m., Monday – Friday.

Motion was made by Matt McQueen to approve Mr. Farmer's variance request in hours. Joe Tate seconded. The motion carried unanimously.

Review and Action: Informal Fact-Finding Conferences:

Kingdom Automotive, LLC and Edward Kamande – On April 17, 2019, 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 \$750.

Motion was made by Gardner Britt to accept the hearing officer's recommendation of assessing a civil penalty of \$750. Steve Farmer seconded. The motion carried unanimously.

Wes and Ty's Auto Sales and Wesley Morris, Sr. – On April 24, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1553 and 1575 (2). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$250 and a satisfactory inspection.

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

Motion was made by Liza Borches to accept the hearing officer's recommendation of assessing a civil penalty of \$250 and a satisfactory inspection. Joe Tate seconded. The motion carried unanimously.

Deals on Wheels, LLC and William H. Layton, III – On May 2, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1515, 1518, 1529, 1537, 1542, 1550 and 1575 (2). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$1,500, satisfactory inspection and to successfully complete the 2-day Dealer-Operator course.

Motion was made by Rob Fisher to accept the hearing officer's recommendation of assessing a civil penalty of \$1,500, satisfactory inspection and successfully complete the 2-day Dealer-Operator course. Matt McQueen seconded. The motion carried unanimously.

Goldstar Motor Company and Thomas K. Maad – On March 5, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529, 1539, 1542 (B), 1547, 1550 and 1575 (2) and (6). Based on the information provided at the conference, the hearing officer recommended a written warning for violations of VA Code Section 46.2-1539, assessing a civil penalty of \$9,000 and revocation of Mr. Maad's Dealer-Operators Qualification.

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

Motion was made by Steve Farmer to accept the hearing officer's recommendation of assessing a civil penalty of \$9,000 and revocation of Mr. Maad's Dealer-Operator Qualification, but allow him to keep his salesperson's license. Rob Fisher seconded. Senior Saghafi abstained, due to the fact that Mr. Maad works at his dealership. The motion carried. **NOTE: Due to Mr. Maad's cooperation and his determination to make his customers whole, the members encouraged him to appeal for a formal, so that he will have time to accomplish this and prove to the hearing officer in the formal that he has made things right.**

Precision Auto Sales, Inc. and Ahmad Abualrub – On March 7, 2019, 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 \$1,000, 90 day suspension of all licenses and certificates and to successfully complete the 2-day Dealer-Operator course.

Motion was made by Rob Fisher to accept the hearing officer's recommendation of assessing a civil penalty of \$1,000, 90-day suspension of all licenses and certificates and successfully complete the 2-day Dealer-Operator course. Joe Tate seconded. The motion carried unanimously.

Virtuous Motors, LLC and Khaliq Shabazz – On June 4, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1510, 1529, 1533 and 1575 (1) & (2). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$10,000 and revocation of all licenses and certificates.

Motion was made by Joe Tate to accept the hearing officer's recommendation of assessing a civil penalty of \$10,000 and revocation of all licenses and certificates. Matt McQueen seconded. The motion carried unanimously.

Value Motors, RVA and Armando L. Bacot – On June 18, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529, 1537, 1539, 1547 and 1575 (2). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$5,000 and to successfully complete the 2-day Dealer-Operator course.

Motion was made by Joe Tate to accept the hearing officer's recommendation of assessing a civil penalty of \$5,000 and successfully complete the 2-day Dealer-Operator course. Rob Fisher 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 September 9, 2019

The meeting adjourned at 9:40 a.m.