

Meeting Summary
Transaction Recovery Fund Committee
Monday, March 14, 2022

Committee Chair Chris Maher called the Transaction Recovery Fund 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: Dan Banister, Dennis Ellmer, Steve Farmer, Rob Fisher, Ron Kody, Geoff Malloy, Maurice Slaughter and Andrew Wiley. Those absent included Michael Bor, Mark Riblett and Don Sullivan. Other Board members present: Linda Ford (Chair), David Duncan, Senior Saghafi. Executive Director William Childress, Lisa Mack-Nelson and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office.

The November 8, 2021 meeting summary was approved. NOTE: There was no January 2022 Board meeting.

PUBLIC COMMENT – No public comments.

OLD BUSINESS – No old business.

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

NEW BUSINESS

Joseph O. Fasusi vs. Washington Motorcars, Inc. – On December 20, 2021, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1527.3 against Washington Motorcars, Inc. Based on the information provided at the conference, the hearing officer recommended approval of payment to Joseph O. Fasusi in the amount of \$25,000 from the Recovery Fund.

Steve Farmer moved to accept the hearing officer's recommendation of approving payment of \$25,000 to Joseph O. Fasusi. Andrew Wiley seconded. The motion carried unanimously.

Devon Osborne vs. Washington Motorcars, Inc. – On December 20, 2021, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1527.3 against Washington Motorcars, Inc. Based on the information provided at the conference, the hearing officer recommended approval of payment to Devon Osborne in the amount of \$25,000 from the Recovery Fund.

Christian Parrish (Attorney General's Office) reminded the Board members that punitive damages are not covered by the Recovery Fund.

Rob Fisher moved to accept the hearing officer's recommendation of approving payment of \$25,000 to Devon Osborne. Maurice Slaughter seconded. The motion carried unanimously.

Carlos Moreno vs. Auto Max Center, LLC – On December 29, 2021, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1527.3 against Auto Max Center, LLC. Based on the information provided at the conference, the hearing officer recommended no further action be taken because Mr. Moreno did not submit his claim pursuant to stipulations governing the Transaction Recovery Fund 46.2-1527.4, the Board is unable to remit payment.

Rob Fisher moved to accept the hearing officer's recommendation of taking no further action because Mr. Moreno did not submit his claim pursuant to stipulations governing the Transaction Recovery Fund 46.2-1527.4; therefore the Board is unable to remit payment. Andrew Wiley seconded. The motion carried unanimously.

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

NEXT MEETING – May 9, 2022

The Transaction Recovery Fund committee meeting adjourned at 10:09 a.m.