

Meeting Summary
Dealer Licensing Committee
Monday, January 9, 2023

Committee Chair Maurice Slaughter called the Dealer Licensing Committee meeting to order at 9:31 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, Trevor Coley, Dennis Ellmer, David Lynn and R.J. Robinson. Those absent included Tom Bates, Gardner Britt, Rob Fisher. Other Board members present: Linda Ford, Dan Banister, Ron Kody, Chris Maher, Geoff Malloy, Nick Rush and Andrew Wiley. Executive Director William Childress, Lisa Mack-Nelson and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office.

The November 14, 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

Review and Action: Formal Hearing:

Abdul Ahad Nahibkhil and Blue Ridge Auto Sales, Inc. #42194. Historical Overview leading up to the Formal Hearing: On July 19, 2022, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1575 (9) and 46.2-1575 (13). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$2,000 and all licenses to be suspended until the dealer has successfully completed the 2-day Dealer-Operator course. At the September 14, 2022 Board meeting, the Board adopted a resolution to assess a civil penalty of \$5,000 and to revoke all licenses and certificates issue by the board to Abdul Ahad Nahibkhil. The dealer had until October 17, 2022 to accept or appeal the Decision. On September 23, 2022, Correy A. Diviney, attorney for Mr. Nahibkhil, appealed the Decision and requested a formal hearing. On December 6, 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 \$2,000.00 and suspension of all licenses until the dealer has successfully complete the 2-day Dealer-Operator course.

Mr. Nahibkhil and Correy Diviney, attorney for Mr. Nahibkhil, were present and both gentlemen spoke.

Trevor Coley moved to accept the hearing officer's recommendation of assessing a civil penalty of \$2,000.00 and suspension of all licenses until Mr. Nahibkhil has successfully completed the 2-day Dealer-Operator course. Dennis Ellmer seconded. The motion carried unanimously.

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

NEXT MEETING – March 13, 2023

The Licensing Committee meeting adjourned at 9:46 a.m.