

Meeting Summary  
**Dealer Practices Committee**  
Monday January 9, 2023

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, David Lynn, Chris Maher, Geoff Malloy, R.J. Robinson, Nick Rush and Andrew Wiley. Those absent included Michael Bor, Gardner Britt, Rob Fisher. Other Board members present: Linda Ford, Jeff Ballard, Trevor Coley, Dennis Ellmer and Maurice Slaughter. Executive Director William Childress 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** – 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:**

**Xceleration Auto Sales and Joe Abed #44007.** On December 1, 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 \$750.00 (failing to maintain business hours) and a satisfactory inspection to be conducted within 30 days.

Mr. Abed spoke on his own behalf.

Chris Maher moved to accept the hearing officer's recommendation of assessing a civil penalty of \$750.00 and a satisfactory inspection to be conducted within 30 days. Andrew Wiley seconded. The motion carried unanimously.

**Showtime Auto Sales, LLC and Ronnell R. Jenkins #54092.** On December 15, 2022, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529, 46.2-1542.2 and 46.2-1542 (B). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$7,800.00 (146 x \$50 = \$7,300 for missing dealer records and 5 x \$100 = \$500 for failure to provide vehicle titles). This dealer is out of business.

Andrew Wiley moved to accept the hearing officer's recommendation of assessing a civil penalty of \$7,800.00. R. J. Robinson seconded. The motion carried unanimously.

**Use of Dealership Space** – William Childress indicated that a few field representatives, during their inspections, have come across dealerships that have “games of skill” machines, which could be considered a second business. In Virginia Code Section 46.2-1510, it indicates that 250 square feet of office space should be dedicated to the business only. Some Board members indicated that as long as the machines are not located within the 250 square feet dedicated to the dealership, there should be no problems. If the machines are within the 250 square feet space of the dealership the issue should be reviewed. Mr. Rush informed the Board that these games are not currently regulated and that legislation may come out of this year’s General Assembly concerning games of skill. Mr. Rush requested that this issue be tabled to the March meeting.

Andrew Wiley moved to table this issue until the March 13, 2023 meeting. Nick Rush seconded. The motion carried unanimously.

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

**NEXT MEETING** – March 13, 2023

The Dealer Practices committee meeting adjourned at 9:31 am