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Inside this issue:

Driven to Protect 1

*CFPB Repossession
and Insurance* 1

Upcoming Events 2

*Virginia Dealers in
the News* 2

*Falsifying Financing
Forms* 4

Title Branding 5

DMV News 6

Board Action 8

Dealer-Operator 11

*What's Wrong With
This Picture?* 12



Driven to Protect

Governor Ralph Northam launched the Driven to Protect public-private partnership that is developing technology to eliminate drunk driving and save lives on Virginia roads. The partnership is the first between a state government and the Driver Alcohol Detection System for Safety Program (DADSS) to deploy in-vehicle alcohol detection sensors (ADS) that will determine when a driver is impaired with a blood alcohol concentration (BAC) at or above the legal limit of 0.08 percent.

“In 2017, 248 people were killed and 4,430 injured on Virginia’s roadways in alcohol-impaired crashes. Safety is our top priority,” said **Secretary of Transportation Shannon Valentine**. “DADSS holds the potential to be an integral part of making our roadways safer for all Virginians.”

As part of the initiative, Driven to Protect is partnering with James River Transportation, a transportation leader in the Richmond area for almost 100 years, to conduct some of the first in-vehicle, on-road test trials with prototype sensors in their vehicles.

Recently the first Ford Flex vehicles in the James River commercial fleet started operating from Richmond International Airport and Norfolk International Airport, taking clients wherever they need to go seamlessly and integrating the prototype technology collecting real-world operational data throughout the ride. The feedback and data collected from drivers and passengers will be invaluable in finalizing the

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CFPB Repossession and Insurance

The Consumer Financial Protection Bureau concentrated the auto-finance portion of its latest supervisory highlights on two of the most complicated matters when someone needs credit to acquire a vehicle — repossession and the application of insurance proceeds.

Before deploying a repossession agent to find and take back a vehicle, the CFPB acknowledged that many finance companies provide options to consumers in an effort to avoid repossession when a contract is delinquent or in default. The bureau also recognized in the summertime update that finance companies may offer formal extension agreements that allow consumer to forbear payments for a certain period of time or may cancel a repossession order once a consumer makes a payment. But then, problems came to light, at least according to the CFPB’s investigations.

Cont'd on pg. 3

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Cont'd from pg. 1

Upcoming EVENTS

BOARD MEETINGS

All Meetings are held at DMV Headquarters
2300 W. Broad Street, Room 702
Richmond, VA

Monday, November, 5 2018

Dealer Practices Committee Meeting

Time: 9:00 a.m.

Licensing Committee Meeting

Time: Immediately following Dealer Practices Committee

Advertising Committee Meeting

Time: Immediately following Licensing Committee

Transaction Recovery Fund Committee Meeting

Time: Immediately following Advertising Committee

Full Board Meeting

Time: 10:00 a.m. or 15-30 minutes immediately following Transaction Recovery Fund Committee meeting.

MVDB will be closed



- ◆ **Monday, November 12**
- ◆ **Noon Wednesday, November 21**
- ◆ **Thursday, November 22**
- ◆ **Friday, November 23**

Driven to Protect

ADS technology as it is prepared for widespread commercialization. In just the last three weeks, the James River vehicles have accumulated over 10,000 miles and the ADS sensors have been in operation over 1,000 hours.

The alcohol detection system works by measuring the alcohol (ethanol) level present in a driver's naturally exhaled breath. A small sensor analyzes only the breath molecules of the driver using infrared light. The sensor would be programmable to a zero-tolerance policy for parents of teen drivers, or to a BAC of 0.08 percent.

DMV Commissioner Richard D. Holcomb said, "In addition to the valuable real-world information engineers will get from the James River pilot, we are working to help raise awareness of this life-saving technology."

The DADSS Program brings together the Automotive Coalition for Traffic Safety (ACTS), a nonprofit organization wholly funded by the world's leading automakers, the U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA), and the Virginia Department of Motor Vehicles, in one of the most important government and private sector partnerships in recent years. Public-private partnerships like DADSS have led to innovations that enhance our everyday lives, such as the internet, GPS and the microchip.

For more information about the Driven to Protect initiative, visit <http://www.driventoprotect.org>.

Virginia Dealers in the News

Board Member, Michael Bor of Car Lotz made INC. Magazine's top 500 fastest growing companies in the country Click [HERE](#) to read the article

In the 2018 Auto Remarketing 40 under 40, there were a few Virginia dealers in the list. Click [HERE](#) to read the article.

Board member Liza Borches of Carter Myers Automotive was featured in the Automotive News September 3, 2018 issue discussing "Ingenuity Unleashed" Click [HERE](#) to read the article.

Roanoke Times featured Gary Duncan's car collection--- Duncan's now famous car collection, which has grown above 900 vehicles, began as a hobby, grew into a business and is now making its way to the silver screen. Click [HERE](#) to read the full article.

Cont'd from pg. 1

CFPB Repossession and Insurance

“One or more recent examinations found that servicers repossessed vehicles after the repossession was supposed to be cancelled. In these instances, the servicers incorrectly coded the account as remaining delinquent, or customer service representatives did not timely cancel the repossession order after the consumer’s agreement with the servicers to avoid repossession. The examinations identified this as an unfair practice,” bureau officials said in the supervisory highlights. “The practice of wrongfully repossessing vehicles causes substantial injury, because it deprives borrowers of the use of their vehicles and potentially leads to additional associated harm, such as lost wages and adverse credit reporting,” officials continued. “Such injury is not reasonably avoidable when consumers take action they believed would halt the repossession, and there is no additional action the borrower can take to prevent it,” the CFPB went on to say.

The bureau made one more point about the ramifications of errors happening during the repossession process, stating a financial injury is not outweighed by countervailing benefits to the consumer or to competition.

“No benefits to competition are apparent from erroneous repossessions. And the expense to better monitor repossession activity is unlikely to be substantial enough to affect institutional operations or pricing,” the CFPB said. In response to the examination findings, the bureau indicated finance companies are stopping the practice, reviewing the accounts of consumers affected by a wrongful repossession and removing or remediating all repossession-related fees.

Insurance issues

Before delving into the repossession world, the CFPB recapped what’s happened when it’s investigated finance companies in connection with insurance.

The bureau shared in the supervisory highlights that one or more examinations observed instances in which notes required that insurance proceeds from a total-vehicle loss be applied as a one-time payment to the contract with any remaining balance to be collected according to the consumer’s regular billing schedule.

However, in some instances after consumers experienced a total-vehicle loss, the CFPB said finance companies sent billing statements showing that the insurance proceeds had been applied to the loan payments so that the loan was paid ahead and that the next payment on the remaining balance was due many months or years in the future.

“Servicers then treated consumers who failed to pay by the next month as late, and in some cases also reported the negative information to consumer reporting agencies,” bureau officials said. “The examination found that servicers engaged in a deceptive practice by sending billing statements indicating that consumers did not need to make a payment until a future date when in fact the consumer needed to make a monthly payment,” they continued. The billing statements contained due dates inconsistent with the note and the servicer’s insurance payment application. Such information would mislead reasonable consumers to think they did not need to make the next monthly payment. The misrepresentation is material because it likely affected consumers’ conduct with regard to auto loans,” the bureau went on to say. Had the information been presented differently? “Consumers would have been more likely to make a monthly payment if they knew that not doing so would result in a late fee, delinquency notice or adverse credit reporting,” the bureau said in its latest compliance update. In response to examination findings, the CFPB state that finance companies are sending billing statements that accurately reflect the account status of the contract after applying insurance proceeds from a total-vehicle loss.

Reminders...

ALL IDO’s of independent dealerships must at some point in time, recertify their IDO qualification every three years by either taking an online course, classroom course, or by passing a DMV test. Click [HERE](#) for more information and [HERE](#) to determine your recertification deadline. Please note that dealers with [Franchise](#) endorsements are exempt from recertification. If you are unclear on your recertification deadline, or any other recertification questions, please contact Ann Majors at the MVDB. She may be reached at 804-367-1100 x 3016, or email at ann.majors@mvdv.virginia.gov.

Back to pg. 1

Falsifying Financing Forms

A lawsuit the FTC has filed against Tate's Auto Group and related companies alleges – among other things – that the defendants substantially “retouched” the financial circumstances of customers trying to finance cars. The defendants are four affiliated auto dealers in New Mexico and Arizona near the border of the Navajo Nation. When customers want to finance a car, Tate's includes the terms of the deal in a retail installment contract. Like others in the industry, Tate's seeks to assign that contract to a third party – for example, a bank or finance company. To decide whether to accept the contract, those companies will look at the customer's financing application, which discloses their monthly income and down payment. If the companies don't like what they see, the deal may not go through. The FTC alleges that in many instances, Tate's fidgeted with the digits to make it look like customers had higher monthly incomes and bigger down payments than they really had. We're not talking about nickel-and-dime discrepancies. According to just one of the examples in the complaint, a consumer told Tate's she had a fixed monthly income of about \$1,200, but a Tate's staffer allegedly inflated it to \$5,200 in the paperwork. Wouldn't customers spot the false information? Not necessarily. The complaint charges that the defendants often used tactics that prevented people from reviewing the documents. Tate's personnel allegedly rushed some consumers through the process; had them fill out forms over the phone or in places like grocery store parking lots or restaurants; or altered the documents after consumers signed them. What was in it for Tate's? Increased sales, says the FTC. In addition, the complaint explains the ways in which the practice harmed consumers. For example, based on Tate's bogus figures, financing companies extended credit to consumers who defaulted at a higher rate. Furthermore, by making it look like consumers were the source of the inflated numbers, Tate's exposed them to the risk of liability for submitting false information to financing companies. Of course, because of the location of the dealerships, many of the consumers affected by Tate's alleged conduct were members of the Navajo Nation.

The complaint charges that over time, others in the industry got wise to what Tate's was doing. In December 2015, a major financing company that regularly worked with Tate's conducted a review. The company reported inflated income on 17.9% of applications from Tate's Auto Center of Gallup, 37.5% of applications from Tate's Auto Center, 38.7% of applications from Tate's Nissan Buick GMC, and 44.8% of applications from Tate's Auto Center of Winslow.

The FTC also alleges Tate's engaged in deceptive advertising. One YouTube ad claimed the featured car “can be in your driveway for only \$169 per month.” In fact, consumers can't buy that car for the advertised monthly payment. That amount applies only to a lease. What's more, the FTC says the ad didn't clearly disclose that to get that monthly payment, consumers must shell out \$2899 plus other fees at lease signing.

Then there's the online ad where the company touted an “incentive” discount of \$5,250. But buried behind multiple hyperlinks was the fact that the discount was available only to consumers who trade in a 1995 or newer vehicle or terminate a lease from another car company 30 days before or 90 days after delivery. In addition, the lawsuit charges that Tate's social media posts failed to disclose required terms and that they violated the Truth in Lending Act and Consumer Leasing Act. The case is pending in federal court in Arizona.

Looking for compliance resources for car dealers? Drive over to the FTC's Automobiles portal.



Tate's Auto YouTube ad

2016 Ford Chassis Cab F-350 XL Commercial-truck 2-Valve SO...			
Engine:	6.2L 2-Valve SOHC EFI	MSRP ¹	\$41,155
Transmission:	NA V8 Engine TorqShift 6-Speed SelectShift Automatic	Incentive	\$5,250
		Interpret Price	\$35,905
Exterior Color:	Oxford White	Get a Price	
Interior Color:	Steel	View Window Sticker	
Stock #:	T2240		
Vehicle Status:	In Stock		
VIN:	1FDRW9G7GEC19889		
<small>Manufacturer Offers ² \$1750 and 0.0% on select Ford models. ³ Select Ford Credit Retail Trade-In Assistance</small>			
Compare		View Details	

Tate's Auto online ad

Title Branding

The National Auto Auction Association has seen four states that are reclassifying vehicles that previously have been given a clean title as a salvage unit.

As of Aug. 8, NAAA said the locations now following this protocol include Nevada, Ohio, Virginia and Wyoming. The association explained that upon transfer of ownership, some jurisdictions have begun branding/notating previously issued clean titles as salvage titles based on JSI (junk, salvage and insurance) reporting in the National Motor Vehicle Title Information System (NMVTIS).

As part of the Anti-Car Theft Act of 1992, NAAA pointed out that various entities (including salvage pools/auctions) are required to report to NMVTIS inventory that comes into its possession that meets the federal definition of “salvage” or “junk.” The association added that insurers are required to report all total losses.

“These reporting requirements were implemented to prevent bad actors from utilizing the VINs and/or titles of severely damaged or destroyed vehicles in order to obtain clean paperwork to create cloned vehicles,” NAAA officials said, adding more explanation directly from NMVTIS, which stated:

Reminders...

During a field inspection, MVDB field staff may ask you to produce W-2 records for all your licensed salespersons. SALESPERSONS MUST BE EMPLOYEES. The Code of Virginia defines a salesperson as follows: “. . . (i) any person who is hired as an employee by a motor vehicle dealer to sell or exchange motor vehicles and who receives or expects to receive a commission, fee, or any other consideration from the dealer; (ii) any person who supervises salespersons employed by a motor vehicle dealer, whether compensated by salary or by commission; (iii) any person, compensated by salary or commission by a motor vehicle dealer, who negotiates with or induces a customer to enter into a security agreement on behalf of a dealer; or (iv) any person who is licensed as a motor vehicle dealer and who sells or exchanges motor vehicles. For purposes of this section, any person who is an independent contractor as defined by the United States Internal Revenue Code shall be deemed not to be a motor vehicle salesperson.”

“Both the Department of Justice and the state and local law-enforcement community are concerned that a significant number of these junk and salvage automobiles purchased from salvage pools have their VINs or titles used to create cloned vehicles, or otherwise make stolen vehicles appear legitimate. Such entities must report all salvage or junk vehicles they obtain, including vehicles from or on behalf of insurance carriers, that can reasonably be assumed to be total loss vehicles.”

NAAA acknowledged a question that auctions and dealers are likely asking. If the vehicle was required to be reported to NMVTIS, why didn't the vehicle already have a salvage title?

NAAA officials explained that the federal definition of “salvage” and “junk” that would trigger a reporting requirement is not the same as states' definitions for salvage/junk that would trigger a title branding/notation. NAAA reiterated states are not required to brand titles based on NMVTIS reporting. However, the association said some states are choosing to do so as they have modernized their operating systems and pulled NMVTIS information into their normal process flow for title issuance. To clarify the point further, NAAA pointed to more details from NMVTIS, including:

“The Department of Justice recognizes that many state laws have differing requirements and definitions of terms of such as ‘junk’ and ‘salvage.’ The NMVTIS requirements do not alter these state laws and the state laws do not prevail over federal definitions and requirements. The information reported to NMVTIS is not required to be used by any future state that titles a vehicle included in an auto recycler, junk or salvage yard report. The NMVTIS reporting requirements do not replace or negate any state reporting requirements.” NAAA closed its latest update on the matter saying that the association “is working with the industry on this issue.”

DMV News

REAL ID

Starting **October 1 of this year**, the Virginia Department of Motor Vehicles (DMV) will offer Virginians the option to upgrade their current Virginia driver's license or identification card to a REAL ID compliant credential. Beginning October 1, 2020, federal officials will require state-issued driver's licenses or IDs presented as identification to board a domestic flight or enter a secure federal facility to be REAL ID compliant. Several other forms of ID, including a U.S. Passport, Passport Card and some military IDs, will also be accepted for federal identification.

Until October 1, 2020, Virginians are able to use their current Virginia driver's license or ID as identification to board a domestic flight or enter a secure federal facility. That gives Virginians interested in REAL ID two years to obtain their credential before federal requirements take effect.

Virginians with a current standard driver's license and ID card should check the expiration date. If the credential expires between October 1, 2018 and October 1, 2020, make the decision whether REAL ID is right for you so you can be prepared at the time of renewal. If your credential expires after October 1, 2020, you may want to visit DMV over the next two years to apply for REAL ID before the October 1, 2020 federal enforcement deadline. First-time applicants will also have the choice between a REAL ID compliant or standard credential.

To obtain a REAL ID compliant credential, all Virginians must visit a DMV in person to reapply for a REAL ID. This step in the process is mandated by federal law. The documents needed to apply for a REAL ID are readily accessible to most Virginians and are similar to those needed when many applied for their original Virginia driver's license or ID. You can find a list of acceptable documents on "Obtaining a Virginia Driver's License or Identification Card ([DMV 141](#)).

A REAL ID compliant credential can be used for all of the same purposes as a current driver's license – including driving, voting and accessing federal benefits. It will be available for a one-time \$10 surcharge, in addition to standard fees.

Since REAL ID is optional, many Virginians may decide they don't want or need one. Those Virginians may continue to renew their driver's license or ID as they always have. Should they need to board a domestic flight or enter a secure federal facility, they may use another approved form of ID; a full list is available at dmvNOW.com/REALID.

Online Dealer Processing

DMV will begin offering REAL ID compliant driver's licenses and IDs beginning October 1, 2018. We anticipate the demand will be significant at many of our Customer Service Centers (CSC). As a result wait times may be impacted for other transactions including titling and registration. It is recommended that online dealers process any transactions that can be processed through the Online Dealer program. Processing through the online dealer program will help to avoid any potential extended wait times, and help to avoid the legislative \$15 manual transaction fee.

For a complete listing of transactions that can be processed through the Online Dealer program visit <https://www.dmv.virginia.gov/commercial/dealer/dealerezguide/> and click the box titled FAQ.

Vehicle Weights

Recently, the Department of Motor Vehicles (DMV) has received many questions regarding trucks and the weights; Unladen (empty), Gross Weight and Gross Vehicle Weight Rating (GVWR).

- **Unladen weight** is the shipping weight of the vehicle, which is the vehicle without any passengers or cargo.

Cont'd from pg. 6

DMV News

Unladen weight is printed on the Manufactures Certificate of Origin (MCO) or may be found on some titles. You may also find this weight on the information plate found in the door jamb.

- **Gross Vehicle Weight Rating (GVWR)** is the weight rating the manufacturer has rated the vehicle to haul safely on its own. This does not include the weight of a trailer it is hauling. The GVWR may be found on the MCO, some titles, or the information plate found in the door jamb. You should never make this weight up or enter a weight other than what is found on one of the above. Entering incorrect GVWR or other weights could result in a citation for a customer.
- **Gross Weight** is the weight the vehicle may be registered to haul on its own in addition to the weight of any trailer or equipment being towed. Often referred to as the combined weight meaning the GVWR of a truck adding it to GVWR of the trailer equals Gross Weight.

When titling any vehicle, particularly trucks, make sure to use the weights provided by the manufacturer or provided on the ownership document.

Awareity Training

Several months ago DMV implemented an annual training requirement for every user who accesses DMV records. Many users have completed the training, others have not logged in, and some still need access to take the training. If you need access to the training please filter your requests through your vendor, who will supply DMV with the necessary information and we will send you credentials by email. Users who may have been sent credentials should check the spam. Credentials can be resent, however please provide the same information as previously supplied unless there is truly a change. Providing accurate information helps ensure you receive access to complete the training in a timely manner without producing a duplicate record.

Back to pg. 1

Reminders...

Tips for spotting flood damaged vehicles.

1. Check the outside body panels for waterlines.
2. Check the carpet, upholstery, and inside doors for mud, dirt, damp feeling and discoloration.
3. Check beneath the vehicle's carpet to see if the pad beneath the carpet is damp.
4. Check for dirt buildup around seat tracks.
5. Check under the dash and in the glove box for dirt or dampness.
6. Look at the owner's manual. Check to see if the paperwork was ever wet.
7. Waterlines could be visible inside the car. Look at the seats, inside doors and door jams.
8. Smell the inside of the vehicle. A musty or damp smell can be a good indicator of flood damage. Is there an over powering use of air freshener?
9. Make sure all the dash lights are working properly. Do the turn signals work?
10. Check under the vehicle for corrosion, flaking metal underneath.
11. Check inside the engine compartment for waterlines, dirt or mud.
12. Are the headlights or taillights fogging?
13. Check the air cleaner for water.
14. Check the oil to see if there's a copper or milky color which could indicate water damage inside the engine.
15. Look for water in the spare tire compartment.
16. Look inside the trunk for dampness, dirt or mud.

Board Actions

Dealer Practices

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 misuse of PoD tags, deceptive acts and practices, and having been convicted of any criminal act involving the business of selling vehicles. Based on the information provided at the conference, the Board requires a satisfactory inspection and successful completion of the 2-day Dealer-Operator Course. Mr. Alexander may appeal this Board Action to a Formal Hearing.

Auto Trend and Trucks, Inc. and Umar Pervez – On July 27, 2018, an informal fact-finding conference was conducted to address the alleged violations of failure to have liability insurance on each D-tag. Based on the information provided at the conference, the Board assessed a civil penalty of \$500 and a satisfactory inspection. Mr. Pervez may appeal this Board Action to a Formal Hearing.

F & K Auto, LLC and Alford Robertson – On July 26, 2018, an informal fact-finding conference was conducted to address the alleged violations of failure to maintain posted business hours, and failure to comply with previous warnings. Based on the information provided at the conference, the Board assessed a civil penalty of \$2,000 and a satisfactory inspection. Mr. Robertson may appeal this Board Action to a Formal Hearing.

Ameena Motors and Muhammad Khan Lodhi – On August 16, 2018, an informal fact-finding conference was conducted to address the alleged violations of failure to maintain posted business hours, and failure to comply with previous warnings. Based on the information provided at the hearing, the Board assessed a civil penalty of \$1,000 and successful completion of the 2-day Dealer-Operator Course. Mr. Lodhi may appeal this Board Action to a Formal Hearing.

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 failure to maintain posted business hours, and failure to comply with previous warnings. Based on the information provided at the hearing, the Board assessed a civil penalty of \$750, and a satisfactory inspection. Mr. Abdeen may appeal this Board Action to a Formal Hearing.

Duke Auto, LLC and Christopher J. McAll – On August 15, 2018 an informal fact-finding conference was conducted to address the alleged violations of failure to maintain posted business hours, material misstatement, and failure to comply with previous warnings. Based on the information provided at the hearing, the Board assessed a \$750 civil penalty, a satisfactory inspection, and successful completion of the 2-day dealer-operator course. Mr. McAll may appeal this Board Action to a Formal Hearing.

Rockingham Auto Sales and Osman Rezai – On August 23, 2018 an informal fact-finding conference was conducted to address the alleged violations of failure to provide buyers guides, unlicensed salespersons, failure to have liability insurance on each D-tag, material misstatement, and failure to comply with previous warnings. Based on the information provided at the hearing, the Board assessed a civil penalty of \$9,400, a 30 day suspension of all licenses and certificates, a satisfactory inspection successful completion of the 2-day Dealer-Operator course. Mr. Rezai may appeal this Board Action to a Formal Hearing.

West Capitol Financial, LLC and Gregory Armstead – On August 23, 2018 an informal fact-finding conference was conducted to address the alleged violations of failure to maintain posted business hours, and failure to comply to previous warnings. Based on the information provided at the hearing, the Board assessed a civil penalty of \$750 and a satisfactory inspection. Mr. Armstead may appeal this Board Action to a Formal Hearing.

Board Actions

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 having been convicted of a criminal act involving the business of selling vehicles. Based on the information provided at the hearing, the Board assessed a civil penalty of \$750 and a satisfactory inspection. Mr. Tabatabai may appeal this Board Action to a Formal Hearing.

Administrative Actions:

Prosperity Auto Sales and Faisal Chaudhry. Paid a \$250 civil penalty for failure to maintain posted business hours.

Beech Wood Auto LLC and Cristina Y. Tanios. Paid a \$750 civil penalty for failure to maintain dealer records.

All In One Auto Group LLC and Zia Tabatai. Paid a \$2,900 civil penalty for selling from an unlicensed location, and unlicensed salespersons.

Moore's Auto Sales, and William Moore. Paid a \$250 civil penalty for failure to maintain dealer records.

Pride Auto Sales, LLC, and Muhammad Tahir. Paid a \$250 civil penalty for failure to maintain dealer records.

Family Auto Center LLC, and Marc Rivard. Dealer suspended and sent to debt set-off for failure to pay a \$2,000 civil penalty for failure to maintain liability insurance on D-tags.

Chief's Auto, and Terry Wayne Tichy. Paid a \$2,000 civil penalty for failure to maintain liability insurance on each D-tag.

Cantrell Auto Sales, Inc., and Henry Cantrell. Paid a \$250 civil penalty for failure to maintain posted business hours.

Nation Motors of Fredericksburg LLC, and Luis Munayco. Paid a \$500 civil penalty for failure to maintain dealer records.

Danz Auto Sales, and Orlando L. Panka. Paid a \$250 civil penalty for failure to pay salespersons on a W-2.

Supermax Autos, and Mike Eweis. Paid a \$1,250 civil penalty for failure to pay salespersons on a W-2, and failure to maintain dealer records.

Certified Motors, and Richard Alan Green. Paid a \$750 civil penalty for failure to pay salespersons on a W-2.

Silver Motors LLC, and Amare Serlaw Awoke. Paid a \$250 civil penalty for failure to provide proof of safety inspection prior to retail sale, and failure to maintain dealer records.

Car-Fi, Inc., and Amjad Adnan Barqawi, and Abdallah Amjad Barqawi. Paid a \$2,000 civil penalty for failure to maintain liability insurance on each D-tag.

Brown's Volkswagen Suzuki, and William E. Schuiling. Paid a \$250 civil penalty for failure to maintain dealer records, and failure to provide proof of safety inspection prior to retail sale.

Land Rover Richmond, and Haywood B. Hyman, Jr. Paid a \$250 civil penalty for failure to maintain dealer records, and failure to provide proof of safety inspection prior to retail sale.

Hyman Bros Nissan Kia, and Haywood B. Hyman, Jr. Paid a \$250 civil penalty for failure to maintain dealer records, and failure to provide proof of safety inspection prior to retail sale.

Hyman Bros. Subaru, LLC, and Haywood B. Hyman, Jr. Paid a \$250 civil penalty for failure to maintain dealer records, and failure to provide proof of safety inspection prior to retail sale.

Board Actions

Off Lease Auto Center, LLC, and Craig Baker. Paid a \$250 civil penalty for improper dealership sign.

Brown's Jaguar, and William E. Schuiling. Paid a \$250 civil penalty for failure to maintain dealer records, and failure to provide proof of safety inspection prior to retail sale.

Nissan of Richmond, and Patrick Dibre. Paid a \$28,700 civil penalty for 293 sales from unlicensed salespersons.

Licensing

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 defrauding any retail buyer to the buyer's damage, or any other person in the conduct of the licensee's or registrant's business, deceptive acts and practices, and having been convicted of any criminal act involving the business of selling vehicles. Based on the information provided at the conference, the Board assessed a civil penalty of \$500. Mr. Hill may appeal this Board Action to a Formal Hearing.

Advertising

Administrative Actions:

Madison Motors, and Paul D. Foster, Jr. Paid a \$250 civil penalty because the dealer failed to disclose the processing fee and dealership phone number in the advertisement.

Amko Auto of Manassas, and Aminullah Abbasi. Paid a \$250 civil penalty for an advertisement placed on Craigslist under the owner category instead of the dealer category. Also, the advertisement failed to disclose the processing fee and failed to provide proper disclosure for the Truth in Lending Act.

For prior issues of Dealer Talk click [HERE](#)



The Dealer Board has installed a new phone system! When calling the Board, please listen carefully to the menu and follow the directions/instructions, as the prompts have changed.

IMPORTANT NOTICE TO PROSPECTIVE DEALERS

The path to a Dealer-Operator license begins with a required two-day course of study each month at various community colleges in Virginia with the curriculum and instruction provided by VIADA. The course takes the attendee from establishing the dealership under local zoning and Dealer Board requirements, through the sales process with its multitude of forms, laws and regulations, into a sampling of opening and operating expenses, and ending with a discussion on ethics. The course is also open to all existing dealers and their employees.

Date	College
2018	

THE FOLLOWING COURSES ARE REGISTERED THROUGH VIADA,

CALL 1-800-394-1960 to register or visit viada.org

October 2-3	Northern Virginia Community College, 1831 Wiehle Ave, Reston, VA 37088
October 23-24	New River Community College, 781 New River Rd, Christiansburg, VA 24073
November 6-7	Blue Ridge Community College, 1 College Ln, Weyers Cave, VA 24486
November 27-28	Germanna Community College, 10000 Germanna Point Dr., Fredericksburg, VA 22408
December 11-12	Reynolds Community College, 1651 E. Parham Rd, Henrico, VA 23228

MOTOR VEHICLE DEALER BOARD

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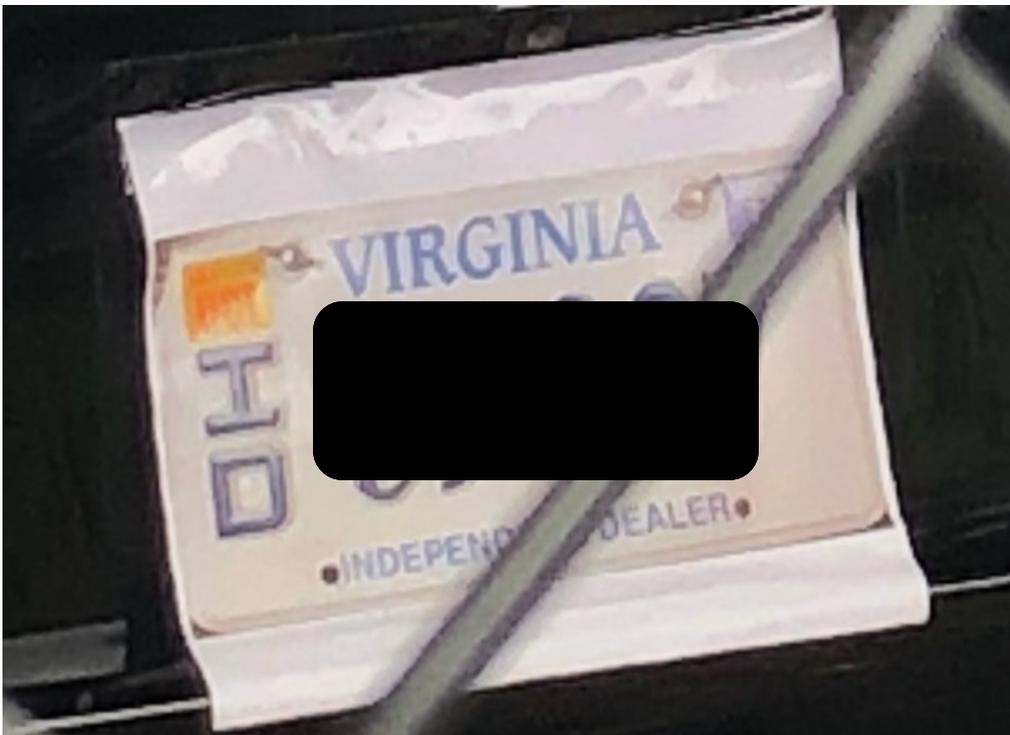
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www.mvdb.virginia.gov

DISCLAIMER: We make every effort to ensure information in Dealer Talk is accurate, but it is not a substitute for legal advice.



What's Wrong With This Picture?



§ 46.2-722. Altered or forged license plates or decals.

This VA Code section states in part that any person who, with fraudulent intent, alters any license plate or decal issued by the Department or by any other state, forges or counterfeits any license plate or decal purporting to have been issued by the Department under the provisions of this title.....shall be guilty of a Class 1 misdemeanor.

In this particular picture, the D-tag is a photocopy, and is illegal. The plastic sleeve is discontinued and cannot be used for any tag.