

NOTE: Appearing first is the Full Board summary which is the last meeting of the day. The committees will follow in the order of which time they were conducted. The Dealer Board staff felt it would benefit our readers to have the last meeting of the day appear first on the website.

~ FINAL ~

Meeting Summary
Motor Vehicle Dealer Board
Monday, January 10, 2011

Chairman Rick Holcomb called the Dealer Board meeting to order at 11:19 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. The roll was called and there were 14 Board members present. Present were members Frank Pohanka, Wanda Lewark, Lynn Hooper, T.K. Hughes, Henry Jones, Chip Lindsay, Pat Patrick, Matt Queen, Kevin Reilly, Larry Shelor, Joe Tate, Robert Woodall and Tommy Woodson. (Absent: David Lacy, Matt Lohr, Thomas Moorehead, Jimmy Whitten, Sally Woodson). Executive Director Bruce Gould, Peggy Bailey, Prin Cowan, Wanda Neely and Frank McCormick represented the Dealer Board. Eric Fiske represented the Attorney General's Office. Alice Weedon acted as Recording Secretary.

PUBLIC COMMENT

There was no public comment.

The November 8, 2010 meeting summary was approved.

STATUTORY COMMITTEE REPORTS

Dealer Practices Committee:

Chairman Kevin Reilly summarized discussions held and actions that were taken during the Committee Meeting.

- **John R. Mullins, Sr. and Little Man's Auto, Inc.** Chairman Kevin Reilly summarized for the Board the discussion held in the committee meeting regarding John R. Mullins, Sr. and Little Man's Auto, Inc. Based on that discussion, Mr. Reilly made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning John R. Mullins, Sr. and Little Man's Auto, Inc. for alleged violations of Va. Code Section 46.2-1575(9) (having been convicted of any criminal act involving the business of selling vehicles). Based on due consideration, the Board believes a warning letter should be sent to John R. Mullins, Sr. and Little Man's Auto, Inc. The Board hereby directs the Board's executive director to send a warning letter to John R. Mullins, Sr. and Little Man's Auto, Inc.

Robert Woodall seconded. The motion carried unanimously.

- **George H. Lovelace and D & K Auto Sales.** Chairman Kevin Reilly summarized for the Board the discussion held in the committee meeting regarding George H. Lovelace and D & K Auto Sales. Based on that discussion, Mr. Reilly made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning George H. Lovelace and D & K Auto Sales for alleged violations of VA Code Sections 46.2-1518 (display of salesperson's list), 46.2-1529 (failure to maintain all dealer records on the premises of the licensed location), 46.2-1530 (failing to maintain buyer's orders), 46.2-1537 (failure to have salespersons properly licensed), 46.2-1542 (failure to properly issue temporary tags), 46.2-1548 (dealer plate records required), 46.2-1550 (improper use of or permitting the improper use dealer's license plates), 46.2-1550.2 (failure to insure temporary transport plates), 46.2-1559 (violation of record keeping for temporary tags), 46.2-1561 (failure to submit application for titles, plates and fees to DMV within 30 days) and 46.2-1575 (2) (failure to comply subsequent to receipt of a written warning/willful failure to comply); Based on due consideration, the Board believes a civil penalty should be assessed against George H. Lovelace and D & K Auto Sales. The Board hereby assesses a \$1,500 civil penalty against George H. Lovelace and D & K Auto Sales; and based on due consideration, the Board believes that all licenses issued to Mr. Lovelace and D&K Auto sales should be suspended until such time as the dealership has had a satisfactory inspection by a Motor Vehicle Dealer Board Field Representative. The Board hereby suspends all licenses and certificates issued to Mr. Lovelace by the Board until such time as he has had a satisfactory inspection by a Motor Vehicle Dealer Board Field Representative; and based on due consideration, the Board believes that successfully completing the dealer-operator course would benefit Mr. Lovelace in running his dealership. The Board mandates that Mr. Lovelace successfully complete the dealer-operator course. Failure to successfully complete the course will result in a suspension of all licenses and certificates issued to Mr. Lovelace by the Board until what time Mr. Lovelace has successfully completed the course.

Matt Queen seconded. The motion carried unanimously.

- **Anwar S. Saidi and Export Car Connection, Inc.** Chairman Kevin Reilly summarized for the Board the discussion held in the committee meeting regarding Anwar S. Saidi and Export Car Connection, Inc. Based on that discussion, Mr. Reilly made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Anwar Saidi and Export Car Connection for alleged violations of VA Code Sections 46.2-1518 (display of salesperson's list), 46.2-1529 (failure to maintain all dealer records on the premises of the licensed location), 46.2-1530 (failing to maintain buyer's orders), 46.2-1542 (failure to properly issue temporary tags), 46.2-1547 (failure to maintain liability insurance), 46.2-1548 (dealer plate records required), 46.2-1550 (improper use of or permitting the improper use dealer's license plates), 46.2-1550.2 (failure to insure temporary transport plates), 46.2-1559 (violation of record keeping for temporary tags) and 46.2-1575 (1) (material misstatements), (2) (failure to comply subsequent to receipt of a written warning/willful failure to comply), (3) (failure to establish place of business) and (18) (failure to maintain auto liability insurance for all dealer plates assigned). Based on due consideration, the Board believes a civil penalty should be assessed against Anwar Saidi and Export Car Connection. The Board hereby assesses a \$1,800 civil penalty against Anwar Saidi and Export Car Connection; and based on due consideration, the Board believes all licenses issued by the Board to Mr. Saidi should be revoked. The Board hereby revokes all licenses issued by the Board to Mr. Saidi.

Joe Tate seconded. The motion carried unanimously.

Licensing Committee

Chairman Chip Lindsay summarized discussions held and actions that were taken during the Committee Meeting.

- **Larry McClure, Salesperson.** Chairman Chip Lindsay summarized for the Board the discussion held in the committee meeting regarding Larry McClure. Based on that discussion, Mr. Lindsay made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Mr. Larry A. McClure and based on due consideration, the Board believes that Mr. McClure's application for a motor vehicle salesperson's license should be approved. The Board hereby approves the issuance of a salesperson's license to Mr. Larry A. McClure

Frank Pohanka seconded. The motion carried unanimously.

- **William E. Snoots, Salesperson.** Chairman Chip Lindsay summarized for the Board the discussion held in the committee meeting regarding William E. Snoots. Based on that discussion, Mr. Lindsay made the following motion: Based on the evidence and a report of an informal fact-finding conference as prepared by a hearing officer, the executive director, under the authority granted by the Motor Vehicle Dealer Board, revoked the Mr. William E. Snoots' salesperson's license. Mr. Snoots appealed the revocation and requested a formal hearing; and the Board rejects the hearing officer's recommendation and the decision of the executive director to revoke Mr. Snoot's salesperson's license. Based on due consideration, the Board believes a civil penalty should be assessed against Mr. William E. Snoots. The Board hereby assesses a \$1,000 civil penalty against Mr. William E. Snoots. Based on due consideration, the Board believes that the dealer-operator qualification issued to Mr. William E. Snoots should be revoked. The Board hereby revokes the dealer-operator certificate of qualification issued to Mr. William E. Snoots; and the Board recommends that Mr. Michael Maggio be reimbursed for his bona fide expenses up to \$2,500 for private investigator costs expended related to the consignment agreement concerning a 2002 Mercedes Benz. Mr. Snoots stipulates that he agrees to make such private investigator reimbursement expenses to Mr. Maggio by February 28, 2011, as a condition for retaining his motor vehicle sales license. Mr. Snoots stipulates that he agrees that his motor vehicle sales license will be suspended if he fails to timely make the agreed upon reimbursement to Mr. Maggio until such time as reimbursement is made. The Board accepts Mr. Snoots' stipulations.

Joe Tate seconded. All in favor: 13 (Hooper, Jones, Lewark, Lindsay, Patrick, Pohana, Queen, Reilly, Shelor, Tate, Woodall, T. Woodson, Holcomb). Opposed: 1 (Hughes). The motion carried.

- **William R. Beard, Salesperson.** Chairman Chip Lindsay summarized for the Board the discussion held in the committee meeting regarding William R. Beard. Based on that discussion, Mr. Lindsay made the following motion: Based on the evidence and a report of an informal fact-finding conference as prepared by a hearing officer, the executive director, under the authority granted by the Motor Vehicle Dealer Board, denied Mr. William R. Beard's salesperson's license application. Mr. Beard appealed the denial and requested a formal hearing; and the Board has reviewed and considered the facts and evidence and the report of a formal hearing as prepared by the hearing officer concerning Mr. William R. Beard and based on due consideration, the Board believes that Mr. Beard's motor vehicle salesperson's license application should be denied. The Board hereby denies Mr. Beard's salesperson's license application. Based on due consideration, the Board believes a civil penalty should be assessed against Mr. William R. Beard. The Board hereby assesses a \$500 civil penalty against Mr. William R. Beard.

Frank Pohanka seconded. The motion carried unanimously.

Advertising Committee

Chairman Lynn Hooper summarized discussions that were held during the Committee Meeting.

Transaction Recovery Fund Committee:

Chairman Larry Shelor summarized discussions held and actions that were taken during the Committee Meeting.

- **Monica Mendez-Rodriguez and Auto Express of Woodbridge, Inc.** Chairman Larry Shelor summarized for the Board the discussion held in the committee meeting regarding Monica Mendez-Rodriguez and Auto Express of Woodbridge, Inc. Based on that discussion and the recommendations in these cases, Mr. Shelor made the following motion: Pursuant to VA Code Section 46.2-1527.1 et. seq. of the Code of Virginia, which is known as the Motor Vehicle Transaction Recovery Fund ("Fund"), the Board has reviewed and considered a claim submitted for payment from the Fund and based on due consideration and recommendation of the hearing officer, the Board believes the claim should be payable from the Fund.

Monica Mendez-Rodriguez and Auto Express of Woodbridge, Inc. \$2,234.00

Matt Queen seconded. The motion carried unanimously.

OLD BUSINESS

There was no old business.

OLD BUSINESS FROM THE FLOOR

There was no old business from the floor.

NEW BUSINESS

NEW BUSINESS FROM THE FLOOR

Rick Holcomb spoke on a program called the Virginia Executive Institute. After attending this program this past Fall, he felt it would be beneficial for Bruce to attend this. The program, which will be presented in two week intervals (possibly one week in May and one week in June) will cost around \$2,500. At this time, Rick Holcomb made a motion to allow Bruce to attend this program. Chip Lindsay seconded. The motion carried unanimously.

The next meeting will be scheduled for March 14, 2011.

- **Executive Director's Report.** Bruce Gould indicated that the Recovery Fund is doing ok. He requested that the Financial Disclosure and Conflict of Training must be completed by January 15, 2011 and handed in to Alice Weedon. Bruce also indicated that he feels very confident that his staff will handle the office duties while he will be away at the Virginia Executive Institute.

There being no further business to come before the Motor Vehicle Dealer Board, Chairman Holcomb adjourned the meeting at 11:46 a.m.

Meeting Summary
Dealer Practices Committee
Monday, January 10, 2011

Chairman Kevin Reilly called the Dealer Practices Committee meeting to order at 9:00 a.m. in Room 702 of the DMV Headquarters Building at 2300 W. Broad Street in Richmond. Present were Committee members T.K. Hughes, Wanda Lewark, Chip Lindsay, Matt Queen, Larry Shelor, Robert Woodall and Tommy Woodson. (Absent: David Lacy, Thomas Moorehead and Sally Woodson). Other Board members present: Rick Holcomb, Frank Pohanka, Joe Tate Henry Jones, Pat Patrick, Lynn Hooper. Executive Director Bruce Gould, Peggy Bailey, Prin Cowan, Frank McCormick and Wanda Neely represented the Dealer Board. Eric Fiske represented the Attorney General's office.

The November 8, 2010 meeting summary was approved.

PUBLIC COMMENT

There was no public comment.

OLD BUSINESS

OLD BUSINESS FROM THE FLOOR

There was no old business from the floor.

NEW BUSINESS

Review and Action: Informal Fact-Finding Conferences:

- **Little Man's Auto, Inc. and John R. Mullins, Sr.** On November 2, 2010, an informal fact-finding conference was conducted to address the alleged violations of VA Code Section 46.2-1575(9) (having been convicted of any criminal act involving the business of selling vehicles). Based on the information provided at the conference, the hearing officer recommended that Mr. Mullins has paid his dues from his arrest, and it is the opinion of this case, that an administrative warning should be all that is necessary in this case.

Motion was made by Tommy Woodson to compose an administrative warning letter. Larry Shelor seconded. The motion carried unanimously.

- **D & K Auto Sales and George H. Lovelace.** On December 6, 2010, an informal fact-finding conference was conducted to address the alleged violations of VA Code Section(s) 46.2-1518 (display of salesperson's license; notice of termination), 46.2-1529 (failure to maintain all dealer records on the premises of the licensed location), 46.2-1530 (failing to maintain buyer's orders), 46.2-1537 (failure to have salespersons properly licensed), 46.2-1542 (failure to properly issue temporary tags), 46.2-1548 (dealer plate records required), 46.2-1550 (improper use of or permitting the improper use dealer's license plates), 46.2-1550.2 (failure to insure temporary transport plates), 46.2-1559 (violation of record keeping for temporary tags), 46.2-1561 (failure to submit application for titles, plates and fees to DMV within 30 days) and 46.2-1575 (2) (failure to comply subsequent to receipt of a written warning/willful failure to comply).

Based on the information provided at the conference, the hearing officer recommended that a civil penalty of \$1,500.00 be assessed for violations of 46.2-1518, 1529, 1548, 1550, 1550.2, 1561, 1575.2. The hearing officer also recommended all licenses be revoked for violations of 46.2-1529, 1537 & 1575.2 and any future license applications to operate or sell motor vehicles in Virginia be denied for at least one year. He must make payments on the above civil penalty and complete the dealer operator class. Additionally, all temporary tags, transport tags and any other property belonging to the Commonwealth should be seized immediately. All internet DMV software systems should be terminated immediately.

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

Motion was made by Wanda Lewark to assess a civil penalty of \$1,500, suspend all licenses until Mr. Lovelace successfully completes the Dealer-Operator Course and completes a satisfactory inspection. T.K. Hughes seconded. The motion carried unanimously.

- **Export Car Connection and Anwar Saidi.** On October 10, 2010, an informal fact-finding conference was conducted to address the alleged violations of VA Code Section(s) 46.2-1518 (display of salesperson's license; notice of termination), 46.2-1529 (failure to maintain all dealer records on the premises of the licensed location), 46.2-1530 (failing to maintain buyer's orders), 46.2-1542 (failure to properly issue temporary tags), 46.2-1547 (failure to maintain liability insurance), 46.2-1548 (dealer plate records required), 46.2-1550 (improper use of or permitting the improper use dealer's license plates), 46.2-1550.2 (failure to insure temporary transport plates), 46.2-1559 (violation of record keeping for temporary tags) and 46.2-1575 (1) (material misstatements), (2) (failure to comply subsequent to receipt of a written warning/willful failure to comply), (3) (failure to establish place of business) and (18) (failure to maintain auto liability insurance for all dealer plates assigned). Based on the information provided at the conference, the hearing officer recommended that Anwar Saidi's dealer's license be revoked and a civil penalty of \$1,800 be assessed against him.

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

Motion was made by Mathew Queen to accept the hearing officer's recommendation. T.K. Hughes seconded. The motion carried unanimously.

NEW BUSINESS FROM THE FLOOR

There was no new business from the floor.

The next meeting was scheduled for March 14, 2011.

The meeting adjourned 9:48 a.m.

Meeting Summary
Dealer Licensing Committee
Monday, January 10, 2011

Chairman Chip Lindsay called the Dealer Licensing Committee meeting to order at 9:49 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members T.K. Hughes, Henry Jones, Pat Patrick, Frank Pohanka, Joe Tate and Robert Woodall. (Absent: Jimmy Whitten). Other Board members present: Rick Holcomb, Larry Shelor, Kevin Reilly, Wanda Lewark, Matt Queen, Tommy Woodson. Executive Director Bruce Gould, Peggy Bailey, Prin Cowan, Frank McCormick and Wanda Neely represented the Dealer Board. Eric Fiske represented the Attorney General's office.

The November 8, 2010 meeting summary was approved.

PUBLIC COMMENT

There was no public comment.

OLD BUSINESS

- **Update: Independent Dealer-Operator Recertification Program.** Prin Cowan reported to the Committee that approximately 103 dealer-operators will need to be re-certified by May 31, 2011. An introduction memo will be sent to those dealer-operators giving them instructions on how to recertify. A Board e-mail address will be created where dealer-operators may submit questions and documents. A position has been created to oversee the recertification program and will soon be re-advertised, but in the meantime, Ms. Cowan is overseeing the program.

OLD BUSINESS FROM THE FLOOR:

There was no old business from the floor.

NEW BUSINESS

NEW BUSINESS FROM THE FLOOR

Review and Action: Informal Fact-Finding Conferences:

- **Larry A. McClure, Salesperson.** On December 1, 2010, an informal fact-finding conference was conducted to address the alleged violations of VA Code Section(s) 46.2-1575(6) (having used deceptive practices and (13) (having been convicted of a felony). Based on the information provided at the conference, the hearing officer recommended that Mr. McClure be granted a license to sell vehicles in the Commonwealth of Virginia when he has successfully completed his term of probation. Further, it should be stipulated that the license will not be granted until the US Department of Probation has notified the Board that his term has been completed satisfactorily and no violations have been filed during that time.

Mr. McClure was present and available for questions by the members.

Robert Woodall made a motion to allow Mr. McClure to be licensed without a waiting period. Henry Jones seconded. The motion carried unanimously.

Review and Action: Formal Hearings:

- **William E. Snoots, Salesperson.** Historical overview leading up to the formal hearing: On April 13, 2010, an informal fact-finding conference was conducted to address the alleged violation(s) of VA Code Sections 46.2-1575 (4) (Defrauding any retail buyer to the buyer's damage), (6) (having used deceptive acts or practices), (8) (having been convicted of any fraudulent act in connection with the business of selling vehicles) and (13) (having been convicted of a felony). On July 13, 2010, Bruce Gould reviewed the findings of fact, the evidence from the court, the conclusions of law, the hearing officer's report, the testimonies given at the hearing and Mr. Snoots exceptions and agreed with the hearing officer's recommendation to revoke Mr. Snoots motor vehicle salesperson's license. On August 9, 2010, Mr. Snoots appealed and requested a formal hearing. On November 30, 2010, a formal hearing was conducted to address the above alleged violation(s). Based on the information provided at the hearing, the hearing officer recommended that his salesperson license be revoked for one year. At the end of a year, he further recommended that he be allowed reapply under the following conditions: he attend the proper classes offered by DMV and pays a \$1,000.00 civil penalty. If successful in his reapplying, obtains a sales license, any violations or any sustained complaints, his license should be revoked indefinitely.

Mr. Snoots, his attorney Bill Lehner, Jeff Abel and Ken Shepherd of Miller Toyota were present and all spoke on Mr. Snoots behalf.

Motion was made by Pat Patrick to reject the hearing officer's recommendation and allow him to keep his salespersons license with the stipulation that he pay the \$1,000 civil penalty assessed, repay private investigation expenses not to exceed \$2,500 to Mr. Maggio by February 28, 2011 and his Dealer Operator Certificate of Qualification will be revoked. Joe Tate seconded. The motion carried unanimously.

- **William R. Beard, Salesperson.** Historical overview leading up to the formal hearing: On August 2, 2010, an informal fact-finding conference was conducted to address the alleged violation(s) of VA Code Sections 46.2-1575 (1) (having made material misstatements on an application for license) and (13) (having been convicted of a felony). On September 10, 2010, Bruce Gould reviewed the findings of fact, the information from the criminal history report, Mr. Beard's completed applications, the conclusions of law, the hearing officer's report and the testimonies given at the hearing and agreed with the hearing officer's recommendation to deny Mr. Beard's application for a motor vehicle salesperson's license. On September 27, 2010, via FAX Mr. Beard appealed and requested a formal hearing. On November 4, 2010, a formal hearing was conducted to address the above alleged violation(s). Based on the information provided at the hearing, the hearing officer recommended that Mr. Beard be denied a license to sell vehicles in the State of Virginia. It is also recommended that Mr. Beard pay a \$500.00 civil penalty.

Motion was made by Pat Patrick to accept the hearing officer's recommendation. Lynn Hooper seconded. The motion carried unanimously.

There was no new business from the floor.

The next meeting was scheduled for March 14, 2011.

The meeting adjourned at 10:32 a.m.

Meeting Summary
Advertising Committee
Monday, January 10, 2011

Chairman Lynn Hooper called the Advertising Committee meeting to order at 10:32 a.m. in Room 702, at DMV Headquarters, 2300 West Broad Street, Richmond, Virginia. Present were Committee members Matt Queen, Kevin Reilly, Larry Shelor, Joe Tate and Tommy Woodson. (Absent: Matt Lohr, Jimmy Whitten and Sally Woodson). Other Board members present: Rick Holcomb, Pat Patrick, T.K. Hughes, Frank Pohanka, Wanda Lewark, Robert Woodall. Executive Director Bruce Gould, Peggy Bailey, Prin Cowan, Frank McCormick and Wanda Neely represented the Dealer Board. Eric Fiske represented the Attorney General's office.

The November 8, 2010 meeting summary was approved.

PUBLIC COMMENT

There was no public comment.

OLD BUSINESS

OLD BUSINESS FROM THE FLOOR

There was no old business from the floor.

NEW BUSINESS

Lynn Hooper reviewed and discussed the Advertising Report with the Committee members.

The next meeting was scheduled for March 14, 2011.

NEW BUSINESS FROM THE FLOOR

There was no new business from the floor.

The meeting adjourned at 10:43 a.m.

Meeting Summary
Transaction Recovery Fund Committee
Monday, January 10, 2011

Chairman Larry Shelor called the Transaction Recovery Fund Committee meeting to order at 10:44 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members: Henry Jones, Wanda Lewark, Pat Patrick, Frank Pohanka, Matt Queen and Joe Tate. (Absent: David Lacy and Matt Lohr). Other Board members present: Rick Holcomb, T.K. Hughes, Kevin Reilly, Lynn Hooper, Robert Woodall, Tommy Woodson. Executive Director Bruce Gould, Peggy Bailey, Prin Cowan, Frank McCormick and Wanda Neely represented the Dealer Board. Eric Fiske represented the Attorney General's office.

The November 8, 2010 summary was approved.

PUBLIC COMMENT

There was no public comment.

OLD BUSINESS

OLD BUSINESS FROM THE FLOOR

There was no old business from the floor.

NEW BUSINESS

Review and Action: Informal Fact-Finding Conference Results:

- **Monica Mendez-Rodriguez and Auto Express of Woodbridge, Inc. and Joseph P. Battista.** On September 28, 2007, Ms. Mendez-Rodriguez entered into a contract to purchase a 2005 Nissan Altima from Auto Express of Woodbridge for a total purchase price of \$14,815.82 (\$13,995.00 base price, \$430.32 state/local taxes, \$41,40 title/registration fees and \$349.00 process fee). Ms. Mendez-Rodriguez made a down payment of \$1,000.00 and financed the remaining \$13,815.82. Auto Express also arranged for automobile insurance for her. Even though financing had not been approved, they allowed her to drive the vehicle home. On October 10, 2007, Ms. Mendez-Rodriguez obtained an emissions inspections and paid \$28.00 for the inspection.

Sometime around October 12, 2007, Auto Express informed Ms. Mendez-Rodriguez that financing was not approved. At that point, she tried to return the vehicle and request the return of her down payment. Instead, Auto Express instructed her that they would apply for a new loan. On October 13, 2007 she rejected the new financing offer and rescinded the contract. The vehicle was returned to Auto Express that same day. When she tried to cancel the car insurance, she was informed by the insurance company that they needed a cancellation letter from the dealership. That letter was provided on October 20 by Auto

Express. Auto Express went out of business shortly thereafter and Ms. Mendez-Rodriguez never received her \$1,000 down payment.

On September 28, 2009, Janelle Holt, on behalf of Monica Mendez-Rodriguez, filed a complaint against Auto Express of Woodbridge in the General District Court or the County of Prince William. On September 29, 2009, the Dealer Board received the complaint as prior notification via certified mail. On October 2, 2009, the Dealer Board staff acknowledged receipt of Ms. Mendez-Rodriguez's claim against the Fund and requested additional documentation in order to complete the review process of the claim.

On January 10, 2010, the General District Court for the County of Prince William awarded Ms. Mendez-Rodriguez judgment against Auto Express of Woodbridge in the amount of \$3,096.00 for damages plus \$1,050.00 in attorney fees and \$95.00 in court costs. It was awarded for violations of the Virginia Consumer Protection Act and willful deceit and fraud. On August 11, 2010 Ms. Holt submitted additional documentation to the Dealer Board for consideration of payment from the Fund. Ms. Mendez-Rodriguez's total claim came to \$2,234.00 in actual damages, \$1,000.00 down payment, \$28.00 for emissions inspection, \$61.00 for the remaining insurance premium, \$1,050.00 attorney fees and \$95.00 in court costs.

On October 18, 2010, an informal fact-finding conference was conducted and based on the information provided at the conference, the hearing officer recommended approval of Ms. Mendez-Rodriguez's claim of \$2,234.00.

Motion was made by Frank Pohanka to accept the hearing officer's recommendation. Joe Tate seconded. The motion carried unanimously.

NEW BUSINESS FROM THE FLOOR

There was no new business from the floor.

The next meeting was scheduled for March 14, 2011.

The meeting adjourned at 10:50 a.m.