

Meeting Summary
Motor Vehicle Dealer Board
Monday, July 8, 2019

Vice-Chairman Joe Tate called the Dealer Board meeting to order at 10:45 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 Ted Bailey, Dan Banister, Liza Borches, Gardner Britt, David Duncan, Steve Farmer, Rob Fisher, Ron Kody, Geoff Malloy, Matt McQueen, Senior Saghafi, Maurice Slaughter and Don Sullivan. (Absent: Rick Holcomb, Michael Bor, Chris Maher and Randy Harris). Executive Director William Childress, Peggy Bailey, Micah Bailey and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's Office. Alice Weedon was the recording secretary.

PUBLIC COMMENT

There was no public comment.

The May 13, 2019 meeting summary was approved.

STATUTORY COMMITTEE REPORTS

Dealer Practices Committee:

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

Variance Request in Hours: Jerry's Auto Service and Sales Jerry Farmer. Jerry Farmer has requested a variance in hours for his dealership, Jerry's Automotive Service and Sales, because of his teaching schedule. Even though Mr. Farmer is currently retired, he is required to be available to substitute teach at his former high school or as needed throughout the county per his contract. The variance Mr. Farmer seeks is to work between the hours of 4 p.m. and 8 p.m. Monday – Friday.

Motion was made by Ron Kody to approve Mr. Farmer's variance request in hours. Matt McQueen seconded. The motion carried unanimously.

Kingdom Automotive, LLC and Edward C. Kamande. Committee Chairman Kody 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 Kingdom Automotive LLC and Edward Kamande for alleged violations of Va. Code sections §46.2-1533 and 46.2-1575 (2). Based on due consideration, the Board believes that the following action should be taken against Kingdom Automotive and Edward Kamande: Assessed a civil penalty of \$750.00. The Board mandates that Edward Kamande be assessed a civil penalty of \$750.00.

Mr. Kamande was present and spoke on his own behalf. **(NOTE: He was late to the Dealer Practices Committee meeting and was not able to speak).**

Maurice Slaughter seconded. The motion carried unanimously.

Wes & Ty's Auto Sales and Wesley T. Morris, Sr. Committee Chairman Kody 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 Wes & Ty's Auto Sales and Wesley Morris, Sr., for alleged violations of Va. Code sections §46.2-1553 and 46.2-1575. Based on due consideration, the Board believes that the following actions should be taken against Wes & Ty's Auto Sales and Wesley Morris Sr.: Assessed a civil penalty of \$250.00; and Wes & Ty's Auto Sales shall be inspected by a Motor Vehicle Dealer Board field representative by October 13, 2019 and that inspection shall be satisfactory. The Board mandates that Wesley Morris Sr. be assessed a civil penalty of \$250.00, and the Wes & Ty's Auto Sales dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before October 13, 2019. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time the Wes & Ty's Auto Sales dealership and Wesley Morris Sr. successfully complies with the Board's mandates.

Rob Fisher seconded. The motion carried unanimously.

Deals on Wheels, LLC and William H. Layton, III. Committee Chairman Kody 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 Deals on Wheels LLC and William H. Layton, III, for alleged violations of Va. Code sections §46.2-1515, 46.2-1518, 46.2-1529, 46.2-1537, 46.2-1542, 46.2-1550, and 46.2-1575 (2). Based on due consideration, the Board believes that the following actions should be taken against Deals on Wheels and William Layton, III: Assessed a civil penalty of \$1,500.00; and Deals on Wheels shall be inspected by a Motor Vehicle Dealer Board field representative by October 13, 2019 and that inspection shall be satisfactory; and William Layton, III shall successfully complete the dealer-operator course by January 13, 2020. The Board mandates that William Layton, III be assessed a civil penalty of \$1,500.00, and the Deals on Wheels dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before October 13, 2019; and William Layton, III shall successfully complete the dealer-operator course by January 13, 2020. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time the Deals on Wheels dealership and William Layton, III successfully complies with the Board's mandates.

Rob Fisher seconded. The motion carried unanimously.

Goldstar Motor Company and Thomas K. Maad. Committee Chairman Kody 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 Goldstar Motor Company and Thomas K. Maad for alleged violations of Va. Code sections §46.2-1529, 46.2-1539, 46.2-1542 (B), 46.2-1547, 46.2-1550, and 46.2-1575 (2) and (6). Based on due consideration, the Board believes that the following actions should be taken against Goldstar Motor Company and Thomas Maad: Assessed a civil penalty of \$9,000.00; and Issued a written warning regarding 46.2-1539; and Revocation of Thomas Maad's Dealer-Operator qualification. The Board mandates that

Thomas Maad be assessed a civil penalty of \$9,000.00 and issued a written warning regarding 46.2-1539; and that Thomas Maad's Dealer-Operator qualification is hereby revoked.

Steve Farmer seconded. Mr. Saghafi abstained. The motion carried.

Precision Auto Sales and Ahmad Abualrub. Committee Chairman Kody 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 Precision Auto Sales and Ahmed Abualrub for alleged violations of Va. Code sections §46.2-1533 and 46.2-1575 (2). Based on due consideration, the Board believes that the following actions should be taken against Precision Auto Sales and Ahmad Abualrub: Assessed a civil penalty of \$1,000.00; and Suspension of all licenses and certificates issued by the Board for 90 days; and Precision Auto Sales shall be inspected by a Motor Vehicle Dealer Board field representative by October 13, 2019 and that inspection shall be satisfactory; and The Board requests that A. J. Abualrub successfully complete the dealer-operator course by January 13, 2020. The Board mandates that Ahmad Abualrub be assessed a civil penalty of \$1,000.00; and that all licenses and certificates issued by the Board to Ahmad Abualrub and Precision Auto Sales be suspended for a period of 90 days; and the Precision Auto Sales dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before October 13, 2019; and the Board requests that A. J. Abualrub successfully complete the dealer-operator course by January 13, 2020. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time the Precision Auto Sales dealership and Ahmad Abualrub successfully complies with the Board's mandates.

Rob Fisher seconded. The motion carried unanimously.

Virtuous Motors, LLC and Khaliq Shabazz. Committee Chairman Kody 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 Virtuous Motors, LLC and Khaliq M. Shabazz for alleged violations of Va. Code sections §46.2-1510, 46.2-1529, 46.2-1533 and 46.2-1575 (1) & (2). Based on due consideration, the Board believes that the following actions should be taken against Virtuous Motors and Khaliq Shabazz: Assessed a civil penalty of \$10,000.00; and Revocation of all licenses and certificates issued to Khaliq Shabazz and Virtuous Motors. The Board mandates that Khaliq Shabazz be assessed a civil penalty of \$10,000.00, and that all licenses and certificates issued by the Board to Khaliq Shabazz and the Virtuous Motors dealership are hereby revoked.

Don Sullivan seconded. The motion carried unanimously.

Value Motors, RVA and Armando L. Bacot. Committee Chairman Kody 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 Value Motors RVA and Armando L. Bacot for alleged violations of Va. Code sections §46.2-1529, 46.2-1537, 46.2-1539 and 46.2-1575. Based on due

consideration, the Board believes that the following actions should be taken against Value Motors and Armando Bacot: Assessed a civil penalty of \$5,000.00; and Armando Bacot shall successfully complete the dealer-operator course by January 13, 2020. The Board mandates that Armando Bacot be assessed a civil penalty of \$5,000.00, and Armando Bacot shall successfully complete the dealer-operator course by January 13, 2020. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time the Value Motors dealership and Armando Bacot successfully complies with the Board's mandates.

Senior Saghafi seconded. The motion carried unanimously.

Licensing Committee

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

Kevin D. Smith, Salesperson. Committee Chairman Joe Tate 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 Kevin Smith for alleged violations of Va. Code section §46.2-1575. Based on due consideration, the Board believes the following action shall be taken against Kevin Smith: Assessed a \$500.00 civil penalty. The Board mandates that Kevin Smith be assessed a civil penalty of \$500.00.

Liza Borches seconded. All in favor: 12 (Kody, Bailey, Banister, Borches, Duncan, Farmer, Fisher, Malloy, McQueen, Saghafi, Slaughter and Sullivan). Opposed: 2 (Britt and Tate). The motion carried.

Caleb L. Briggs, Salesperson Applicant. Committee Chairman Joe Tate 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 Caleb Briggs for alleged violations of Va. Code section §46.2-1575. Based on due consideration, the Board believes the following action shall be taken against Caleb Briggs; Denied a salesperson license. The Board mandates that Caleb Briggs be denied a salesperson license.

Rob Fisher seconded. The motion carried unanimously.

Jorge Luis Lozada, Jr., Salesperson Applicant. Committee Chairman Joe Tate 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 Jorge Lozada for alleged violations of Va. Code section §46.2-1575. Based on due consideration, the Board believes the following action shall be taken against Jorge Lozada: Denied a salesperson license. The Board mandates that Jorge Lozada be denied a salesperson license.

Senior Saghafi seconded. The motion carried unanimously.

Advertising Committee

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

Priority Nissan Williamsburg and Dennis M. Ellmer. Committee Chairman David Duncan 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 Priority Nissan Williamsburg and Dennis Ellmer for alleged violations of Va. Code Sections §46.2-1535, 46.2-1575 (7) and 46.2-1581 (8). Based on due consideration, the Board believes that the following actions should be taken against Priority Nissan Williamsburg and Dennis Ellmer: Assessed a civil penalty of \$250.00; and issued a written warning regarding 46.2-1535. The Board mandates that Dennis Ellmer be assessed a civil penalty of \$250.00 and issued a written warning regarding 46.2-1535.

Ted Bailey seconded. The motion carried unanimously.

Transaction Recovery Fund Committee:

Committee Vice Chairman Malloy summarized discussions held and actions that were taken during the Committee Meeting.

Revisit: Randy Pinocci vs. The Car Man of Richmond, LLC. Historical Overview: At the May 13, 2019 Board meeting Committee Vice-Chairman Malloy summarized for the Board the discussion held in the committee meeting regarding Randy Pinocci vs. The Car Man of Richmond, LLC should be tabled to the July Board Meeting. Based on that discussion and the recommendations in this case, Committee Chairman Maher made the following motion: Pursuant to 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 claims submitted for payment from the Fund, and the recommendation of the Hearing Officer on the claim. Based on due consideration and recommendation of the Hearing Officer, the Board believes this claim should be tabled to the September Board meeting. This issue has been re-submitted to court.

Steve Farmer seconded. The motion carried unanimously.

Review and Action: Informal Fact-Finding Conferences:

Nicholas C. Campisi vs. Goldstar Motor, Co. and Thomas K. Maad – Committee Vice-Chairman Malloy summarized for the Board the discussion held in the committee meeting regarding Nicholas C. Campisi vs. Goldstar Motor Co., and Thomas K. Maad. Based on that discussion and the recommendations in this case, Chairman Maher made the following motion: Pursuant to 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 claims submitted for payment from the Fund, and the recommendation of the Hearing Officer on the claim. Based on due consideration and recommendation of the Hearing Officer, the Board believes the following claim

should be tabled due to Mr. Maad indicating that he will pay this claim as soon as possible.

Don Sullivan seconded. The motion carried unanimously.

Thomas Kinson vs. GN Auto, LLC and Gaby Touma – Committee Vice-Chairman Malloy summarized for the Board the discussion held in the committee meeting regarding Thomas Kinson vs. GN Auto, LLC and Gaby Touma. Based on that discussion and the recommendations in this case, Chairman Maher made the following motion: Pursuant to 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 claims submitted for payment from the Fund, and the recommendation of the Hearing Officer on the claim. Based on due consideration and recommendation of the Hearing Officer, the Board believes this issue should be tabled to the September Board meeting so that the issue of attorney fees can be further clarified.

Matt McQueen seconded. The motion carried unanimously.

Christopher L. Mendoza vs. Cars For Sale, Inc. – Committee Vice-Chairman Malloy summarized for the Board the discussion held in the committee meeting regarding Christopher L. Mendoza vs. Cars For Sale, Inc. Based on that discussion and the recommendations in this case, Chairman Maher made the following motion: Pursuant to 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 claims submitted for payment from the Fund, and the recommendation of the Hearing Officer on the claim. Based on due consideration and recommendation of the Hearing Officer, the Board believes the claim in the amount of \$9,569.23 should be paid to Mr. Mendoza.

Steve Farmer seconded. The motion carried unanimously. It was discussed that a sub-committee should be formed to discuss required notifications and documentation to pay legal fees. Members suggested for this committee are Dan Banister, Matt McQueen, Geoff Malloy, Ted Bailey and Don Sullivan.

OLD BUSINESS:

OLD BUSINESS FROM THE FLOOR – There was no old business from the floor.

NEW BUSINESS:

NAMVBC Conference in Sacramento, California – William Childress reported that each year, the Board is asked to approve the cost of staff to participate in the National Association of Motor Vehicle Boards and Commissions (NAMVBC) Fall Conference. This year’s conference will be in Sacramento, California.

Motion was made by Rob Fisher to allow Mr. Childress to attend this conference. David Duncan seconded. The motion carried unanimously.

EXECUTIVE DIRECTOR'S REPORT: William Childress informed the Board that Wanda Neely retired from the agency effective July 1, 2019. He then introduced her replacement, Micah Bailey, and gave a brief overview of Mr. Bailey's background. He also reported that the position vacated by Prin Cowan was reclassified and the agency has hired an individual to help with Advertising and Consumer Complaints. Lastly, William informed the Board that the Dealer Board website now has a YouTube video library with short videos to help the Dealer Community. So far the feedback has been positive.

NEW BUSINESS FROM THE FLOOR – There was no new business from the floor.

The next Full Board meeting will be September 9, 2019.

There being no further business to come before the Motor Vehicle Dealer Board, Vice-Chairman Tate adjourned the meeting at 11:26 a.m.

Meeting Summary
Dealer Practices Committee
Monday July 8, 2019

Chairman Ron Kody called the Dealer Practices Committee meeting to order at 9:02 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members: Liza Borches, Gardner Britt, Steve Farmer, Rob Fisher, Geoff Malloy, Matt McQueen, Senior Saghafi, Joe Tate. (Absent: Michael Bor, Chris Maher). Other Board members present: Rick Holcomb, Ted Bailey, Dan Banister, David Duncan, Maurice Slaughter, Don Sullivan. Executive Director William Childress, Peggy Bailey, Micah Bailey and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office.

The May 13, 2019 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

Variance Request in Hours: Jerry's Auto Service and Sales Jerry Farmer. William Childress reported that for the past 20-plus years, Jerry Farmer has requested a variance in hours for his dealership, Jerry's Automotive Service and Sales, because of his teaching schedule. Mr. Farmer is now retired. He is required to be available to substitute teach at his former high school or as needed throughout the county per his contract. Mr. Farmer wishes to continue working from 4 p.m. to 8 p.m., Monday – Friday.

Motion was made by Matt McQueen to approve Mr. Farmer's variance request in hours. Joe Tate seconded. The motion carried unanimously.

Review and Action: Informal Fact-Finding Conferences:

Kingdom Automotive, LLC and Edward Kamande – On April 17, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1533 and 1575 (2). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$750.

Motion was made by Gardner Britt to accept the hearing officer's recommendation of assessing a civil penalty of \$750. Steve Farmer seconded. The motion carried unanimously.

Wes and Ty's Auto Sales and Wesley Morris, Sr. – On April 24, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1553 and 1575 (2). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$250 and a satisfactory inspection.

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

Motion was made by Liza Borches to accept the hearing officer's recommendation of assessing a civil penalty of \$250 and a satisfactory inspection. Joe Tate seconded. The motion carried unanimously.

Deals on Wheels, LLC and William H. Layton, III – On May 2, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1515, 1518, 1529, 1537, 1542, 1550 and 1575 (2). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$1,500, satisfactory inspection and to successfully complete the 2-day Dealer-Operator course.

Motion was made by Rob Fisher to accept the hearing officer's recommendation of assessing a civil penalty of \$1,500, satisfactory inspection and successfully complete the 2-day Dealer-Operator course. Matt McQueen seconded. The motion carried unanimously.

Goldstar Motor Company and Thomas K. Maad – On March 5, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529, 1539, 1542 (B), 1547, 1550 and 1575 (2) and (6). Based on the information provided at the conference, the hearing officer recommended a written warning for violations of VA Code Section 46.2-1539, assessing a civil penalty of \$9,000 and revocation of Mr. Maad's Dealer-Operators Qualification.

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

Motion was made by Steve Farmer to accept the hearing officer's recommendation of assessing a civil penalty of \$9,000 and revocation of Mr. Maad's Dealer-Operator Qualification, but allow him to keep his salesperson's license. Rob Fisher seconded. Senior Saghafi abstained, due to the fact that Mr. Maad works at his dealership. The motion carried. **NOTE: Due to Mr. Maad's cooperation and his determination to make his customers whole, the members encouraged him to appeal for a formal, so that he will have time to accomplish this and prove to the hearing officer in the formal that he has made things right.**

Precision Auto Sales, Inc. and Ahmad Abualrub – On March 7, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1533 and 1575 (2). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$1,000, 90 day suspension of all licenses and certificates and to successfully complete the 2-day Dealer-Operator course.

Motion was made by Rob Fisher to accept the hearing officer's recommendation of assessing a civil penalty of \$1,000, 90-day suspension of all licenses and certificates and successfully complete the 2-day Dealer-Operator course. Joe Tate seconded. The motion carried unanimously.

Virtuous Motors, LLC and Khaliq Shabazz – On June 4, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1510, 1529, 1533 and 1575 (1) & (2). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$10,000 and revocation of all licenses and certificates.

Motion was made by Joe Tate to accept the hearing officer's recommendation of assessing a civil penalty of \$10,000 and revocation of all licenses and certificates. Matt McQueen seconded. The motion carried unanimously.

Value Motors, RVA and Armando L. Bacot – On June 18, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529, 1537, 1539, 1547 and 1575 (2). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$5,000 and to successfully complete the 2-day Dealer-Operator course.

Motion was made by Joe Tate to accept the hearing officer's recommendation of assessing a civil penalty of \$5,000 and successfully complete the 2-day Dealer-Operator course. Rob Fisher seconded. The motion carried unanimously.

NEW BUSINESS FROM THE FLOOR – There was no new business from the floor.

NEXT MEETING:

The next meeting is scheduled for September 9, 2019

The meeting adjourned at 9:40 a.m.

Meeting Summary
Dealer Licensing Committee
Monday, July 8, 2019

Chairman Joe Tate called the Dealer Licensing Committee meeting to order at 9:42 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members: Ted Bailey, Dan Banister, Liza Borches, Gardner Britt, David Duncan, Rob Fisher, Senior Saghafi, Maurice Slaughter and Don Sullivan. (Absent: Randy Harris) Other Board members present: Rick Holcomb, Steve Farmer, Ron Kody, Geoff Malloy and Matt McQueen. Executive Director William Childress, Peggy Bailey, Micah Bailey and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office.

The May 13, 2019 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:

Kevin D. Smith, Salesperson – On May 15, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1575 (9) and (13). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$500 and allowing Mr. Smith to retain his salesperson license.

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

Motion was made by Rob Fisher to accept the hearing officer's recommendation and allow Mr. Smith to retain his salesperson's license. Ted Bailey seconded. All in favor: 8 (Bailey, Banister, Borches, Duncan, Fisher, Saghafi, Slaughter and Sullivan. Opposed: 2 (Britt and Tate). The motion carried.

Caleb L. Briggs, Salesperson Applicant – On March 7, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Section 46.2-1576 (1). Based on the information provided at the conference, the hearing officer recommended denying Mr. Briggs a salespersons license.

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

Motion was made by Liza Borches to accept the hearing officer's recommendation and deny Mr. Briggs a salespersons license. Ted Bailey seconded. The motion carried unanimously.

Jorge Luis Lozada, Jr., Sales Applicant – On June 3, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Section 46.2-1575 (1) and (13). Based on the information provided at the conference, the hearing officer recommended denying Mr. Lozada a salespersons license.

Mr. Lozada was not present.

Motion was made by Rob Fisher to accept the hearing officer's recommendation and deny Mr. Lozada a salespersons license. Maurice Slaughter seconded. The motion carried unanimously.

NEW BUSINESS FROM THE FLOOR – There was no new business from the floor.

The next meeting was scheduled for September 9, 2019

The meeting adjourned at 9:56 a.m.

Meeting Summary
Advertising Committee
Monday, July 8, 2019

Chairman David Duncan called the Advertising Committee meeting to order at 9:56 a.m. in Room 702, DMV Headquarters, 2300 West Broad Street, Richmond, Virginia. Present were Committee members: Ted Bailey, Dan Banister, Liza Borches, Ron Kody, Geoff Malloy, Matt McQueen, Maurice Slaughter and Don Sullivan. (Absent: Michael Bor, Randy Harris). Other Board members present: Rick Holcomb, Gardner Britt, Steve Farmer, Rob Fisher, Senior Saghafi and Joe Tate. Executive Director William Childress, Peggy Bailey, Micah Bailey and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office.

The May 13, 2019 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:

Priority Nissan Williamsburg and Dennis Ellmer – On April 24, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1535, 1575 (7) and 1581 (8). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$250 and a written warning for violations of VA Code Section 46.2-1535.

Motion was made by Liza Borches to accept the hearing officer's recommendation and assess a civil penalty of \$250 and written warning for the violation of VA Code Section 46.2-1535. Ted Bailey seconded. The motion carried unanimously.

NEW BUSINESS FROM THE FLOOR – There was no new business from the floor.

The next meeting was scheduled for September 9, 2019.

The meeting adjourned at 9:59 a.m.

Meeting Summary
Transaction Recovery Fund Committee
Monday, July 8, 2019

Vice-Chairman Geoff Malloy called the Transaction Recovery Fund Committee meeting to order at 9:59 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members: Dan Banister, Steve Farmer, Rob Fisher, Ron Kody, Matt McQueen, Maurice Slaughter and Don Sullivan. (Absent: Chris Maher, Michael Bor and Randy Harris) Other Board members present: Rick Holcomb (left at 10: 24 a.m.), Gardner Britt, Liza Borches, Senior Saghafi, Ted Bailey, David Duncan and Joe Tate. Executive Director William Childress, Peggy Bailey, Micah Bailey and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office.

The May 13, 2019 meeting summary was approved.

PUBLIC COMMENT

There was no public comment.

OLD BUSINESS – There was no old business.

Revisit: Randy Pinocci vs. The Car Man of Richmond, LLC. Historical Overview: On April 8, 2019, an informal fact-finding conference was conducted to address the alleged violation of VA Code Section 46.2-1527.3 against The Car Man of Richmond, LLC. Based on the information provided at the conference, the hearing officer recommended approval of the \$25,000 claim to Mr. Pinocci. Mr. Mark Esposito, attorney for The Car Man or Richmond, filed exceptions to the Hearing Officer's report and informed the Board of the intent to challenge the judgment through the court within the next 30 days. Motion was made by Dan Banister to table this issue to the July Board meeting so that counsel for The Car Man can provide documentation from the court regarding the debtor's intention to vacate the judgment. Matt McQueen seconded. All in favor: 9 (Banister, Bor, Farmer, Fisher, Harris, Kody, Malloy, McQueen, Sullivan). Opposed: 1 (Maher). The motion carried.

Motion was made by Steve Farmer to table this issue to the September Board Meeting. This issue has been re-submitted to court. Dan Banister seconded. The motion carried unanimously.

OLD BUSINESS FROM THE FLOOR – There was no old business from the floor.

NEW BUSINESS

Review and Action: Informal Fact-Finding Conferences:

Nicholas C. Campisi vs. Goldstar Motor Co. and Thomas K. Maad – On April 9, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1527.3 against Goldstar Motor Co. and Thomas K. Maad. Based on the information provided at the conference, the hearing officer recommended that the committee deliberate on what is fair and meets the requirements of code in this case. The hearing officer cannot make a favorable recommendation without a legal interpretation.

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

Motion was made by Steve Farmer to table this issue to the September Board meeting. Mr Maad indicated that he will be paying this judgment as soon as possible. He will provide proof to the Board of this payment. Rob Fisher seconded. The motion carried unanimously.

Thomas Kinson vs. GN Auto, LLC and Gaby Touma – On June 20, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1527.3 against GN Auto, LLC and Gaby Touma. Based on the information provided at the conference, the hearing officer recommended approval of the \$9,250.00 claim to Mr. Kinson.

Motion was made by Dan Banister to table this issue to the September meeting. Clarification is needed regarding attorney fees. Matt McQueen seconded. The motion carried unanimously.

Christopher L. Mendoza vs. Cars For Sale, Inc. – On June 20, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1527.3 against Cars For Sale, Inc. Based on the information provided at the conference, the hearing officer recommended approval of the \$9,569.23 claim to Mr. Mendoza.

Mirna Rubio, Owner of Cars For Sale, Inc. was present and spoke on her own behalf.

Motion was made by Steve Farmer to accept the hearing officer's recommendation and approve Mr. Mendoza's claim in the amount of \$9,569.23. Rob Fisher seconded. The motion carried unanimously.

NEW BUSINESS FROM THE FLOOR – There was no new business from the floor.

The next meeting was scheduled for September 9, 2019

The meeting adjourned at 10:31 a.m.