

**Meeting Summary**  
**Motor Vehicle Dealer Board**  
**Monday, March 13, 2017**

Chairman Rick Holcomb called the Dealer Board meeting to order at 10:46 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. The roll was called and there were 16 Board members present. Present were members Ted Bailey, Dan Banister, Michael Bor, Liza Borches, Gardner Britt, Steve Farmer, Robert Fisher, David Gripshover, Clay Huber, Ron Kody, Chris Maher, Geoff Malloy, Senior Saghafi, Maurice Slaughter and Joe Tate. (Absent: David Duncan, Matt McQueen, Jacques Moore). Executive Director William Childress, Peggy Bailey, Prin Cowan, Lisa Mack-Nelson, Wanda Neely and Ann Majors represented the Dealer Board. Janet Baugh and Christian Parrish represented the Attorney General's Office. Alice Weedon was the recording secretary.

**PUBLIC COMMENT**

There was no public comment.

**The January 23, 2017 meeting summary was approved.**

**STATUTORY COMMITTEE REPORTS**

Board Chairman Holcomb allowed the Transaction Recovery Fund Committee to go first to assist Mr. Thomas Wilcox, Esquire, in his efforts to travel to another meeting being held out of town.

**Transaction Recovery Fund Committee:**

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

**(1) James McLaughlin vs. E Car Garage & Timothy Harold Dunlap (Salesperson) and (2) Colin Andrew vs. American Import Center, Inc. and Adel Tajdar.** Chairman Chris Maher summarized for the Board the discussion held in the committee meeting regarding (1) James McLaughlin vs. E Car Garage & Timothy Harold Dunlap (Salesperson). Based on that discussion and the recommendations in these cases, Mr. Maher 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 the claims submitted for payment from the Fund and based on due consideration and recommendation of the hearing officer, the Board believes the following claims should be payable from the Fund:

<b>James McLaughlin vs. E. Car Garage and Timothy Harold Dunlap</b>	<b>\$13,278.00</b>
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Joe Tate seconded. The motion carried unanimously.

Motion was made by Chairman Chris Maher that "Pursuant to Section 2.2-3711 of the Code of Virginia, the Motor Vehicle Dealer Board hereby moves to conduct a closed meeting to Section 2.2-3711A(7). Whereas the purpose of the closed meeting is to discuss a legal matter with the Board's legal representative." Steve Farmer seconded. The motion carried unanimously.

The Full Board, the MVDB Executive Director, and legal representatives from the Office of the Attorney General went into closed session.

The Full Board, the MVDB Executive Director, and legal representatives from the Office of the Attorney General returned to open session.

Chairman Chris Maher read the Certification under Section 2.2-3712(D), "To the best of our knowledge (i) only public matters lawfully exempted from the open meeting requirements under this Chapter, and (ii) only such business matters as were identified in the motion by which the closed meeting was convened were heard, discuss or considered in the close meeting". Alice Weedon conducted roll call and all Board members responded by saying "AYE", signifying that the Board's discussion during closed session did not exceed the scope of the motion.

Chairman Chris Maher summarized for the Board the discussion held in the committee meeting regarding (2) Colin Andrew vs. American Import Center, Inc. and Adel Tajdar. Based on that discussion and the recommendations in this case, Mr. Maher 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 the claims submitted for payment from the Fund and based on due consideration and recommendation of the hearing officer, the Board believes the following claim should be denied because the judgement is not a final judgement from a court of competent jurisdiction in the Commonwealth of Virginia nor is it for fraud.

Thomas Wilcox spoke on behalf of his client, Colin Andrew

**Colin Andrew vs. American Import Center, Inc. and Adel Tajdar. \$25,000.00**

Steve Farmer seconded. The motion carried unanimously.

**Linda M. Jensen vs. E Car Garage and Brenda Withrow (Owner) \$2,580.57**

This case wasn't heard by the Board since Ms. Jensen informed the Board staff on the morning of the Board meeting that she had receive payment from E Car Garage and Brenda Withrow.

**Dealer Practices Committee:**

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

**Robert Garten Automotives, LLC and Robert C. Garten** 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 Robert Garten Automotives, LLC and Robert C. Garten for alleged violations of VA Code §§ 46.2-1529, 46.2-1539, 46.2-1575 (2) and (9). Based on due consideration, the Board believes that the following actions should be taken against Robert Garten Automotives, LLC and Robert C. Garten: assess a civil penalty of \$1,750 and Robert Garten Automotives, LLC shall be inspected by a Motor Vehicle Dealer Board field representative by September 13, 2017 and that inspection shall be satisfactory. The Board mandates that Robert C. Garten hereby be assessed a civil penalty of \$1,750, and that the Robert Garten, LLC., dealership satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before September 13, 2017 and failure to pass the inspection by September 13, 2017 will result in suspension of all licenses and certificates issued by the Board until such time Robert C. Garten and Robert Garten Automotives, LLC successfully complies with the Board's mandates.

Joe Tate seconded. The motion carried unanimously.

**North End Motors, LLC and Hassan E. Ali.** 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 North End Motors, LLC and Hassan E. Ali for alleged violations of VA Code §§ 46.2-1529, 46.2-1533, 46.2-1539 and 46.2-1575 (2). Based on due consideration, the Board believes that the following actions should be taken against North End Motors, LLC and Hassan E. Ali: assess a civil penalty of \$250 and issue a written warning for VA Code § 46.2-1529. The Board mandates that Hassan E. Ali hereby be assessed a civil penalty of \$250 and issue a written warning regarding VA Code § 46.2-1529.

Joe Tate seconded. The motion carried unanimously.

**GN Auto, LLC and Gaby A. Touma.** 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 GN Auto, LLC and Gaby A. Touma for alleged violations of VA Code §§ 46.2-1544, 46.2-618, and 46.2-1575 (9). Based on due consideration, the Board believes that the following actions should be taken against GN Auto, LLC and Gaby A. Touma: assess a civil penalty of \$750 and GN Auto, LLC shall be inspected by a Motor Vehicle Dealer Board field representative by September 13, 2017 and that inspection shall be satisfactory. The Board mandates that Gaby A. Touma hereby be assessed a civil penalty of \$750 and the GN Auto, LLC dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before September 13, 2017 and failure to pass the inspection on or before September 13, 2017 will result in the suspension of all licenses and certificates issued by the Board until such time GN Auto, LLC and Gaby A. Touma successfully complies with the Board's mandates.

Steve Farmer seconded. The motion carried unanimously.

**Harrisonburg Auto Wholesale, LLC and Abdelkrim Elmouhib.** 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 Harrisonburg Auto Wholesale, LLC and Abdelkrim Elmouhib for alleged violations of VA Code § 46.2-575 (2) and (9). Based on due consideration, the Board believes that the following action should be taken against Harrisonburg Auto Wholesale, LLC and Abdelkrim Elmouhib: assess a civil penalty of \$4,250. The Board mandates that Abdelkrim Elmouhib hereby be assessed a civil penalty of \$4,250.

Chris Maher seconded. The motion carried unanimously.

**American Eagle Auto Group, LLC and Ayman S. Ibrahim.** Chairman Kody made the following motion: Based on the evidence and a report of an informal fact-finding conference as prepared by a hearing officer, the Motor Vehicle Dealer Board assessed an \$11,000 civil penalty against American Eagle Auto Group, LLC and Ayman S. Ibrahim and revoked all licenses and certificates issued by the Board to Ayman S. Ibrahim. Ayman S. Ibrahim appealed the Board's decision and requested a formal hearing that was conducted on January 11, 2017. The Board has reviewed and considered the facts and evidence and the report of a formal hearing as prepared by the hearing officer concerning American Eagle Auto Group, LLC and Ayman S. Ibrahim for alleged violations of VA Code §§ 46.2-1508; 46.2-1510; 46.2-1529; 46.2-1530; 46.2-1561; 46.2-1574; 46.2-1575(1), (6) and (7). Based on due consideration, the Board believes that the following actions should be taken against American Eagle Auto Group, LLC and Ayman S. Ibrahim: assess a civil penalty of \$11,000 and revocation of all licenses and certificates issued by the Board to American Eagle Auto Group, LLC and Ayman S. Ibrahim. The Board mandates that Ayman S. Ibrahim hereby be assessed a civil penalty of \$11,000 and revocation of all licenses and certificates issued by the Board to the American Eagle Auto Group, LLC and Ayman S. Ibrahim.

Joe Tate seconded. The motion carried unanimously.

**Select Imports, LLC and William J. Gurdin.** Chairman Kody made the following motion: Based on the evidence and a report of an informal fact-finding conference as prepared by a hearing officer, the Motor Vehicle Dealer Board assessed a \$27,650 civil penalty against Select Imports, LLC and William J. Gurdin and revoked all licenses and certificates issued by the Board to William J. Gurdin. William J. Gurdin appealed the Board's decision and requested a formal hearing that was conducted on January 17, 2017. The Board has reviewed and considered the facts and evidence and the report of a formal hearing as prepared by the hearing officer concerning Select Imports, LLC and William J. Gurdin for alleged violations of VA Code §§ 46.2-1575(2),(3),(6), and (7). Based on due consideration, the Board believes that the following actions should be taken against Select Imports, LLC and William J. Gurdin: assessed a civil penalty of \$13,825 and Select Imports, LLC shall be inspected by a Motor Vehicle Dealer Board field representative by September 13, 2017 and that inspection shall be satisfactory. The Board mandates that William J. Gurdin hereby be assessed a civil penalty of \$13,825 and that the Select Imports, LLC dealership shall satisfactory pass an inspection conducted by a Motor Vehicle Dealer Board field representative by September 13, 2017 and failure to successfully pass the inspection by September 13, 2017 will result in suspension of all licenses and certificates issued by the Board until such time Select Imports, LLC and William J. Gurdin successfully complies with the Board's mandates.

Senior Saghafi seconded. All in favor: 15 (Holcomb, Bailey, Banister, Bor, Borches, Britt, Farmer, Fisher, Gripshover, Huber, Maher, Malloy, Saghafi, Slaughter and Tate). Opposed: 1 (Kody). The motion carried.

**Frontline Motors and Mathew Gwangwaa.** Chairman Ron Kody made the following motion: Based on the evidence and a report of an informal fact-finding conference as prepared by a hearing officer, the Motor Vehicle Dealer Board assessed an \$8,000 civil penalty against Frontline Motors and Mathew D. Gwangwaa and revoked all licenses and certificates issued by the Board to Mathew D. Gwangwaa. Mathew D. Gwangwaa appealed the Board's decision and requested a formal hearing that was conducted on December 12, 2016. The Board has reviewed and considered the facts and evidence and the report of a formal hearing as prepared by the hearing officer concerning Frontline Motors and Mathew D. Gwangwaa for alleged violations of VA Code §§ 46.2-1515; 46.2-1529; 46.2-1537; 46.2-1539; 46.2-1574, 46.2-1575(2), and (6). Based on due consideration, the Board believes that the following actions should be taken against Frontline Motors and Mathew D. Gwangwaa: assess a civil penalty of \$15,000 and revocation of all licenses and certificates issued by the Board to Mathew D. Gwangwaa. Dan Bannister moved to reduce the civil penalty to \$8,000 and revocation of all licenses and certificates to Frontline Motors and Mathew D. Gwangwaa. The Board mandates that Mathew D. Gwangwaa hereby be assessed a civil penalty of \$8,000 and revocation of all licenses and certificates issued by the Board to Frontline Motors and Mathew Gwangwaa.

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

Ron Kody seconded. The motion carried unanimously.

### **Licensing Committee**

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

### **Advertising Committee**

Vice-Chairman Ted Bailey summarized discussions that were held during the Committee Meeting.

## **OLD BUSINESS**

**UPDATE: Internet Task Force.** William Childress reported that the Task Force met, via teleconference, on February 17, 2017 and it was basically an introduction meeting and discussion of the committee's potential scope in addition to identifying potential members to add to the committee. William informed the Board that the first face-to-face meeting of the task force was immediately after the Board meeting in the same meeting room.

## **OLD BUSINESS FROM THE FLOOR**

There was no old business from the floor.

## **NEW BUSINESS**

There was no new business from the floor.

## **EXECUTIVE DIRECTOR'S REPORT:**

1. William Childress introduced the two new field representatives to the Board members. Dean Harbour will represent District 2 and Monique Franklin will represent District 6. The MVDB field staff is still not at full capacity, due to a field representative (Richmond District) being out on short term disability.
2. William also indicated that the Board staff is going through 2 audits, one for the Auditor of Public Accounts and the second one, a VITA Security Audit. The exact dates and times each audit will begin are unknown at this time.
3. William provided the Board with an update regarding state inspection stickers. During the November 2016 Board meeting, the Board asked the Board staff to explore a process that would allow a field rep or staff person the ability to verify that a vehicle was safety inspected prior to being sold at retail. Board staff worked with DMV's Law Enforcement Division and created a process that would allow this information to be attainable within a relatively short period of time.
4. William indicated that the Board staff looked into using mystery shoppers as directed during the November 2016 Board meeting. He informed the Board that using mystery shoppers would require the MVDB to have a contract with the company employing the mystery shopper, which entails a minimum number of visits, cost per visit, ownership of items purchased, etc. William informed the Board that the staff would continue to use the resources currently used and available to Board staff due to cost.
5. William informed the Board members of the staffs' interested in licensing all salvage dealers. Salvage dealers are currently licensed by DMV. However, approximately 220 of the 495 licensed salvage dealers are also licensed by the MVDB. Licensing the salvage dealers will bring in approximately \$133,000 of additional revenue annually. This action will require legislation. William sought permission of the Board to continue exploring this option. Motion was made by Chris Maher to further explore the licensing of salvage dealers from DMV to the Motor Vehicle Dealer Board. Joe Tate seconded. The motion carried unanimously.

6. Lastly, William informed the Board that Board staff, the VIADA, and the Virginia Community College leadership would start meeting soon to discuss the two-day dealer operator course and explore options, if any, to improve the course.

### **NEW BUSINESS FROM THE FLOOR**

There was no new business from the floor.

Chairman Holcomb stated the following, "I hereby move, pursuant to Virginia Code Section 2.2-3712, for this Board to go into closed session to discuss matters exempt under 2.2-3711(A) 7, specifically to receive legal advice from counsel regarding the Antitrust issues. Joe Tate seconded. The motion carried unanimously.

The full Board, along with the MVDB Executive Director, and representatives from the Attorney General's Office moved into closed session.

The full Board, the MVDB Executive Director, and representatives from the Attorney General's Office returned to open session.

Chairman Rick Holcomb stated the following, "I hereby move that this Board confirms that only matters under Virginia Code Section 2.2-3711(A) 7 relating to legal advice from counsel regarding Antitrust Issues were discussed during closed session". Alice Weedon conducted roll call and all of the Board members responded by saying "AYE", signifying that the Board's discussion during closed session did not exceed the scope of the motion.

The next meeting will be scheduled for May 8, 2016.

There being no further business to come before the Motor Vehicle Dealer Board, Chairman Holcomb adjourned the meeting at 1:18 p.m.

**Meeting Summary**  
**Dealer Practices Committee**  
Monday, March 13, 2017

Chairman Ron Kody 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 Michael Bor, Liza Borches, Gardner Britt, Steve Farmer, Robert Fisher, Clay Huber, Chris Maher, Geoff Malloy, Senior Saghafi and Joe Tate. (Absent: Matthew McQueen). Other Board members present: Rick Holcomb, Dan Banister, Ted Bailey, David Gripshover and Maurice Slaughter. Executive Director William Childress, Peggy Bailey, Prin Cowan, Lisa Mack-Nelson, Ann Majors and Wanda Neely represented the Dealer Board. Janet Baugh and Christian Parrish represented the Attorney General's office.

**The January 23, 2017 meeting summary was approved.**

**PUBLIC COMMENT**

There was no public comment.

**OLD BUSINESS FROM THE FLOOR**

There was no old business from the floor.

**NEW BUSINESS**

**Review and Action: Informal Fact-Finding Conferences:**

- **Robert Garten Automotives, LLC and Robert C. Garten.** On December 12, 2016, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529, 1539 and 1575 (2) and (9). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$1,750 and a satisfactory inspection.

Motion was made by Steve Farmer to assess a civil penalty of \$1,750 and a satisfactory inspection be completed. Joe Tate seconded. The motion carried unanimously.

- **North End Motors, LLC and Hassan Ali.** On January 11, 2017, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529, 1533, 1539 and 1575 (2). Based on the information provided at the conference, the hearing officer recommended no further action for the violations of VA Code Sections 46.2-1533 and 1575 (2), assessing a civil penalty of \$250 for violations of VA Code Section 46.2-1539 and a written warning for violations of VA Code Section 46.2-1529.

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

Motion was made by Rob Fisher to assess a civil penalty of \$250 for violations of VA Code Section 46.2-1539 and a written warning for violations of VA Code Section 46.2-1529. Gardner Britt seconded. The motion carried unanimously.

- **GN Auto, LLC and Gaby A. Touma.** On February 13, 2017, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1544, 618 and 1575 (9). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$750 and a satisfactory inspection.

Motion was made by Joe Tate to assess a civil penalty of \$750 and a satisfactory inspection be completed. Rob Fisher seconded. The motion carried unanimously.

- **Harrisonburg Auto Wholesale, LLC and Abdelkrim Elmouhib.** On January 30, 2017, an informal fact-finding conference was conducted to address the alleged violations of VA Code Section 46.2-1575 (2) and (9). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$4,250.

Mr. Abdelkrim Elmouhib was present and spoke on his own behalf.

Motion was made by Joe Tate to assess a civil penalty of \$4,250. Chris Maher seconded. The motion carried unanimously.

#### **Review and Action: Formal Hearings:**

- **American Eagle Auto Group, LLC and Ayman Ibrahim.** Historical overview leading up to the formal hearing: On May 18, 2016, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1508, 1529, 1561 and 1575 (1), (6) and (7). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$11,000 and a suspension of 6 months. On September 12, 2016, the Full Board adopted a resolution assessing a civil penalty of \$11,000 and revocation of all licenses and certificates issued to Ayman Ibrahim and American Eagle Auto Group. On September 27, 2016 Mr. Ibrahim appealed for a formal hearing. On January 11, 2017, a formal hearing was conducted to address the alleged violations of the above VA Code Sections. Based on the information provided at the hearing, the hearing officer recommended assessing a civil penalty of \$9,750, suspension of all licenses and certificates for a period of 120 days and the complete the two day Dealer-Operator course before any licenses and certificates are returned.

Motion was made by Joe Tate to assess the original civil penalty of \$11,000 and revocation of all licenses and certificates. Chris Maher seconded. The motion carried unanimously.

- **Select Imports, LLC and William J. Gurdin.** Historical overview leading up to the formal hearing: On September 15, 2016, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1575 (2), (3), (6) & (7). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$27,650 and revocation of all licenses and certificates. . On November 14, 2016, the Full Board adopted a resolution assessing a civil penalty of \$27,650 and revocation of all licenses and certificates issued to William J. Gurdin and Select Imports, LLC. Mr. Gurdin emailed staff on December 8, 2016 requesting an appeal for a formal hearing. On January 17, 2017 a formal hearing was conducted to address the alleged violations of the above VA Code Sections. Based on the information provided at the hearing, the hearing officer recommended assessing a civil penalty of \$27,650 and revocation of all licenses and certificates issued to Mr. William Gurdin and Select Imports, LLC.

William Gurdin was present and spoke on his own behalf.

Lynn Hooper was present and spoke on behalf of Mr. Gurdin

Motion was made by Chris Maher to reduce the civil penalty to \$13,825 and a satisfactory inspection be completed. Joe Tate seconded. All in favor: 10 (Bor, Borches, Britt, Fisher, Farmer, Huber, Maher, Malloy, Saghabi, Tate). Opposed: 1 (Kody). The motion carried.

- **Frontline Motors and Mathew Gwangwaa.** Historical overview leading up to the formal hearing: On August 15, 2016, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529, 1515, 1537, 1539, 1574 and 1575 (2) and (6). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$13,000 and revocation of all licenses and certificates. On September 12, 2016, the Full Board adopted a resolution assessing a civil penalty of \$8,000 and revocation of all licenses. On October 16, 2016, Mr. Gwangwaa appealed this decision and requested a formal hearing. On December 12, 2016, a formal hearing was conducted to address the alleged violations of the above VA Code Sections. Based on the information provided at the hearing, the hear officer recommended a civil penalty of \$15,000 and revocation of all licenses and certificate of qualification.

Motion was made by Joe Tate to assess a civil penalty of \$8,000 and revocation of all licenses and certificate of qualification. 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 May 8, 2017

The meeting adjourned at 9:59 a.m.

Meeting Summary  
**Dealer Licensing Committee**  
Monday, March 13, 2017

Chairman Joe Tate called the Dealer Licensing 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, Ted Bailey, Liza Borches, Rob Fisher, David Gripshover Senior Saghafi and Maurice Slaughter. (Absent: David Duncan, Jacques Moore). Other Board members present: Rick Holcomb, Michael Bor, Gardner Britt, Ron Kody, Clay Huber, Steve Farmer, Chris Maher and Geoff Malloy. Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Prin Cowan, Wanda Neely and Ann Majors represented the Dealer Board. Janet Baugh and Christian Parrish represented the Attorney General's office.

**The January 23, 2017 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**

**NEW BUSINESS FROM THE FLOOR**

There was no new business from the floor.

The next meeting was scheduled for May 8, 2017

The meeting adjourned at 10:00 a.m.

Meeting Summary  
**Advertising Committee**  
Monday, March 13, 2017

Vice-Chairman Ted Bailey called the Advertising Committee meeting to order at 10:00 a.m. in Room 702, DMV Headquarters, 2300 West Broad Street, Richmond, Virginia. Present were Committee members Dan Banister, Michael Bor, Liza Borches, David Gripshover, Clay Huber, Ron Kody, Geoff Malloy and Maurice Slaughter. (Absent: David Duncan and Matt McQueen). Other Board members present: Rick Holcomb, Gardner Britt, Steve Farmer, Rob Fisher, Chris Maher, Senior Saghafi and Joe Tate. Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Prin Cowan, Wanda Neely and Ann Majors represented the Dealer Board. Janet Baugh and Christian Parrish represented the Attorney General's office.

**The January 23, 2017 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**

The next meeting was scheduled for May 8, 2017.

**NEW BUSINESS FROM THE FLOOR**

There was no new business from the floor.

The meeting adjourned at 10:01 a.m.

Meeting Summary  
**Transaction Recovery Fund Committee**  
Monday, March 13, 2017

Chairman Chris Maher called the Transaction Recovery Fund Committee meeting to order at 10:01 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members: Dan Banister, Michael Bor, Steve Farmer, Robert Fisher, David Gripshover, Ron Kody, Geoff Malloy and Maurice Slaughter. (Absent: Matt McQueen). Other Board members present: Rick Holcomb, Ted Bailey, Liza Borches, Gardner Britt, Clay Huber, Senior Saghafi and Joe Tate. Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Prin Cowan, Wanda Neely and Ann Majors represented the Dealer Board. Janet Baugh and Christian Parrish represented the Attorney General's office.

**The January 23, 2017 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**

- **James McLaughlin vs. E Car Garage and Timothy Harold Dunlap (Salesperson).** On February 21, 2017, an informal fact-finding conference was conducted to address the alleged violation of VA Code Section 46.2-1527.3 against E Car Garage and Timothy Harold Dunlap (salesperson). Based on the information provided at the conference, the hearing officer recommended that the Board pay \$13,278 to Mr. McLaughlin from the Transaction Recovery Fund.

Motion was made by Rob Fisher to pay \$13,278 to Mr. McLaughlin from the Transaction Recovery Fund. Maurice Slaughter seconded. The motion carried unanimously.

Motion was made by Chris Maher that "Pursuant to Section 2.2-3711 of the Code of Virginia, the Motor Vehicle Dealer Board hereby moves to conduct a closed meeting to Section 2.2-3711A(7). Whereas, the purpose of the closed meeting is to discuss a legal matter with the Board's legal representative. Steve Farmer seconded. The motion carried unanimously.

The Transaction Recovery Fund Committee, the MVDB Executive Director, and legal representatives from the Office of the Attorney General's went into closed session.

The Transaction Recovery Fund Committee, the MVDB Executive Director, and legal representatives from the Office of the Attorney General returned to open session.

Committee Chair Chris Maher read the Certification under Section 2.2-3712(D), "To the best of our knowledge (i) only public matters lawfully exempted from the open meeting requirements under this Chapter, and (ii) only such business matters as were identified in the motion by which the closed meeting was convened were heard, discuss or considered in the close meeting". Alice Weedon conducted roll call and all Committee members stated "AYE", signifying that the Committee's discussion during closed session did not exceed the scope of the motion.

- **Colin Andrew vs. American Import Center, Inc. and Adel Tajdar.** On March 6, 2017, an informal fact-finding conference was conducted to address the alleged violation of VA Code Section 46.2-1527.3 against American Import Center, Inc. and Adel Tajdar. Based on the information provided at the conference, the hearing officer recommended that the Board deny Mr. Andrew's claim of \$25,000.

Mr. Thomas Wilcox spoke on behalf of his client, Colin Andrew.

Ron Kody moved to deny payment of \$25,000 from the Transaction Recovery Fund because the judgement is not a final judgement from a court of competent jurisdiction in the Commonwealth of Virginia, nor is it for fraud. Rob Fisher seconded. The motion carried unanimously.

#### **NEW BUSINESS FROM THE FLOOR**

The next meeting was scheduled for May 8, 2017

The meeting adjourned at 10:36 a.m.