

Meeting Summary  
**Motor Vehicle Dealer Board**  
Monday, May 14, 2018

Chairman Rick Holcomb called the Dealer Board meeting to order at 10:09 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. The roll was called and there were 12 Board members present. Present were Ted Bailey, Dan Banister, Michael Bor, Liza Borches, Gardner Britt, Steve Farmer, Rob Fisher, Randy Harris, Chris Maher, Senior Saghafi and Joe Tate. (Absent: David Duncan, Ron Kody, Geoff Malloy, Matt McQueen and Maurice Slaughter). Executive Director William Childress, Peggy Bailey, Prin Cowan, Lisa Mack-Nelson 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 March 12, 2018 meeting summary was approved.**

**STATUTORY COMMITTEE REPORTS**

**Dealer Practices Committee:**

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

**Benchmark Motors, LLC and Daoud M. Anwari** – Committee Vice-Chairman Farmer 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 Benchmark Motors and Daoud Anwari for alleged violations of Va. Code Sections 46.2-613(A), 46.2-1575(6), and 46.2-1575(12). Based on due consideration, the Board believes that the following actions should be taken against Benchmark Motors LLC and Daoud Anwari; assessed a civil penalty of \$250 and that Benchmark Motors LLC shall be inspected by a Motor Vehicle Dealer Board field representative by November 14, 2018 and that inspection shall be satisfactory. The Board mandates that Daoud Anwari hereby be assessed a civil penalty of \$250 and the Benchmark Motors dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before November 14, 2018. Failure to pass the inspection by November 14, 2018 will result in suspension of all licenses and certificates issued by the Board until such time Daoud Anwari successfully complies with the Board's mandates.

Joe Tate seconded. The motion carried unanimously.

**A Plus Auto, LLC and Anthony Vaughn** – Committee Vice-Chairman Farmer 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 A Plus Auto and Anthony Vaughn for alleged violations of Va. Code Sections 46.2-1529, 46.2-1529.1, 46.2-1533, 46.2-1539, 46.2-1547 and 46.2-1575. Based on due consideration, the Board believes that the following actions should be taken against A Plus Auto LLC and Anthony Vaughn; assessed a civil penalty of \$8,250 and revoke all certificates and licenses associated with A Plus Auto and Anthony Vaughn. The Board mandates that Anthony Vaughn hereby be assessed a civil penalty of \$8,250 and all licenses issued by the Board associated with A Plus Auto LLC and Anthony Vaughn be revoked.

Chris Maher seconded. The motion carried unanimously.

**B & B Auto Group and Joseph A. Brooks** – Committee Vice-Chairman Farmer 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 B & B Auto Group and Joseph Brooks for alleged violations of Va. Code Sections 46.2-1528, 46.2-1529, 46.2-1533, 46.2-1575(1), (2), and (19). Based on due consideration, the Board believes that the following actions should be taken against B & B Auto Group and Joseph Brooks assessed a civil penalty of \$750 and temporary suspend all licenses issued to Joseph Brooks and associated with B & B Auto Group LLC until B & B Auto Group is inspected by a Motor Vehicle Dealer Board field representative and that inspection shall be satisfactory. The Board mandates that Joseph Brooks hereby be assessed a civil penalty of \$750 and all licenses and certificates associated with B & B Auto Group and Joseph Brooks are temporary suspended until B & B Auto Group is inspected by a Motor Vehicle Dealer Board field representative and that inspection shall be satisfactory.

Rob Fisher seconded. The motion carried unanimously.

**Virtuous Motors, LLC and Khaliq M. Shabazz** – Committee Vice-Chairman Farmer 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 \$6,000 civil penalty against Virtuous Motors LLC and Khadliq Shabazz and revoked all licenses and certificates issued by the Board; and Mr. Shabazz appealed the Board's decision and requested a formal hearing that was conducted on February 28, 2018. The Board has reviewed and considered the facts and evidence and the report of a formal hearing as prepared by the hearing officer concerning Virtuous Motors and Khadliq Shabazz for alleged violations of Va. Code Sections 46.2-1528, 46.2-1529; 46.2-1533 and 46.2-1575 (2). Based on due consideration, the Board believes that the following actions should be taken against Virtuous Motors and Khadliq Shabazz; assessed a civil penalty of ten thousand \$6,000 and that Virtuous Motors dealership shall be inspected by Motor Vehicle Dealer Board field representative by August 14, 2018 and that inspection shall be satisfactory. The Board mandates that Virtuous Motors and Khadliq Shabazz hereby be assessed a civil penalty of \$6,000 and the Virtuous Motors dealership shall be inspected by Motor Vehicle Dealer Board field representative by August 14, 2018 and that inspection shall be satisfactory. Failure to

pass the inspection by August 14, 2018 will result in suspension of all licenses and certificates issued by the Board until Khadliq Shabazz 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.

**Darius M. Logan, Sales Applicant** – Committee Chairman 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 Darius Logan for alleged violations of Va. Code Section 46.2-1575(13). Based on due consideration, the Board believes the following actions shall be taken against Darius Logan; denied a Salesperson application. The Board mandates that Darius Logan be denied a salesperson application.

Rob Fisher seconded. The motion carried unanimously.

**Joseph and Robert Battista, Sales Applicants** – Committee Chairman 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 Joseph Battista, Robert Battista, and Bradley Mowry for alleged violations of Va. Code Section 46.2-1575(1) and (9). Based on due consideration, the Board believes the following actions shall be taken against Joseph Battista, Robert Battista, and Bradley Mowry; Joseph Battista and Robert Battista will reimburse the Transaction Recovery Fund in the amount of \$86,149.41 and once the Transaction Recovery Fund has been reimbursed, Joseph Battista and Robert Battista will be allowed to apply for a dealer's license. The Board mandates that Joseph Battista and Robert Battista reimburse the Transportation Recovery Fund in the amount of \$86,149.61 and only after the Transaction Recovery Fund has been reimbursed will Joseph Battista and Robert Battista will be allowed to apply for a dealer's license.

Mr. Dycio spoke on behalf of the Battista's.

Steve Farmer seconded. Gardner Britt had to abstain due to a working relationship with Mr. Cycio. The motion carried.

Rick Holcomb indicated that his DMV legal team will work with Mr. Cycio to mail letters, at Mr. Cycio's expense, on behalf of the Battista's to all of their previous customers who may have been harmed by the Battista's past business practices. The intent of the letter is to provide those customers an opportunity to settle any past customer issue against Joseph or Robert Battista. Mr. Cycio agreed to work with DMV's legal team and thanked Mr. Holcomb for the offer.

## **Advertising Committee**

Committee Vice-Chairman Ted Bailey informed the Full Board that the committee did not have a quorum and that the action items from the March 2018 meeting would be reviewed for approval during the July 2018 Board meeting.

## **Transaction Recovery Fund Committee:**

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

**Carlos C. Romero vs. Triple Z Motors, Inc.** – Committee Chairman Maher summarized for the Board the discussion held in the committee meeting regarding Carlos C. Romero vs. Triple Z Motors, Inc. 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 the following claim should be payable from the Fund:

Carlos C. Romero vs. Triple Z Motors, Inc.	\$22,052.81
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Rob Fisher seconded. The motion carried unanimously.

## **OLD BUSINESS**

**Dealer-Operator Contract – MVDB/VIADA.** William Childress indicated that as a result of VIADA wanting to sever its working relationship with the Virginia Community Colleges, he was submitting a draft of the contract for the two day dealer-operator course, being taught by VIADA, for the Board’s review and approval. William touched on some of the highlights of the contract, especially the added fee of \$35 per registrant which will go to the MVDB to offset some of the agency’s expenditures associated with the course. William also discussed the 3 year initial term of the contract and renewal options of 2 year increments, as well as escape clauses, online surveys, and the responsibilities of each party. The contract was reviewed by Christian Parrish and VIADA’s legal counsel. Other than the additional \$35 MVDB fee, the fees will remain the same. Christian Parrish recommended execution of the contract.

Motion was made by Steve Farmer to authorize the Executive Director to execute the contract between MVDB and VIADA. Rob Fisher seconded. The motion carried unanimously.

**Legislative Updates.** Rick Holcomb updated the Board on DMV’s current legislative initiatives, with emphasis placed on HB 489 (Hurst). This bill allows the treasurer or director of finance of any locality to enter into an agreement with the Department of Motor Vehicles to only issue an initial registration period up to 90 days for a customer purchasing a vehicle who is delinquent with taxes or fees to a locality. Mr. Holcomb

assured the dealers present and the trade associations (VADA & VIADA) that DMV's programming of the system will ensure compliance with the law and that they will be able to sell vehicles, title the vehicles and conduct their business as normal. The only difference will be that if an individual owes fees to a locality that the dealer will be able to see, by an error message in DMV's system, that the customer will only be allowed registration up to 90 days. It is the customer's responsibility to clear the debt with the locality and once that debt is cleared, the customer will have to work with DMV to get a new registration. Dealers are not responsible to collect the money owed to the locality, nor are they responsible for renewing the registration once the debt with the locality has been cleared. VADA and VIADA representatives both briefly discussed this law change and both agreed that if DMV's system is programmed to allow limited registration for those delinquent accounts that it should not cause dealers any problems. They also said that they were notifying and educating their membership of this law. This law becomes effective on July 1, 2018.

### **OLD BUSINESS FROM THE FLOOR**

There was no old business from the floor.

### **NEW BUSINESS**

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

Rick Holcomb indicated that he wanted to see William Childress attend the Virginia Executive Institute (VEI) leadership training in the fall (Sep – Nov 2018). Rick emphasized that the fall class this year will most likely be composed of governmental appointees and new agency heads and William's attendance will be good for William and the Board. This training will be paid for by the Board and the class is broken up into two one week offsite (Charlottesville and Virginia Beach) sessions.

Motion was made by Chris Maher for William to attend the VEI leadership training in the fall of 2018. Joe Tate seconded. The motion carried unanimously. Rick directed William to contact Jeannie Thorpe for further instructions.

**EXECUTIVE DIRECTOR'S REPORT:** William Childress reported that he had discussions with the Secretary of the Commonwealth concerning appointments for the Board. The Secretary has classified the Dealer Board as a priority and is going to work with the Secretary of Transportation to reappoint/appoint current vacancies.

The next meeting was scheduled for July 9, 2018

There being no further business to come before the Motor Vehicle Dealer Board, Chairman Holcomb adjourned the meeting at 11:05 a.m.

Meeting Summary  
**Dealer Practices Committee**  
Monday May 14, 2018

Vice-Chairman Steve Farmer called the Dealer Practices Committee meeting to order at 9:00 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, Michael Bor, Liza Borches, Rob Fisher and Senior Saghafi. (Absent: Ron Kody, David Duncan, Geoff Malloy and Matt McQueen). Other Board members present: Rick Holcomb, Randy Harris, Chris Maher, Gardner Britt. Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Prin Cowan and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office.

**The March 12, 2018 meeting summary was approved.**

**PUBLIC COMMENT**

There was no public comment.

**OLD BUSINESS**

**OLD BUSINESS FROM THE FLOOR**

**NEW BUSINESS**

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

**Benchmark Motors, LLC and Daoud M. Anwari** - On March 14, 2018, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-613 (A), 1575 (6) and (12). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$250 and a satisfactory inspection.

Mr. Anwari 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 \$250 and a satisfactory inspection. Rob Fisher seconded. The motion carried unanimously.

**A Plus Auto, LLC and Anthony Vaughn** – On April 3, 2018, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529, 1529 (1), 1533, 1539, 1547 and 1575 (2) & (18). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$8,250 and revocation of all licenses and certificates issued to Anthony Vaughn and A Plus Auto.

Motion was made by Joe Tate to accept the hearing officer's recommendation of assessing a civil penalty of \$8,250 and revocation of all licenses and certificates issued to Anthony Vaughn and A Plus Auto. Chris Maher seconded. The motion carried unanimously.

**B & B Auto Group and Joseph A. Brooks** – On March 28, 2018, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1528, 1529, 1533 and 1575 (1), (2) and (19). Based on the information provided at the conference, the hearing officer recommended a temporary suspension pending an immediate and thorough inspection of the dealership to further insure complete compliance of the MVDB licensing laws.

Motion was made by Chris Maher to accept the hearing officer's recommendation of a temporary suspension pending an immediate and thorough inspection of the dealership to further ensure complete compliance of the MVDB licensing laws. Rob Fisher seconded.

Amended motion was made by Joe Tate to assess a civil penalty of \$750 with an immediate suspension until a satisfactory inspection is conducted. Senior Saghafi seconded. The motion carried unanimously.

#### **Review and Action: Formal Hearing:**

**Virtuous Motors, LLC and Khaliq M. Shabazz** – Historical Overview leading up to the formal hearing: On September 20, 2017, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1528, 1529, 1533 and 1575 (2). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$6,000 and revocation of all licenses and certificates issued to Mr. Shabazz and Virtuous Motors. On November 13, 2017, the Board adopted a resolution assessing a civil penalty of \$6,000 and revocation of all licenses and certificates issued to Khaliq Shabazz and Virtuous Motors, LLC. On December 15, 2017 Mr. Shabazz appealed for a formal hearing. On February 28, 2018, 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 \$6,000 and a satisfactory inspection. If reoccurrence of same violations, recommend revocation of all licenses and certificates issued to Khaliq Shabazz and Virtuous Motors, LLC.

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

Motion was made by Chris Maher to accept the hearing officer's recommendation of assessing a civil \$6,000 and a satisfactory inspection within 90 days. 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 July 9, 2018

The meeting adjourned at 9:17 a.m.



Meeting Summary  
**Dealer Licensing Committee**  
Monday, May 14, 2018

Chairman Joe Tate called the Dealer Licensing Committee meeting to order at 9:17 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, Rob Fisher, Randy Harris and Senior Saghafi. (Absent: David Duncan and Maurice Slaughter). Other Board members present: Rick Holcomb, Michael Bor, Steve Farmer, Chris Maher, Gardner Britt. Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Prin Cowan and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office.

**The March 12, 2018 meeting summary was approved.**

**PUBLIC COMMENT**

There was no public comment.

**OLD BUSINESS**

**Tabled Issue from the March Meeting: Darius M. Logan, Sales Applicant** - On January 30, 2018, an informal fact-finding conference was conducted to address the alleged violations of VA Code Section 46.2-1575 (13). Based on the information provided at the conference, the hearing officer recommended approval of a sales license for Mr. Logan.

The Full Board deferred their decision to the May meeting and requested that an authorized spokesperson from the Discovery Automotive Group attend and speak on behalf of Mr. Logan. On March 13, 2018, an invitation was sent to Mr. Logan and Alan Reece, of Discovery Automotive Group to attend the May meeting.

Since Mr. Logan and a representative from Discovery Automotive Group did not attend the May meeting, a motion was made by Dan Banister to deny Mr. Logan a salesperson's license. Rob Fisher 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:**

**Joseph and Robert Battista, Sales Applicants** - On March 14, 2018, an informal fact-finding conference was conducted to address the alleged violations of VA Code Section 46.2-1575 (1) and (9). Based on the information provided at the conference, the hearing

officer recommended approval of all licenses, with the stipulation that Joseph and Robert Battista repay the Transaction Recovery Fund.

Mark Dycio, attorney for the Battista's, was present and spoke on their behalf.

Joseph Battista was present and spoke on his own behalf.

Robert Battista was present and spoke on his own behalf.

Motion was made by Dan Banister to approve salesperson licenses for the Battista's. Senior Saghafi seconded. The motion carried unanimously.

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

There was no new business from the floor.

The next meeting was scheduled for July 9, 2018

The meeting adjourned at 9:51 a.m.

Meeting Summary  
**Advertising Committee**  
Monday, May 14, 2018

Vice-Chairman Ted Bailey called the Advertising Committee meeting to order at 9:52 a.m. in Room 702, DMV Headquarters, 2300 West Broad Street, Richmond, Virginia. Present were Committee members Dan Banister, Michael Bor and Liza Borches. (Absent: David Duncan, Ron Kody, Geoff Malloy, Matt McQueen and Maurice Slaughter). Other Board members present: Rick Holcomb, Steve Farmer, Rob Fisher, Randy Harris, Senior Saghafi, Joe Tate, Chris Maher, and Gardner Britt. Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Prin Cowan and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office.

**The March 12, 2018 meeting summary was not approved; there was not a quorum.**

**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**

There was no new business.

**NEW BUSINESS FROM THE FLOOR**

There was no new business from the floor.

The next meeting was scheduled for July 9, 2018.

The meeting adjourned at 9:52 a.m.

Meeting Summary  
**Transaction Recovery Fund Committee**  
Monday, May 14, 2018

Chairman Chris Maher called the Transaction Recovery Fund Committee meeting to order at 9:53 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, Rob Fisher and Randy Harris. (Absent: Ron Kody, Geoff Malloy, Matt McQueen and Maurice Slaughter). Other Board members present: Rick Holcomb, Liza Borches, Senior Saghafi, Joe Tate, Gardner Britt and Ted Bailey. Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Prin Cowan and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office.

**The March 12, 2018 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:**

**Carlos C. Romero vs. Triple Z Motors** – On April 16, 2018, an informal fact-finding conference was conducted to address the alleged violation of VA Code Section 46.2-1527.3 against Triple Z Motors. Based on the information provided at the conference, the hearing officer recommended that the Board should consider a payment of \$22,052.81 from the Fund to Mr. Romero.

Motion was made by Rob Fisher to accept the hearing officer's recommendation and pay Carlos Romero \$22,052.81 from the Fund. Steve Farmer seconded. The motion carried unanimously.

**NEW BUSINESS FROM THE FLOOR**

There was no new business from the floor.

The next meeting was scheduled for July 9, 2018

The meeting adjourned at 9:55 a.m.