

Meeting Summary  
**Motor Vehicle Dealer Board**  
Monday, November 14, 2016

Chairman Rick Holcomb called the Dealer Board meeting to order at 10:38 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. The roll was called and there were Board 15 members present. Present were members Ted Bailey, Michael Bor, Gardner Britt, David Duncan, Robert Fisher, David Gripshover, Clay Huber, Ron Kody, Chris Maher, Geoff Malloy, George Pelton, Senior Saghafi, Maurice Slaughter and Joe Tate. (Absent: Liza Borches, Steve Farmer, Matt McQueen and Jacques Moore). Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Prin Cowan and Ann Majors represented the Dealer Board. Janet Baugh represented the Attorney General's Office. Alice Weedon was the recording secretary.

**PUBLIC COMMENT**

There was no public comment.

The September 12, 2016 meeting summary was approved.

**STATUTORY COMMITTEE REPORTS**

**Dealer Practices Committee:**

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

- **JJ Imports, LLC and Jahanzaib Raja.** Chairman Kody made the following motion: On September 12, 2016, the Board reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning JJ Imports and Jahanzaib Raja for alleged violations of Va. Code sections §46.2-1529, 46.2-1539, 46.2-1447, and 46.2-1575 (1). Based on due consideration, the Board remanded the case back to the hearing officer to consider newly founded information previously not available to the respondent, the Board mandated that JJ Imports, LLC and Jahanzaib Raja hereby be assessed a civil penalty of \$1,000.00 and that JJ Imports, LLC satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field inspector on or before May 14, 2017. Failure to pass the inspection by May 14, 2017 will result in suspension of all licenses and certificates issued by the Board until such time that JJ Imports, LLC complies with the Board's mandates.

Joe Tate seconded. The motion carried unanimously.

- **JBBM Auto Sales and Luis M. Munayco.** 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 JBBM Auto Sales, LLC and Luis Miguel Munayco for alleged violations of Va. Code sections §46.2-1529, 46.2-1532, 46.2-1542, 46.2-1547, 46.2-1561, and 46.2-1575 (2) and (14). The Board mandated that JBBM Auto Sales, LLC and Luis Miguel Munayco hereby be assessed a civil penalty of \$7,750.00, and that JBBM Auto Sales satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field inspector on or before February 14, 2017, and that Luis Miguel Munayco shall successfully complete the dealer-operator course by May 14, 2017. Failure to pass the inspection on or before February 14, 2017 and successfully complete the dealer-operator course by May 14, 2017 will result in suspension of all licenses and certificates issued by the Board until such time that JBBM Auto Sales, LLC and Luis Miguel Munayco successfully comply with the Board's mandates.

Chris Maher seconded. All in favor: 14 (Bor, Britt, Bailey, Duncan, Fisher, Gripshover, Holcomb, Huber, Kody, Maher, Malloy, Pelton, Sagahfi and Slaughter). Opposed: 1 (Tate). The motion carried.

- **Select Imports, LLC and William J. Gurdin.** 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 Select Imports LLC and William J. Gurdin for alleged violations of Va. Code sections §46.2-1575 (2), (3), (6) and (7). The Board mandated that Select Imports, LLC and William J. Gurdin hereby be assessed a civil penalty of \$27, 650, and that all licenses and certificates issued by the Board to Select Imports, LLC, and William J. Gurdin are hereby revoked. Also, Select Imports, LLC is hereby referred to the Department of Motor Vehicle's Law Enforcement Division for further investigation and collection of their dealer plates.

Robert Fisher seconded. The motion carried unanimously.

- **Auto Bank II and Afshin Moalem.** Vice Chairman Joe Tate made the following amended 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 \$7,750.00 civil penalty, and required that the Auto Bank II dealership be inspected by a Motor Vehicle Dealer Board field inspector by November 9, 2016 and that the inspection be satisfactory, and that Mr. Moalem successfully complete the dealer-operator course by November 9, 2016 and that failure to successfully complete the dealer-operator course by November 9, 2016 will result in the assessment of an additional civil penalty of \$250. Afshin Moalem appealed the Board's decision and requested a formal hearing that was conducted on August 25, 2016; 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 Auto Bank II and Afshin Moalem for alleged violations of Va. Code sections §46.2-1508, 46.2-1529, 46.2-1530, 46.2-1537, 46.2-1539, 46.2- 1550, 46.2-1574, and 46.2-1575 (1) and (6). The Board mandates that Auto Bank II and Afshin Moalem hereby be assessed a civil penalty of \$5,500.00, and that Auto Bank II satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field inspector on or before May 14, 2017. Failure to pass the inspection by May 14, 2017 will result in suspension of all licenses and certificates issued by the Board until such time that Auto Bank II and Afshin Moalem successfully comply with the Board's mandates.

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

Robert Fisher seconded. The motion carried unanimously.

**NOTE:** Ron Kody made an original motion against Auto Bank II, with Senior Sagahfi seconding; however, Joe Tate amended the motion by reducing the civil penalty. The original motion indicated a \$6,500 civil penalty, with a satisfactory inspection within 6 months.

### **Licensing Committee**

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

- **James E. Dameron, Jr., Salesperson.** 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 James E. Dameron, Jr. for alleged violations of Va. Code section §46.2-1575 (1) and (9). The Board mandated that James E. Dameron, Jr. hereby be assessed a civil penalty of \$600 dollars and that James E. Dameron, Jr., is allowed to correctly complete and submit his application for a salesperson license.

David Gripshover seconded. All in favor: 14 (Bailey, Bor, Gritt, Duncan, Fisher, Gripshover, Huber, Maher, Malloy, Pelton, Saghafi, Slaughter and Tate). Abstained: 1 (Kody). Mr. Dameron works for Richmond Ford). The motion carried.

- **Jeremy C. Churchill, Sales Applicant.** 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 Jeremy C. Churchill for alleged violations of Va. Code section §46.2-1575 (6) and (13). The Board mandated that Jeremy C. Churchill is hereby allowed to apply for a salesperson license.

Mr. Churchill was present and thanked the Board. (**NOTE:** Mr. Churchill was not present at the Licensing Committee meeting).

David Gripshover seconded. The motion carried unanimously.

- **Leonard W. Mosley, Jr., Sales Applicant.** 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 Name of individual for alleged violations of Va. Code section §46.2-1575 (6), (9) and (13). The Board mandated that Leonard W. Mosley, Jr's., application for a salesperson license is hereby denied.

David Gripshover seconded. The motion carried unanimously.

- **Christopher J. Burruss, Sales Applicant.** 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 Christopher J. Burruss for alleged violations of Va. Code section §46.2-1575 (3). The Board mandated that Christopher J. Burruss is hereby allowed to apply for a salesperson license.

David Gripshover seconded. The motion carried unanimously.

### **Advertising Committee**

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

- **National Motors Dealer, Inc. and Lida N. Barekzi and Amin Barek.** Chairman 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 National Motors Dealer, Inc., Lida N. Barekzi and Amin Barek for alleged violations of Va. Code sections §46.2-1535, 46.2-1575 (7) and 46.2-1581(8). The Board mandates that National Motors Dealer, Inc., Lida Barekzi, and Amin Barek hereby be assessed a civil penalty of \$ 1,500, and that National Motors Dealers, Inc., satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field inspector on or before May 14, 2017. Failure to pass the inspection by May 14, 2017 will result in suspension of all licenses and certificates issued to National Motors Dealers, Inc., Lida Barekzi, and Amin Barek by the Board until such time the National Motors Dealers, Inc., Liza Barekzi, and Amin Barek successfully comply with the Board's mandates.

Clay Huber seconded. The motion carried unanimously.

## **Transaction Recovery Fund Committee**

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

**Duncan Auction Wholesale & Rental Sales vs. Today's Auto and Eldon L. Smith.** Chairman Maher summarized for the Board the discussion held in the committee meeting regarding Duncan Auction Wholesale & Rental Sales vs. Today's Auto and Eldon Lee Smith. 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 below claims should be paid:

### **Duncan Auction Wholesale & Rental Sales vs. Today's Auto & Eldon L. Smith     \$25,000**

Clay Huber seconded. All in favor: (14) Bailey, Bor, Gritt, Fisher, Gripshover, Huber, Kody, Maher, Malloy, Pelton, Saghafi, Slaughter and Tate). Abstained: 1 (Duncan). Family related issue. The motion carried.

## **OLD BUSINESS**

There was no old business from the floor.

## **NEW BUSINESS**

**Executive Director's Report.** William Childress indicated those 2 field representatives are retiring from the Board, Ron Youngsma and Jeff Brown. The positions will be posted very soon.

### **New Business from the Floor:**

- William Childress informed the Board members that this would be George Pelton's last meeting. Rick Holcomb presented Mr. Pelton with a plaque thanking him for his 5 years of service to the Board.
- William Childress reported on the Internet Task Force issue. He indicated that he sent out the current 2001 Internet Task Force Regulations to all the Board members. Rick Holcomb directed a committee be created to revisit the 2001 Internet Task Force Report. Rick designated Ron Kody and Joe Tate as Co-chairs of the committee. Interested volunteers were directed to let William know of their interest to participate on this committee.
- William Childress discussed field representative's responsibilities and their heavy work load. He also informed the Board that field representatives also conduct sting operations (outside their areas of responsibility) or pose as customers to catch unsuspecting dealers as they commit infractions. William also informed the Board that the Board Staff uses consumer affairs personnel and DMV Special Agents to assist in sting operations. Board members discussed brainstormed several other methods for the Board staff to explore to help them catch unsuspecting dealers in the wrong. One suggestion that will be explored in further detail is using mystery shoppers, which was suggested by Mike Charapp of the Virginia Automobile Dealers Association.

At 11:21 a.m. Rick Holcomb excused himself and tasked Vice-Chairman Ron Kody with chairing the remainder of the meeting. This was necessary as the rest of the meeting involved discussing Tesla.

**TESLA (MVDB Matter)** – William Childress gave the Board a brief overview of the staff’s actions regarding VADA’s allegations against Tesla and reminded the Board that all actions taken against Tesla to date are in line with and consistent Board actions taken against other licensed Virginia dealers. William also reminded the Board that the Board’s process could require Tesla to appear before an informal fact finding conference depending on the nature of their next allegation, which would lead to an appearance before the Board.

VADA initially alerted the Board staff around May 31, 2016 regarding Tesla. VADA sent a letter to Board members and Board staff on September 29, 2016 concerning Tesla and the actions taken by the Board staff concerning VADA’s May submission.

VADA representatives voiced their concerns regarding Tesla. These concerns deal with potential processing fee violations, failure to disclose online systems filing fees, failure to use a buyer’s order, improper advertising, improper use of dealer tags, and the Tesla display at the Tysons Corner Center Mall.

The bulk of VADA’s concerns focused on the Tesla display at the Tysons Corner Center Mall. Tesla has 2 vehicles displayed at this location and 2 – 3 employees there to assist customers. On several occasions in the past it has been confirmed that these Tesla employees have discussed vehicle options, prices and other vehicle related matters. VADA informed the Board that the Board’s long standing position has always been that vehicle displays at unlicensed locations could not have any employees of the dealership at the display location. At least one current Board member confirmed this practice as he was told that he could not have people from his dealership accompanying a vehicle display at an unlicensed location. The basis of this practice is that no sales activities can take place at an unlicensed location if salespeople or representatives from the dealership/company aren’t allowed at these locations. VADA’s assertion was that Tesla should follow the same process and practices as other licensed Virginia dealers, thus have Tesla remove its employees from the Tysons Corner Gallery location.

After further discussion, George Pelton moved to have the Board’s Executive Director send a cease and desist letter to Tesla instructing them to remove their employees from the Tysons Corner Mall location. Clay Huber seconded the motion. After a brief discussion Vice-Chairman Kody called for the vote. All in favor of the motion as stated - 11 (Britt, Bailey, Duncan, Fisher, Gripshover, Huber, Kody, Malloy, Pelton, Saghafi and Tate). All opposed to the motion as stated - 3 (Bor, Maher and Slaughter). The motion carried.

After the vote Michael Bor confirmed that the Board was not taking any other actions against Tesla. Mr. Bor stated that he felt the process outlined earlier and supported by documentation showed that the Board staff was being consistent in the actions taken to date against Tesla. Ron Kody confirmed that the only action taken by the Board was the cease and desist directive.

Michael Bor requested an update on SHIFT. William Childress indicated that SHIFT’s situation is not resolved. SHIFT is still looking at a location in Northern Virginia. In the meantime, William has reminded SHIFT that they are not allowed to conduct business in Virginia until they are licensed and if they are caught doing so that they could be charged.

The next meeting of the Board was announced, January 9, 2017. This date does not appear to conflict with any known religious holidays.

There being no further business to come before the Motor Vehicle Dealer Board, Vice-Chairman Kody adjourned the meeting at 12:25 p.m.

Meeting Summary  
**Dealer Practices Committee**  
Monday, November 14, 2016

Chairman Ron Kody called the Dealer Practices Committee meeting to order at 9:05 a.m. in Room 702 of the DMV Headquarters Building at 2300 W. Broad Street in Richmond. Present were Committee members Michael Bor, Gardner Britt, Robert Fisher, Clay Huber, Chris Maher, Geoff Malloy, Senior Saghafi and Joe Tate. (Absent: Liza Borches, Steve Farmer and Matt McQueen). Other Board members present: Rick Holcomb, George Pelton, Ted Bailey, David Gripshover, Maurice Slaughter and David Duncan. Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Prin Cowan and Ann Majors represented the Dealer Board. Janet Baugh represented the Attorney General's office.

The September 12, 2016 meeting summary was approved.

**PUBLIC COMMENT**

There was no public comment.

**OLD BUSINESS**

- **Remanded Issue from the September Board Meeting: JJ Imports, LLC and Jahanzaib Raja.**  
On August 11, 2016, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529, 46.2-1539, 46.2-1547, and 46.2-1575 (1). Based on the information provided at the informal fact finding conference, the hearing officer recommended assessing a civil penalty of \$2,500 and a satisfactory inspection within 6 months. The hearing officer further stated that any other lapse of insurance coverage should be considered for a revocation of all licenses and certificates. At the September 12, 2016 Board meeting Mr. Raja presented some additional information that was not available to him at the time of his informal fact finding conference. His case was remanded back to the hearing officer. On October 17, 2016 the hearing officer conducted the conference and considered the new information previously unavailable. Based on the newly submitted information the hearing officer recommended that a written warning be issue for each of the cited code sections and that JJ Imports should be inspected within 6 months.

Motion was made by Joe Tate to assess a civil penalty of \$1,000, due to the lack of documentation relating to safety inspections and to have a satisfactory inspection within 6 months. Robert 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:**

- **JBBM Auto Sales and Luis M. Munayco.** On September 13, 2016, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1529, 46.2-1532, 46.2-1542, 46.2-1547, 46.2-1561, and 46.2-1575 (2) & (14). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$16,750 and revocation of all licenses and certificates.

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

Motion was made by Joe Tate to assess a civil penalty of \$7,750, a satisfactory inspection within 6 months and to successfully complete the Dealer-Operator course within 6 months. Michael Bor seconded. All in favor: 8 (Bor, Britt, Fisher, Huber, Maher, Malloy, Saghabi and Tate). Opposed: 1 (Kody). The motion carried.

- **Select Imports, LLC and William J. Gurdin.** 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.

Motion was made by Joe to accept the hearing officer's recommendation of assessing a civil penalty of \$27,650 and revocation of all licenses and certificates. Rick Holcomb requested that this issue be given to DMV law enforcement for investigation. Clay Huber seconded. The motion carried unanimously.

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

- **Auto Bank II and Afishin Moalem.** Historical overview leading to the formal hearing: On March 4, 2016, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1508, 46.2-1529, 46.2-1537, 46.2-1539, 46.2-1550, 46.2-1561, 46.2-1574 and 46.2-1575 (1) & (6). Based on the information provided at the conference, the hearing officer recommended a formal warning; assessing a civil penalty of \$8,000 with a reduction of \$250 should he provide proof of taking the Dealer-Operator course and a satisfactory inspection within 6 months. On June 16, 2016, the Board received Mr. Moalem's appeal for a formal hearing. On August 25, 2016, a formal hearing was conducted to address the above alleged violations. Based on the information provided at the formal hearing, the hearing officer recommended assessing a civil penalty of \$7,000 and a satisfactory inspection.

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

Rick Holcomb requested that William speak with either Joe Hill or Jim Squares regarding finding a way to see if vehicles are properly inspected.

Motion was made by Chris Maher to assess a \$6,500 civil penalty and satisfactory inspection within 6 months. Senior Saghafi seconded. All in favor: 8 (Kody, Bor, Britt, Fisher, Huber, Maher, Malloy and Saghafi). Opposed: 1 (Tate). The motion carried.

**NEW BUSINESS FROM THE FLOOR**

There was no new business from the floor.

The next meeting was scheduled for January 9, 2017.

The meeting adjourned at 10:08 a.m.

Meeting Summary  
**Dealer Licensing Committee**  
Monday, November 14, 2016

Chairman Joe Tate called the Dealer Licensing Committee meeting to order at 10:09 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members Ted Bailey, David Duncan, David Gripshover, George Pelton, Senior Saghafi and Maurice Slaughter. (Absent: Liza Borches, Jacques Moore). Other Board members present: Michael Bor, Gardner Britt, Robert Fisher, Geoff Malloy, Ron Kody, Rick Holcomb, Chris Maher and Clay Huber. Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Prin Cowan and Ann Majors represented the Dealer Board. Janet Baugh represented the Attorney General's office.

The September 12, 2016 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:**

- **James E. Dameron, Jr., Salesperson.** On July 5, 2016, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1575 (1) & (9). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$750 and recommended the approval of a sales license.

Mr. James Thorson, attorney for Mr. Dameron and Mr. Dameron were present and spoke before the Board.

Motion was made by David Gripshover to accept the hearing officer's recommendation of assessing a civil penalty of \$750 and approval of a sales license. George Pelton seconded. The motion carried unanimously.

- **Jeremy C. Churchill, Salesperson Applicant.** On September 14, 2016, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1575 (6) & (13). Based on the information provided at the conference, the hearing officer recommended the approval of a sales license.

Motion was made by David Duncan to accept the hearing officer's recommendation of approval of a sales license. David Gripshover seconded. The motion carried unanimously.

- **Leonard W. Mosley, Jr., Salesperson Applicant.** On September 30, 2016, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1575 (6), (9) & (13). Based on the information provided at the conference, the hearing officer recommended the denial of a sales license.

Motion was made by David Gripshover accept the hearing officer's recommendation of denying a sales license. David Duncan seconded. The motion carried unanimously.

- **Christopher J. Burruss, Salesperson Applicant.** On September 21, 2016, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1575 (13). Based on the information provided at the conference, the hearing officer recommended the approval of a sales license.

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

Motion was made by David Gripshover to accept the hearing officer's recommendation of approval of a sales 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 January 9, 2017

The meeting adjourned at 10:20 a.m.

**Meeting Summary**  
**Advertising Committee**  
Monday, November 14, 2016

Chairman David Duncan called the Advertising Committee meeting to order at 10:20 a.m. in Room 702, DMV Headquarters, 2300 West Broad Street, Richmond, Virginia. Present were Committee members Ted Bailey, Michael Bor, Clay Huber, Ron Kody, Geoff Malloy, George Pelton and Maurice Slaughter. (Absent: Liza Borches, Matt McQueen). Other Board members present: Senior Saghafi, Gardner Britt, Robert Fisher, Rick Holcomb, Chris Maher, David Gripshover and Joe Tate. Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Prin Cowan and Ann Majors represented the Dealer Board. Janet Baugh represented the Attorney General's office.

The September 12, 2016 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:**

- **National Motors Dealer, Inc. and Lida N. Barekzi and Amin Barek.** On August 8, 2016, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1535, 46.2-1575 (7) and 46.2-1581 (8). Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$1,500 and a satisfactory inspection within 6 months.

Motion was made by Maurice Slaughter to accept the hearing officer's recommendation of assessing a civil penalty of \$1,500 and a satisfactory inspection within 6 months. Clay Huber seconded. The motion carried unanimously.

The next meeting was scheduled for January 9, 2017.

**NEW BUSINESS FROM THE FLOOR**

There was no new business from the floor.

The meeting adjourned at 10:22 a.m.

Meeting Summary  
**Transaction Recovery Fund Committee**  
Monday, November 14, 2016

Chairman Chris Maher called the Transaction Recovery Fund Committee meeting to order at 10:23 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members: Michael Bor, Robert Fisher, David Gripshover, Rod Kody, Geoff Malloy and Maurice Slaughter. (Absent: Steve Farmer, Matt McQueen). Other Board members present: Gardner Britt, David Duncan, Rick Holcomb, Joe Tate, George Pelton, Ted Bailey, Clay Huber, Senior Saghafi. Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Prin Cowan and Ann Majors represented the Dealer Board. Janet Baugh represented the Attorney General's office.

The September 12, 2016 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:**

- **Duncan Auction Wholesale & Rental Sales vs. Today's Auto and Eldon L. Smith.** On October 24, 2016, an informal fact-finding conference was conducted to address the alleged violation of VA Code Section 46.2-1527.3 against Today's Auto and Eldon L. Smith. Based on the information provided at the conference, the hearing officer recommends that the Board pay Duncan Auction Wholesale & Rental Sales \$25,000 from the Transaction Recovery Fund.

Motion was by David Gripshover to accept the hearing officer's recommendation paying Duncan Auction Wholesale & Rental Sales the amount of \$25,000 from the Transaction Recovery Fund. Robert 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 January 9, 2017

The meeting adjourned at 10:25 a.m.