

Meeting Summary  
**Motor Vehicle Dealer Board**  
Monday, September 9, 2019

Chairman Rick Holcomb called the Dealer Board meeting to order at 10:43 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 Michael Bor, Liza Borches, Gardner Britt, David Duncan, Steve Farmer, Rob Fisher, Randy Harris, Chris Maher, Geoff Malloy, Matt McQueen, Senior Saghafi, Maurice Slaughter, Don Sullivan and Joe Tate. (Absent: Ted Bailey, Dan Banister, Ron Kody). Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, 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 July 8, 2019 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.

**Amazing Grace Auto Sales and Emmanuel A. Yeboah.** 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 Amazing Grace Auto Sales and Emmanuel Yeboah for alleged violations of Va. Code sections §46.2-1533 and 46.2-1575 (2); and based on due consideration, the Board believes that the following action should be taken against Amazing Grace Auto Sales and Emmanuel Yeboah: Assessed a civil penalty of \$750. The Board mandates that Emmanuel Yeboah hereby be assessed a civil penalty of \$750.

Mr. Yeboah spoke on his own behalf.

**NOTE:** Mr. Yeboah didn't speak before the Dealer Practices Committee because he arrived to the meeting late.

Matt McQueen seconded. The motion carried unanimously.

**HGS Auto Sales and Hussam Salman.** 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 HGS Auto Sales and Hussam Salman 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 HGS Auto Sales and Hussam Salman: Assessed a civil penalty of \$750; and HGS Auto Sales shall be inspected by a Motor

Vehicle Dealer Board field representative by December 9, 2019 and that inspection shall be satisfactory. The Board mandates that Hussam Salman hereby be assessed a civil penalty of \$750 and the HGS Auto Sales dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before December 9, 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 HGS Auto Sales dealership and Hussam Salman successfully complies with the Board's mandates.

Joe Tate seconded. The motion carried unanimously.

**Expo Auto Brokers, LLC and Michael H. Martin.** 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 Expo Auto Brokers and Michael Martin 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 Expo Auto Brokers and Michael Martin: Assessed a civil penalty of \$1,250; and Expo Auto Brokers shall be inspected by a Motor Vehicle Dealer Board field representative by December 9, 2019 and that inspection shall be satisfactory. The Board mandates that Michael Martin hereby be assessed a civil penalty of \$1,250 and that Expo Auto Brokers shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before December 9, 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 Expo Auto Brokers dealership and Michael Martin successfully complies with the Board's mandates.

Mr. Martin spoke on his own behalf again.

Rob Fisher seconded. The motion carried unanimously.

**North End Motors, LLC and Hassan E. Ali.** 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 North End Motors and Hassan Ali 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 North End Motors and Hassan Ali: Assessed a civil penalty of \$1,500; and North End Motors shall be inspected by a Motor Vehicle Dealer Board field representative before December 9, 2019 and that inspection shall be satisfactory. The Board mandates that Hassan Ali hereby be assessed a civil penalty of \$1,500 and the North End Motors dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative before December 9, 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 North End Motors dealership and Hassan Ali successfully complies with the Board's mandates.

Joe Tate seconded. The motion carried unanimously.

**NOTE:** Amended motion was made by Maurice Slaughter to assess a civil penalty of \$3,000. The motion died due to a lack of a second.

Mr. Ali spoke on his own behalf again.

**Great Affordable Autos, LLC and Naftali Lev.** 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 Great Affordable Autos and Naftali Lev for alleged violations of Va. Code sections §46.2-1500, 46.2-1537 and 46.2-1547 (2). Based on due consideration, the Board believes that the following actions should be taken against Great Affordable Autos and Naftali Lev: Assessed a civil penalty of \$500. The Board mandates that Naftali Lev hereby be assessed a civil penalty of \$500.

Mr. Lev spoke on his own behalf again.

Joe Tate seconded. The motion carried unanimously.

**RHD Japanese, LLC and Ahmed Wahedi.** 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 RHD Japanese and Ahmed Wahedi 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 RHD Japanese and Ahmed Wahedi: Assessed a civil penalty of \$750. The Board mandates that Ahmed Wahedi hereby be assessed a civil penalty of \$750.

Mr. Umid Alikhani spoke on behalf of Mr. Wahedi and RHD Japanese, LLC.

Joe Tate seconded. The motion carried unanimously.

**Exquizit Auto Sales and Eric L. Johnson.** Board Member Maurice Slaughter made the following amended 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 Exquizit Auto Sales and Eric Johnson for alleged violations of Va. Code sections §46.2-1529 and 46.2-1575 (2). Based on due consideration, the Board believes that the following actions should be taken against Exquizit Auto Sales and Eric Johnson: Assessed a civil penalty of \$1,000 and the Exquizit Auto Sales dealership shall be inspected by a Motor Vehicle Dealer Board field representative on or before December 9, 2019 and that inspection shall be satisfactory; 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 Exquizit Auto Sales dealership and Eric Johnson successfully complies with the Board's mandates.

Mr. Johnson was present and spoke on his own behalf. He requested that the 30 day suspension approved by the Dealer Practices Committee removed due to the fact that this business is his livelihood.

**NOTE:** Mr. Johnson did not speak before the Dealer Practices Committee because he arrived to the meeting late.

**NOTE:** Original motion by Steve Farmer included \$1,000 civil penalty, 30 day suspension and satisfactory inspection, within 90 days, after the suspension period.

Chris Maher seconded. All in favor: 13 (Holcomb, Bor, Borches, Duncan, Farmer, Fisher, Harris, Maher, Malloy, McQueen, Saghafi, Slaughter and Sullivan). Opposed: 2 (Britt and Tate). The motion carried. Mr. Johnson feels confident that he can accomplish what he needs to get his records completed prior to the mandated inspection.

**Virginia Finance Group, LLC and Nicole M. Parker.** Committee Vice-Chairman Farmer made the following motion: The Board has reviewed and considered the facts and evidence and the report of a formal hearing as prepared by the hearing officer concerning Virginia Finance Group and Nicole Parker for alleged violations of Va. Code sections §46.2-1547. Based on due consideration, the Board believes that the following actions should be taken against Virginia Finance Group and Nicole Parker: Assessed a civil penalty of \$500; and Suspension of all certificates and licenses issued to Nicole Parker and Virginia Finance Group by the Board until September 30, 2019; and Virginia Finance Group shall be inspected by a Motor Vehicle Dealer Board field representative by December 9, 2019 and that inspection shall be satisfactory. The Board mandates that Nicole Parker hereby be assessed a civil penalty of \$500 and that Virginia Finance Group shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before December 9, 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 Virginia Finance Group dealership and Nicole Parker successfully complies with the Board's mandates.

Rob Fisher seconded. The motion carried unanimously.

### **Licensing Committee**

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

### **Advertising Committee**

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

Under New Business, Board Chairman Rick Holcomb informed the Board that he received a complaint from a citizen about a dealership's bill board advertisement that included the word "bullshit".

Chairman Holcomb directed the Advertising Committee along with representatives from the VADA, VIADA and Christian Parrish (AG's Office) to publicly meet and discuss whether or not the Board has the authority to regulate language/content in an advertisement that is not dealing with vehicle price, monthly payments, terms of payment, or other requirements outlined in the Virginia Code or Regulations. The meeting date was set for November 4, 2019 before the regularly scheduled Board meeting. The Executive Director will coordinate the meeting time and make sure this meeting is posted on the Virginia Town Hall.

There was general discussion concerning the differences of 1) a formal opinion by the Attorney General, which takes 6 months to a year to complete; and 2) informal opinion, which takes 3 to 6 months to complete; and 3) seeking advice from counsel of the Board, which can be completed by the November 4 Board Meeting.

Motion was made by Gardner Britt to seek advice of counsel of the Board, Christian Parrish, of the Attorney General's Office, to determine if the Board is responsible for regulating "offensive/obscene" content in a dealer's advertisement. Steve Farmer seconded. All in favor: 12 (Bor, Britt, Duncan, Farmer, Fisher, Maher, Malloy, McQueen, Saghafi, Slaughter, Sullivan and Tate). Opposed: 2 (Borches and Harris). Rick Holcomb abstained. The motion carried.

#### **Transaction Recovery Fund Committee:**

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

#### **Tabled Issues from the July Board Meeting:**

**Nicholas C. Campisi vs. Goldstar Motor, Co. and Thomas K. Maad** – Committee Chairman Maher 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. It was reported that Mr. Maad paid Mr. Campisi \$1,000 of his \$1,829.22 claim. Motion was made by Chris Maher to pay Mr. Campisi the balance remaining of \$829.22.

Matt McQueen seconded. The motion carried. Senior Saghafi abstained because Mr. Maad works for his dealership.

**Thomas Kinson vs. GN Auto, LLC and Gaby Touma** – Committee Chairman Maher 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. After clarification of the attorney fees were determined to be included, Chris Maher made the motion to pay Mr. Kinson his claim of \$9,250.50 from the Transaction Action Recovery Fund.

Rob Fisher seconded. The motion carried unanimously.

### **OLD BUSINESS:**

**Sub-Committee on Dealer Tag Insurance:** The sub-committee discussion was based around whether or not each plate should be insured. It was determined by Chris Maher that if the plates are under insured, this is not a violation. It was decided by Mr. Maher, that it is not the place of the Field Rep to count tags. They are there just ensure they have insurance. They can, however, for example, request that the dealer should get revised insurance documents showing that instead of having 6 tags insured, when they actually have 16 tags. According to Mr. Maher, tag counting should not be policed by the Dealer Board.

Motion was made by Chris Maher to let this policy recommendation go into effect. Rob Fisher seconded. All in favor: 14 (Tate, Bor, Borches, Britt, Duncan, Farmer, Fisher, Harris, Maher, Malloy, McQueen, Saghafi, Slaughter and Sullivan). Opposed: 1 (Holcomb). The motion carried.

**At Your Pace Online:** William Childress summarized At Your Pace’s online dealer-operator recertification program application and informed the Board that the application does meet Virginia’s requirements. William also presented to the Board the information requested by Chairman Holcomb during the May 2019 meeting. Christian Parrish answered sever questions from Board members and reminded the Board members of the Board’s authority concerning contracts.

Motion was made by Randy Harris to approve At Your Pace Online as an online dealer-operator re-certification vendor. Gardner Britt seconded. All in favor: 10 (Holcomb, Bor, Borches, Britt, Duncan, Harris, Malloy, McQueen, Saghafi, Slaughter). Opposed: 5 (Farmer, Fisher, Maher, Sullivan and Tate). The motion carried.

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

### **NEW BUSINESS:**

**EXECUTIVE DIRECTOR'S REPORT:** William Childress presented the following:

**Converting Authorized Closings Days to Hours:**

**History:**

§46.2-1533 of the Virginia Code requires motor vehicle dealers to be open for business for a minimum of 20 hours per week, with at least 10 of those hours occurring between the hours of 9 a.m. – 5 p.m. Monday – Friday. The Motor Vehicle Dealer Board further authorized dealerships the opportunity to close their dealerships for 20 days per year based on their renewal month. The Motor Vehicle Dealer Board staff is charged with maintaining and updating dealership closures. All dealerships are responsible for submitting their closures to the Motor Vehicle Dealer Board staff.

**Problem:**

When developed, the system currently used to capture authorized closings was not designed to capture hours. Instead, the system was designed to capture whole days or nothing at all. Over the years the Board staff has used various methods and calculations to determine when to subtract hours from a dealership's authorized closing account. This process penalizes dealerships.

**Solution:**

The Dealer Board's Executive Director tasked the agency's IT resource (John Saul) to develop a process based on hours to capture dealerships authorized closings.

Effective October 1, 2019, we will start using Modification to the Authorized Closings will allow dealerships to close based on half-hour increments. Below are the groupings for dealerships that determine Authorized Closing Hours and the hours that make a single day for dealer closings.

**Full Time and Part Time dealership definition (in hours):**

**Full Time Dealerships (FT):**

- (FT) dealerships open (40) hours a week or more.
- (FT) dealerships will have (160) hours of Authorized Closings.
- (FT) dealerships have a cap of (8) hours of deduction per single day if they exceed more than 8 operational hours within the day.

**Part Time Dealerships (PT 30):**

- (PT30) dealerships open less than (40) hours a week but greater than (29) hours a week.
- (PT30) dealerships will have (120) hours of Authorized Closings.
- (PT30) dealerships do not have a cap on hours of deduction per single day. Whether a dealership is open 4 hours or 10 hours within a single day, the amount of hour loss for an entire day is the operational hours for that day.

**Part Time Dealerships (PT 20):**

- (PT20) dealerships open less than (30) hours a week.
- (PT20) dealerships will have (80) hours of Authorized Closings.
- (PT20) dealerships do not have a cap on hours of deduction per single day. Whether a dealership is open 4 hours or 10 hours within a single day, the amount of hour loss for an entire day is the operational hours for that day.

**Converting of Days to Hours:**

**Dealerships with current days in Authorized Closings:** Dealerships with current days taken in the Authorized Closings will be converted to hours taken. This conversion will be based on the dealerships grouping whether they are FT, PT30 / PT20.

1 day = the number of hours open in a single business day.

If a dealership is an FT (Full Time) dealership, a full day will not exceed 8 hours for the day.

If a dealership is a PT30 / PT20 dealership, a full day will consist of the number of hours during a given day of operation whether it is 2, 4, 6, 8, 9, or more hours.

**Example: FT Dealership**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open Hours						
5	8	8	8	8	10	5
Deduction						
5	8	8	8	8	8	5

**Example: PT30 / PT20 Dealership**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open Hours						
0	5	4	0	2	10	5
Deduction						
0	5	4	0	2	10	5

**NEW BUSINESS FROM THE FLOOR** – Chairman Holcomb indicated that DMV had created a new combination plate (specialty plate and dealer tag). For now the promotional plate process is being used until legislation is put in place to legally allow dealer plates to be combined with specialty plates. The promotional plated presented to the Board commemorated UVA’s men’s basketball team recent National Championship. The price will be \$100 per promotional plate plus other fees, if applicable.

The next Full Board meeting will be November 4, 2019.

There being no further business to come before the Motor Vehicle Dealer Board, Chairman Holcomb adjourned the meeting at 1:03 p.m.

Meeting Summary  
**Dealer Practices Committee**  
Monday September 9, 2019

Vice-Chairman Steve Farmer 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: Michael Bor, Liza Borches, Gardner Britt, Rob Fisher, Chris Maher, Geoff Malloy, Matt McQueen, Senior Saghafi, Joe Tate. (Absent: Ron Kody). Other Board members present: Rick Holcomb, David Duncan, Randy Harris, Maurice Slaughter, Don Sullivan. Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Micah Bailey and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office.

**The July 8, 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:**

**Amazing Grace Auto Sales and Emmanuel A. Yeboah** – On July 23, 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 Joe Tate to accept the hearing officer's recommendation of assessing a civil penalty of \$750. Matt McQueen seconded. The motion carried unanimously.

**HGS Auto Sales and Hussam Salman** – On July 15, 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 and a satisfactory inspection be performed within 90 days.

Motion was made by Joe Tate to accept the hearing officer's recommendation of assessing a civil penalty of \$750 and a satisfactory inspection within 90 days. Matt McQueen seconded. The motion carried unanimously.

**Expo Auto Brokers, LLC and Michael H. Martin** – On July 22, 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 \$1,250 and a satisfactory inspection as soon as practical.

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

Motion was made by Chris Maher to accept the hearing officer's recommendation and assess a civil penalty of \$1,250 and a satisfactory inspection within 90 days. Rob Fisher seconded. The motion carried unanimously.

**North End Motors, LLC and Hassan E. Ali** – On August 6, 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 and a satisfactory inspection before January 1, 2020 or risk revocation of license.

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

Motion was made by Joe Tate to assess a civil penalty of \$1,500 and a satisfactory inspection within 90 days. Rob Fisher seconded. The motion carried unanimously.

**Great Affordable Autos, LLC and Naftali Lev** – On August 8, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1500, 1537 and 1547. Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$500.

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

Motion was made by Joe Tate to accept the hearing officer's recommendation of assessing a civil penalty of \$500. Rob Fisher seconded. The motion carried unanimously.

**RHD Japanese, LLC and Ahmed Wahedi** – On July 29, 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.

Umid Alikhani, Salesperson for RHD Japanese, LLC, was present and spoke on behalf of Ahmed Wahedi.

Motion was made by Chris Maher to accept the hearing officer's recommendation of assessing a civil penalty of \$750. Rob Fisher seconded. The motion carried unanimously.

**Exquizit Auto Sales and Eric L. Johnson** – On August 15, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Section 46.2-1529 and 1575 (2). Based on the information provided at the conference, the hearing officer recommended a suspension for repeated violations of VA Code Section 46.2-1529 and a satisfactory inspection within 30 days of the suspension date.

Motion was made by Joe Tate to assess a civil penalty of \$1,000, 30 day suspension and a satisfactory inspection once the suspension is completed. Rob Fisher seconded. The motion carried unanimously.

**Review and Action: Formal Hearing:**

**Virginia Finance Group, LLC and Nicole M. Parker** – Historical Overview leading up to the formal hearing: On January 10, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Section 46.2-1547. Based on the information provided at the conference, the hearing officer recommended assessing a civil penalty of \$1,000 and a satisfactory inspection within 90 days. On March 11, 2019, the Board adopted a resolution a resolution assessing a civil penalty of \$500, satisfactory inspection by September 30, 2019 and all licenses and certificates issued by the Board to Virginia Finance Group, LLC and Nicole Parker suspended until September 30, 2019. On April 15, 2019, Ms. Parker appealed for a formal hearing. On June 27, 2019, a formal hearing was conducted to address the alleged violations of VA Code Section 46.2-1547. Based on the information provided at the hearing, the hearing officer recommended assessing a civil penalty of \$500, Suspension until September 30, 2019 and a satisfactory inspection once she has someone involved who can demonstrate knowledge of dealer operations.

Motion was made by Joe Tate to accept the hearing officer's recommendation and assess a civil penalty of \$500, suspension until September 30, 2019 and a satisfactory inspection by December 9, 2019. 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 was scheduled for November 4, 2019.

The meeting adjourned at 9:54 a.m.

Meeting Summary  
**Dealer Licensing Committee**  
Monday, September 9, 2019

Chairman Joe Tate called the Dealer Licensing Committee meeting to order at 9:54 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, David Duncan, Rob Fisher, Randy Harris, Senior Saghafi, Maurice Slaughter and Don Sullivan. (Absent: Ted Bailey, Dan Banister) Other Board members present: Rick Holcomb, Michael Bor, Steve Farmer, Chris Maher, Geoff Malloy and Matt McQueen. Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Micah Bailey and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office.

**The July 8, 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** – There was no new business.

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

The next meeting was scheduled for November 4, 2019

The meeting adjourned at 9:55 a.m.

Meeting Summary  
**Advertising Committee**  
Monday, September 9, 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: Michael Bor, Liza Borches, Randy Harris, Geoff Malloy, Matt McQueen, Maurice Slaughter and Don Sullivan. (Absent: Ted Bailey, Dan Banister, Ron Kody). 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, Micah Bailey and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office.

**The July 8, 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** – There was no new business.

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

The next meeting was scheduled for November 4, 2019.

The meeting adjourned at 9:57 a.m.

Meeting re-convened at 9:59 a.m. at the request of Rick Holcomb.

Rick Holcomb indicated that he received a complaint that a dealer's public bill board advertisement used the term "Bull Shit". He questioned if the Dealer Board had any jurisdiction over such content. He then requested that the Committee form a sub-committee to discuss if this type of language is offensive and does it fall within the jurisdiction of the Dealer Board. If not, who would regulate offensive language in dealer advertising?

Maurice Slaughter spoke at the fact that this was his advertisement, it is on personal property and it should be covered by his 1<sup>st</sup> amendment right of freedom of speech. He also indicated that his Harley Davidson legal team reviewed and approved the advertisement. He then requested that that the Committee, trade associations and the Attorney General should form a sub-committee to discuss this issue and how to police these types of complaints. Mr. Harris and David Duncan agreed that this issue is not within the jurisdiction of the Board. Christian Parrish, of the Attorney General's Office, indicated he's not ready to state an opinion, but would be happy to attend the sub-committee meeting and present something at the November 4<sup>th</sup> meeting. More discussion will be continued in the Full Board.

The meeting adjourned at 10:16 a.m.

Meeting Summary  
**Transaction Recovery Fund Committee**  
Monday, September 9, 2019

Chairman Chris Maher called the Transaction Recovery Fund Committee meeting to order at 9:57 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members: Michael Bor, Steve Farmer, Rob Fisher, Randy Harris, Geoff Malloy, Matt McQueen, Maurice Slaughter and Don Sullivan. (Absent: Dan Banister, Ron Kody) Other Board members present: Rick Holcomb, Gardner Britt, Liza Borches, Senior Saghafi, David Duncan and Joe Tate. Executive Director William Childress, Peggy Bailey, Lisa Mack-Nelson, Micah Bailey and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office.

**The July 8, 2019 meeting summary was approved.**

**PUBLIC COMMENT**

There was no public comment.

**OLD BUSINESS** – There was no old business.

Meeting adjourned at 9:57 a.m. to go back to the Advertising Committee.

Meeting reconvened at 10:18 a.m.

**Tabled Issues:**

**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. At the July 8, 2019 Full Board Meeting, 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. It was reported that Mr. Maad only paid \$1,000 of the \$1,829.22 claim and Mr. Campisi confirmed he received \$1,000.

Motion was made by Steve Farmer to pay the balance of \$829.22 to Mr. Campisi from the Fund. Michael Bor 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 \$9,250.50 claim to Mr. Kinson. At the July 8, 2019 Full Board Meeting, 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. After careful review, it was determined that the attorney fees were included.

Motion was made by Rob Fisher to approve and pay Mr. Kinson's \$9,250.50 claim from the Fund. Michael Bor seconded. The motion carried unanimously.

**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 November 4, 2019

The meeting adjourned at 10:30 a.m.