

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
INTER-OFFICE MEMO

TO: Beverly Najarian, Director May 30, 2006

DEPT: Administration

FROM: Walter Craddock, Esq.

DEPT: Division of Motor Vehicles

SUBJECT: HEARING BOARD RESULTS

Please be advised of the following matters which were heard before the Board on Thursday May 25, 2006. Also be advised the following people were present during the hearing: Joseph I. Monteiro, Chief, Enforcement/ Regulations and Legal Counsel Susan Wilson, Esq., Division of Legal Services and the hearing Board members: Walter Craddock, Esq., James Botvin, Thomas Ricci, Dennis Gertsmeier and Lt. David Palmer of The Rhode Island State Police.

1. AL IZZI'S MOTOR SALES, INC. (Albert N. Izzi, Jr. Pres.)

TRANSFER APPLICATION:

FROM: 653 TIOGUE AVENUE, COVENTRY, RI 02816

TO: 33 WENDELL AVENUE, COVENTRY, RI 02816.

DECISION: The Board granted Al Izzi's Motor Sales, Inc., the application.

This application was granted subject to a site inspection and a deed provided on both sites.

2. AUTOLAND, INC. (Robert Allyn, Pres.)

TRANSFER APPLICATION:

FROM: 6840 POST ROAD, NORTH KINGSTOWN, RI 02852

TO: 653 TIOGUE AVENUE, COVENTRY, RI 02816

DECISION: The Board granted Autoland Inc., the application. This application was granted subject to a site inspection and a deed provided on both sites.

3. CARLA SUBARU, INC. (Carla Cosenzi, Pres.)

FIRST APPLICATION:

TO DEAL IN NEW SUBARU & USED AUTOMOBILES ONLY.

AT: 939 NEWPORT AVENUE, PAWTUCEKT, RI 02861.

DECISION: The Board granted this application. This application was granted subject to lease agreement and second hand licensed approval.

The Board also granted fifteen new dealer plates.

HEARINGS BOARD RESULTS Continued

4 PAULA PORRECA / Dennis Ricci, Esq. V. LINCOLN DODGE, INC. (Robert Campellone, Esq. / Joseph De Angelis, Esq.)

COMPLAINT / SHOW CAUSE HEARING

6TH RESCHEDULED HEARING

1ST. REMANDED HEARING

DECISION: This matter was settled prior to the hearing and withdrawn with prejudice.

5. JEFFREY PRIEST V. LINCOLN DODGE, INC. (Robert Campellone, Pres. / Joseph De Angelis, Esq.)

COMPLAINT / SHOW CAUSE HEARING

DECISION: This matter was postponed by Attorney Joseph DeAngelis who represents the dealership.

6. DIVISION OF MOTOR VEHICLES – ENFORCEMENT/DEALERS' SECTION V. SILVER LAKE AUTO SALES (John Troino, Pres./John Harwood, Esq.)

SHOW CAUSE HEARING

3RD. RESCHEDULED HEARING

DECISION: It was the decision of The Board that Mr. Troino is to provide the following materials and documents to The Dealers'

License & Regulations Office: - - A copy of Silver Lake Auto Sales' new business procedures within ten days;

- A properly updated employees list, with all necessary accompanying paperwork, within ten days; and

-Bills of sale for the past 6 months , within thirty days.

Additionally, the Board found multiple violations, and the Boards decision was to fine the Dealer as follows:

\$100.00 for a violation of Rules and Regulations, Section VI (L) and RIGL 31-3-20, Salesperson / Agent;

\$100.00 for a violation of Rules and Regulations Section VII (D) and RIGL 31-5-18, Record of Vehicles Bought and Sold (missing titles);

\$100.00 for a violation of Rules and Regulations Section VI (Q) Display of Vehicles; and

\$500.00 for multiple violations of Rules and Regulations VII (D) and RIGL 31-5-18, Record of Vehicles Bought and Sold (missing bills of sale)

7. DONALD B. HUNTER, JR. V. MANN MOTORS, INC. (William G. Caito, Jr. Pres.)

COMPLAINT / SHOW CAUSE HEARING

DECISION: The complaint was denied, as Mr. Hunter had ample opportunity to check the vehicle and there was no evidence presented to show that the vehicle was unsafe. The Board did, however, fine the Dealer \$50.00 for a violation of Rules and Regulations Section VI (S) and RIGL 31-38-1, for lack of a valid inspection sticker at the time of sale.

The Board also ordered the Dealer to replace an after-market air cleaner in the vehicle, and to remove the window tint which is currently on the vehicle, as offered in an earlier letter. The Dealer is also ordered to perform an inspection on the vehicle.

8. IRENE HAZARD V. ZIGGY'S AUTO SALES (Richard A. Mann, Pres.)

FOR DISCUSSION ONLY

4TH RESCHEDULED HEARING

DECISION: There was a mistake made on original decision.

The \$100.00 fine for generating a false tax document should be deleted, and the Dealership will be fine a total of \$200.00. The

remainder of the earlier decision is to remain the same.

Walter Craddock, Esq.

Chairman

Cc: Charles Dolan, Administrator, -DMV

John DiTomasso, Assistant Administrator – DMV

Joseph I. Monteiro, Chief, Enforcement / Regulations – DMV

Susan Wilson, Esq., Division of Legal Services – DOA

Catherine R. Warren, Esq., Administrator of Adjudication –DOA

Stacy DiCola, Office of Secretary of State.

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