

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATION  
INTER-OFFICE MEMO**

**March 30, 2010**

**TO: Gary Sasse, Director**

**DEPT: Department of Administration**

**FROM: Walter Craddock, Esq. Chairman**

**DEPT: Division of Motor Vehicles**

**SUBJECT: HEARING BOARD RESULTS "AMENDED"**

**Please be advised of the following matters which were heard before the Board on Thursday , March 11, 2010. Board members: James Botvin,Chairman,Thomas Celona and Sgt. David Doucet of the Rhode Island State Police.**

**Also be advised the following people were present during the hearing: Steven Raffa Esq., Division of Legal Services**

**Absent: Walter Craddock, Esq., Dennis Gerstmeyer, Michael Vispo, Richard Interrante.**

**MEETING OF MARCH 11, 2010 AT 9:00 AM AT  
PAWTUCKET CITY HALL- CITY COUNCIL CHAMBERS, 3RD FLOOR,  
137 ROOSEVELT AVENUE, PAWTUCKET, RI 02860**

**1. REVIEW AND ACCEPTANCE OF THE MINUTES OF THE FEBRUARY 25, 2010 BOARD HEARING.**

**Minutes have been reviewed and accepted by the Board.**

**2. UAG WEST BAY IM, LLC d/b/a INSKIP AUTOCENTER ( Bernard Wolfe, Pres.) CASE # KR-010-058**

**FRANCHISE ADDITION:**

**TO SELL NEW MERCEDES-BENZ COMMERCIAL VEHICLES**

**AT: 1557 BALD HILL ROAD, WARWICK, RI 02886**

**Decision: The Board has approved the franchise addition and has granted three additional dealer plates.**

**3. M & J AUTO SALES & BODY (Jose C. Mendes, Pres. / JohnHarwood, Esq.)**

**CASE # KR-010-043 REQUEST FOR (TWO) 2 ADDITIONAL USED DEALER PLATES, LICENSED SINCE 04-30-04; HAS 3 PLATES.**

**Decision: The Board has granted two additional dealer plates subject to the dealership revising their bills of sales to conform to the**

requirements as detailed in the Rhode Island Rules and Regulations, the creation of a system to insure accurate records are kept and maintaining the required number of employees and vehicle sales.

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**HEARING BOARD RESULTS**

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**4. IANOTTI BROS, SELECT CARS ( Ronald G. Ianotti, Partner)  
CASE # KR-010-044 -REQUEST FOR THREE (3) ADDITIONAL USED  
DEALER PLATES, LICENSED SINCE 07-12-82; HAS 3 PLATES**

**Decision: The Board has granted three additional dealer plates subject to the dealership revising their bills of sales to conform to the requirements as detailed in the Rhode Island Rules and Regulations, the creation of a system to insure accurate records are kept and maintaining the required six employees and vehicle sales.**

**5. JOHN D. MAHONEY V MAJESTIC MOTORS, INC. ( Marc Charren,  
Sec)**

**COMPLAINT / SHOW CAUSE HEARING – CASE # DS-09-225**

**Postponed at the request of John D. Mahoney.**

**6. ADAM ESSEX V PRICE AUTO SALES, INC. ( Peter W. Wilson, Pres)**

**CASE # DS-010-024**

**COMPLAINT/SHOW CAUSE HEARING**

**Decision: The Board has determined that the dealer must buy back the vehicle from the consumer for the sum of \$2,500, representing the \$3,000 cost of the vehicle minus a \$500 vehicle mileage deduction for consumer's use of the vehicle for the past three months.**

**The Board has determined that Price Auto Sales Dealer is in violation of the following Rhode Island General law and is required to pay the amounts below which total \$100.00 to the Dealers License and Regulations Office within 30 days of receiving the formal decision.**

**Fine: \$100.00: Violation of RIGL § 31-38-1(b): For failure to inspect the vehicle prior to selling it.**

**The Board has also warned the Dealer that it cannot represent that it is selling a vehicle at "wholesale cost" when it is being sold to the public, as this representation violates Section IX.(B)(3) of the Rules and Regulations. The Board has ordered the Dealer to stop using this language on its sales documentation**

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**James Botvin, Chairman**

**Cc: John DiTomasso, Assistant Administrator, DMV**

**Michael Vispo, Manager DMV**

**Steven Raffa, Esq., Division of Legal Services, DOA**

**Richard Interrante**

**File**