

**State of Rhode Island and Providence Plantations  
Rhode Island Division of Motor Vehicles  
Rhode Island Dealer's License and Regulations Office  
600 New London Avenue, Cranston, RI 02920  
Tel. # 401-462-5733,5734 / Fax # 401-462-5791**

**Date: November 30, 2010**

**TO: Rosemary Booth Gallogly**

**DEPT: Department of Administration**

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

**DEPT: Division of Motor Vehicles**

**SUBJECT: HEARING BOARD RESULTS**

**Please be advised of the following matters which were heard before the Board on Thursday, November 18, 2010. Board members: Walter Craddock, Esq., Dennis Gerstmeyer, James Botvin, Thomas Celona and Sgt. David Doucet of the Rhode Island State Police.**

**Also be advised the following people were present during the hearing: Michael Vispo**

**Absent: Marcy Coleman, Esq., Division of Legal Services.**

**MEETING OF NOVEMBER 18, 2010 AT 9:00 AM AT THE  
DIVISION OF MOTOR VEHICLES –3RD. FLOOR, CONFERENCE ROOM  
600 NEW LONDON AVENUE, CRANSTON, RI 02920**

**1. REVIEW AND ACCEPTANCE OF THE MINUTES OF THE : OCTOBER  
28, 2010  
BOARD HEARING.**

**The minutes have been reviewed and accepted by the board.**

**2. LEGAL MOTORS, LTD ( Joseph J. Solomon, Pres.)  
TRANSFER APPLICATION – CASE # KR-10-324  
FROM: 1669 WARWICK AVENUE, WARWICK, RI  
TO: 1129 WEST SHORE ROAD, WARWICK, RI 02889**

**Decision: The Board has approved the transfer request subject to a site inspection by the RI Dealers License and Regulations Board and the dealer must supply a copy of his second hand license issued by the city of Warwick and the dealer must finalize the paperwork within 30 days.**

**POSTING AGENDA**

**HEARINGS SCHEDULED**

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**3. SHANNON MOTORS III ( John Gosselin, Pres.)**

**TRANSFER APPLICATION – CASE # KR-10-325**

**FROM: 2625 WEST SHORE ROAD, WARWICK, RI**

**TO: 1669 WARWICK AVENUE, WARWICK, RI 02889**

**Decision: The Board has approved the transfer subject to a site inspect by the Dealers License and Regulations Board, submission of a copy of a second hand license issued by the city of Warwick and finalization of all paperwork within 30 days.**

**4. PREMIER TOYOTA OF NEWPORT ( Joseph Laham, Pres.)**

**FIRST APPLICATION – CASE # KR-10-314**

**TO DEAL IN NEW TOYOTA AND SCION VEHICLES AND USED VEHICLES.**

**AT: 285 EAST MAIN STREET, MIDDLETOWN, RI 02842**

**James Botvin has recused himself from this hearing.**

**Decision: The Board has approved the first application subject to a BCI check on one of the owners and finalization of all paperwork within 30 days. The Board has awarded 25 new car dealer plates, 92**

**A-Y. The dealership can apply for additional plates in 6 months. The dealer must provide proof of sales to the board to support their request.**

**5. BALI PROPERTIES LLC, d/b/a GEMINI AUTO SALES**

**( David Defreitas & Robert G. Menella, Owners )**

**TRANSFER APPLICATION – CASE # KR-10-307**

**FROM: 800 CHARLES STREET, PROVIDENCE, RI 02904**

**TO: 150 VANDERWATER STREET, PROVIDENCE, RI 02904**

**1ST RESCHEDULED HEARING**

**Decision: The Boards has approved the transfer subject to finalizing all paperwork within 30 days.**

**6. BALI PROPERTIES LLC, d/b/a GEMINI AUTO SALES**

**( David Defreitas & Robert G. Menella Jr. Owners )**

**ANNEX APPLICATION – CASE # KR-10-306**

**TO DEAL IN USED MOTOR VEHICLES ONLY**

**AT: 800 CHARLES STREET, PROVIDENCE, RI 02904**

**1ST RESCHEDULED HEARING**

**Decision: The Boards has approved the annex application subject to finalizing all paperwork within 30 days.**

**POSTING AGENDA**

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**HEARINGS SCHEDULED**

**7. SOUTH COUNTY COLLISION CENTER, INC d/b/a SOUTH COUNTY  
AUTO SALES**

**( Steven B. Taylor, Pres.).**

**FIRST APPLICATION – CASE # KR-10-250**

**TO DEAL IN USED MOTOR VEHICLES ONLY**

**AT: 25 WALT’S WAY, NARRAGANSETT, RI 02882**

**This hearing was postponed at the request of the dealership.**

**8. MICHAEL MATHIEU V. PLANET AUTO SALES, INC. ( Vladimir  
Faryan, Pres.)**

**SURETY BOND ACTION – CASE # KR-10-294**

**Decision: The Board has approved Michael Mathieu to file a claim for**

**\$450.00 against the 2010 surety bond, number 70608064 issued for Planet Auto Sales, Inc. by the Western Surety Insurance Company.**

**9. DC ENTERPRISES, INC d/b/a VILLAGE MOTOR SALES**

**Carmine Demarco, Pres./John D. Biafore, Esq.)**

**REQUEST OF RECONSIDERATION OF THE OCTOBER 14, 2010  
BOARDS' DECISION CASE # KR-10**

**Decision: The Board has approved a new hearing to consider the October 14, 2010 decision which required the dealership to turn in fourteen dealer plates, 655 M-Z. These plates must be turned in to the Dealers License and Regulations Office until the next hearing is held, December 9, 2010.**

**10. DOMINGO GOMES V. STAMA'S AUTO & TRUCK CENTER, INC. ( Leon G. Stamas, Pres.)**

**COMPLAINT / SHOW CAUSE HEARING – CASE # DS-10-269**

**Dismissed without prejudice.**

**11. MS. ORBELIA NATARENO V. ESPAILLAT MOTORS CXA, INC.**

**( Crescencio Alberto Guzman, Pres.) SURETY BOND ACTION –  
CASE # DS-10**

**Sgt. David Doucet has recused himself from this hearing.**

**Decision: The Board has approved Orbelia Natareno to file a claim for \$12,776.00 against the 2007 surety bond, number 68534837 issued for Espaillat Motors CXA Inc. by the Western Surety Insurance Company.**

**POSTING AGENDA**

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**HEARINGS SCHEDULED**

**12. DEALERS' LICENSE & REGULATIONS OFFICE V. IANNOTTI BROS  
SELECT CARS**

**(Toni Iannotti, Partner) SHOW CAUSE HEARING – CASE #  
KR-10-292**

**This hearing will be continued until December 9, 2010 to allow the dealership time schedule an authorized person to represent them**

before the board. The Board has requested that an owner, Ronald Iannotti or Toni Iannotti, be present at the next hearing.

**13. DEALERS' LICENSE & REGULATIONS OFFICE V. DANE AUTO SALES**

**( Cirilo E. Velez, Owner) SHOW CAUSE HEARING – CASE # KR-10-315**

**Decision: The Board has determined Dane Auto Sales is in the violation of the following Rhode Island Rules and Regulations and Rhode Island General Laws and is required to pay the amounts listed below, which total \$61,790.00, to Rhode Island Dealers and Regulations**

**Office within 10 days of receiving the formal decision.**

**Fine: \$100.00: Violation of RI Rules and Regulations Section VII(E): Improper language on bills of sales.**

**Fine:\$1000.00: Violation of RI Rules and Regulations Section VI(L):Allowing a non-employee to act as an agent of the dealership.**

**Fine:\$61,790.00: (714 Violations x \$85.00 fine per violation) Violation of Rhode Island General Law §31-3-40: Misuse of special use identification tags,(temporary plates).**

**The Board has determined that Dane Auto Sales is in violation of Rhode Island General Law § 31-5-11(10), having indulged in unconscionable practices relating to business as a motor vehicle dealer. Therefore Dane Auto Sales license to do business, number 391, has been revoked immediately and the dealership must return his license and dealer plates, 721A-C, to the Dealers License and Regulations Office within 10 days of receiving the formal decision.**

**The Board has requested that this case be referred to the RI State Police for further investigation.**

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**Walter Craddock, Esq. Chairman**

**Cc:**

**John DiTomasso, Assistant Administrator, DMV**

**Michael Vispo, Manager DMV**

**Marcy Coleman, Esq., Division of Legal Services, DOA**

**File**