

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

September 6, 2013

TO: Rosemary Booth Gallogly

DEPT: Department of Revenue

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 Tuesday,

September 3, 2013. Board members: Walter Craddock, Esq., James Botvin and William Jeffery. Also present, Marcy Coleman, Esq., Division of Legal Services.

Lt. David Doucet of the Rhode Island State Police has recused himself from the decision process of the dealer hearing board while on special assignment the Department of Motor Vehicles Enforcement Division until further notice.

Absent: Marc Levasser

**MEETING OF SEPTEMBER 3RD 2013 AT 12:30 PM
DIVISION OF MOTOR VEHICLES –3RD. FLOOR, CONFERENCE
ROOM,
600 NEW LONDON AVENUE, CRANSTON, RI 02920**

**1. REVIEW AND ACCEPTANCE OF THE MINUTES OF: JULY 16TH
2013 BOARD HEARING**

The Board has reviewed and approved the minutes of July 16, 2013.

**2. SALVATORE MESSINA vs. PRICE AUTO SALES (Peter Wilson,
Pres.)
SHOW CAUSE HEARING – CASE # KR-130-172**

Decision: Decision: The Board has accepted the dealerships offer to purchase the vehicle back from the consumer for \$3940.00 and to pay him the additional \$139.00 to cover the cost of repairs that he had done for a total due of \$4049.00 to be submitted in the form of a cashier check made out to the consumer to the RI Dealers License and Regulations Office.

The Board has ordered the suspension of the dealerships license, number 219, to do business for 30 days for violation of RI General

Laws § 31-5-11 (10), unconscionable business practices as a dealer. The dealership must return all dealer plates, 136B and 136C and hard copy of the business license to the RI Dealers License and Regulations Office for the duration of the suspension. Plate 136A has been lost or stolen and a replacement will not be made at this time.

The Board has determined that Price Auto Sales is in violation of the following Rhode Island Rules and Regulations and is required to pay the amounts listed below which total \$850.00, to the Rhode Island Dealers License and Regulations Office within 10 days of receiving the formal decision.

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Hearing Board Results

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Fine: \$650.00 (\$50.00 X 13 violations): Violation of RI Rules and Regulations Section VI (L): Allowing non-employees to conduct business for the dealership at the auction.

Fine: \$100.00: Violation of RI Rules and Regulations Section VI Section (R): Failed to inspect vehicles prior to selling them.

Fine: \$100.00: Violation of Rules and Regulations Section VI (L): Allowing non-employees to conduct business for the dealership to

sell vehicles.

The Board has ordered the dealership to submit a business plan to the RI Dealers License and Regulations Office and to submit copies of all bills of sales in sequential order for the period of January 1,2013 to August 31,2013 within thirty days of this hearing.

**3. DEALER'S LICENSE & REGULATIONS OFFICE vs. PUTNAM AUTO SALES (John Taylor, Partner/ William Warren, Esq.)
SHOW CAUSE HEARING – CASE # KR-130-189**

Decision: The Board has approved immediate revocation of the dealership license #407 for violation of RI General Laws § 31-5-11 (3),(10) and (11). The dealer must return the dealership license and dealer plates 515A,B,C,D, F, G, H and plate 945C to the RI Dealers License and Regulations Office within days after receipt of the formal decision.

**4. JDJ AUTO SALES (Paul Picerne, Owner / John Kupa, Esq)
CASE # KR-130-239
2013 RENEWAL CONSIDERATION**

Postponed at the request Gordon Fox, Esq. attorney for the dealership.

Walter Craddock, Esq. Chairman

Cc: Marcy Coleman, Esq.