

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

April 4, 2014

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 Wednesday, April 2, 2014. Board members: Walter Craddock, Esq., James Botvin, Marc Levasser 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.

MEETING OF APRIL 2, 2014 AT 12:30 PM AT THE

DIVISION OF MOTOR VEHICLES –3RD. FLOOR, CONFERENCE ROOM, 600 NEW LONDON AVENUE, CRANSTON, RI 02920

1. REVIEW AND ACCEPTANCE OF THE MEETING OF: MARCH 19, 2014 BOARD HEARING

The minutes have been reviewed and approved for March 19, 2014.

2. TASCA AUTOMOTIVE GROUP NORTH, INC d/b/a TASCA BUICK GMC (Robert Tasca, Jr. Pres.)

FIRST APPLICATION – CASE # KR-140-101

TO DEAL IN NEW BUICK-GMC AND USED VEHICLES ONLY

AT 55 FORTIN DRIVE, WOONSOCKET, RI 02895

Decision: The Board has approved the application subject to a site inspection by the RI Dealers License and Regulations Office, the dealer getting a second hand dealer license from the town of Woonsocket, obtaining a dealer franchise agreement and finalizing in 90 days. The Board has approved the transfer of the dealer plates, 12A-Z, from Paul Masse Buick GMC Inc to Tasca Buick GMC.

Page 1 of 4

HEARING BOARD RESULTS APRIL 2, 2014

PAGE 2 OF 4

3. DEALERS' LICENSE & REGULATIONS OFFICE vs. TORO AUTO SALES & SERVICE, INC. (Guido Romano, Pres. / John Harwood, Esq.)

CASE # KR-140-016

RE SCHEDULED SHOW CAUSE HEARING

Decision: The Board has tabled this case pending the results of a criminal investigation into the submission of forged documents for four years by the dealership to the Dealers License and Regulations Office. The dealerships license to do business, number 555 and their dealer plates, 524A-C are currently being held by the Dealers License and Regulations Office and shall remain in their possession until all current issues have been resolved.

4. RONALD OLIVER /DEALERS' LICENSE & REGULATIONS OFFICE VS. QUALITY AUTO SALES (Charles Carus0, Owner / John Harwood, Esq.)

CASE # AM-140-034

COMPLAINT/SHOW CAUSE HEARING

Decision: The Board has determined that the dealership must refund the total cost of repairs made to the vehicle in the amount of \$6,681.91 and they must pay the half the original cost of the warranty for \$1000.00 for a total of \$7,681.91 to be paid to the consumer.

The Board has also determined that Quality Auto Sales is in violation of the following RI Rules and Regulations and is required to pay the amounts listed below which totals \$750.00 to the Dealers License and Regulations Office within 10 days of receiving the formal decision.

Fine: \$100.00: Violation of RI Rules and Regulations VII Subsection (E): bill of sale did not have the required language printed on it relating to the RI vehicle inspection law.

Fine: \$400.00: (4 Violations times \$100.00 each) Violation of RI Rules and Regulations VI Subsection (L): non-employees allowed to represent the dealership and transact business at the auctions.

Fine: \$250.00: Violation of RI Rules and Regulations VI Subsection (L): allowed non-employee to conduct sales and sign documentation for the dealership.

5. JOANN MANSFIELD / DEALERS' LICENSE & REGULATIONS OFFICE VS. QUALITY AUTO SALES (Charles Caruso, Owner / John Harwood, Esq.)

CASE # AM- 130-249

COMPLAINT / SHOW CAUSE HEARING

Decision: The complainant has been removed from this case because the vehicle has been repossessed by the finance company. The Board has determined that Greenwood Credit Union should be repaid \$2000.00 for the warranty which was never paid to the warranty company.

The Board has referred several of the Quality Auto Sales cases heard today to the RI State Police and the RI Division of Taxation for criminal investigation because of numerous administrative violations and evidence of unconscionable business practices which came to apparent during this hearing.

The dealerships license to do business, 488 and dealer plates 577A-D, must be turned in to the RI Dealers License and Regulations Office immediately to be held by them for the duration of the indefinite suspension ordered by the Board until the investigations have been completed at which time the Dealers Board will review the results to determine if the dealerships license and plates should be reinstated to allow the dealership to resume operating the business.

**6. KRYSTAL HULKOW / DEALERS' LICENSE & REGULATIONS
OFFICE VS QUALITY AUTO SALES (Charles Caruso, Owner / John
Harwood, Esq.)**

CASE # KR-120-345

COMPLAINT / SHOW CAUSE HEARING

Decision: The Board has ordered the dealership to refund \$778.40 to the complainant for duplicate payment made to the dealership for taxes and registrations fees.

The Board has ordered the dealership to pay a fine in the amount of \$1,000.00 for being in violation of RIGL Laws 31-5-11 (3), (10) and or (11), for having violated any law relating to the sale, distribution, or financing of motor vehicles and for having indulged in any unconscionable practice relating to business as a motor vehicle dealer to the RI Dealers License and Regulations Office within 10 days after receiving the formal decision.

HEARING BOARD RESULTS APRIL 2, 2014

PAGE 4 OF 4

7. ROSEMARY PEREZ / DEALERS' LICENSE & REGULATIONS OFFICE VS QUALITY AUTO SALES (Charles Caruso, Owner / John Harwood, Esq.)

CASE # KR-130-328

COMPLAINT / SHOW CAUSE HEARING

Decision: The Board has determined that the dealership must refund \$228.43 for overpayments made for taxes and registration fees and \$1380.43 a fee for an extended warranty which the consumer did not want for a total of \$1608.43.

Administrative sanctions will be tabled until the completion of the criminal investigations by the RI State Police and the RI Division of Taxation into the possibility of forged documents.

8. ASHLEY PENDOLA / DEALERS' LICENSE & REGULATIONS OFFICE VS QUALITY AUTO SALES (Charles Caruso, Owner / John Harwood, Esq.)

CASE # KR-130-217

COMPLAINT / SHOW CAUSE HEARING

Decision: The dealership has agreed to pay \$3605.00 to the consumer within 5 business days from today. The payment will be by a certified check delivered to the RI Dealers License and Regulations Office.

Administrative sanctions will be tabled until the completion of the criminal investigations by the RI State Police and the RI Division of Taxation into the possibility of forged documents.

Walter Craddock, Esq., Chairman

Cc: Marcy Coleman, Esq.