

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

October 8, 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, October 1, 2014. Board members present: Walter Craddock, Esq., James Botvin, Marc Levasser and Lt. David Doucet of the Rhode Island State Police, who will abstain from voting and the deliberation process until further notice while on special assignment with the Department of Motor Vehicles Enforcement Division.

Absent: William Jeffery, Marcy Coleman, Esq., Division of Legal Services.

**MEETING OF OCTOBER 1, 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 MINUTES OF: SEPTEMBER
17, 2014 BOARD HEARING**

**The minutes have been reviewed and approved for September 17,
2014.**

**2. DEALERS' LICENSE & REGULATIONS OFFICE VS TORO AUTO
SALES & SERVICE INC. (Guido Romano, Pres./ John Harwood, Esq.)
CASE # KR-140319 SHOW CAUSE HEARING**

LT. David Doucet has recused himself from this hearing.

**Decision: The Board has determined no further action is required
because the business has been closed and the plates and business
license have been return to the RI Dealers License and Regulations
Office.**

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HEARING BOARD RESULTS

DATE 10-01-14

3. PATRIOT MOTORS GROUP, LLC d/b/a PMG AUTO SALES (Rocco P. Gesualdi, Jr. Member)

FIRST APPLICATION - CASE # KR-140266

TO DEAL IN USED MOTOR VEHICLES

AT 391 DYER AVENUE, CRANSTON, RI 02920

RESSCHEDULED

Decision: The Board has approved this license subject to getting a letter of good standing issued by the division of Taxation for the previous entity that conducted business, Toro Auto Sales, at this property. Three dealer plates have been authorized.

4. RYDER VEHICLE SALES, LLC (John Diez, Member)

TRANSFER APPLICATION – CASE # KR-140299

FROM: 1 JEFFERSON BLVD. WARWICK, RI 02888

TO: 7 JEFFERSON BLVD. WARWICK, RI 02888

Decision: The Board has approved this transfer subject to obtaining a second hand license form the City of Warwick and be finalized within 30 days.

**5. GEM AUTO SALES AND REPAIR, INC d/b/a GEM AUTO SALES AND
REPAIR (Allan A Llewellyn, Pres)
FIRST APPLICATION CASE # KR-140213
TO DEAL IN USED MOTOR VEHICLES
AT 163 MINERAL SPRING AVENUE, PAWTUCKET, RI 02860
RESCHEDULED HEARING**

**Decision: The Board has approved this application and has granted
3 dealers plates.**

**6.. CONTRACT SERVICE & MAINTANANCE CO INC
d/b/A CONSOLIDATED TRUCK SALES & EQUIPMENT CO (David L.
Pesce, Pres.)
LOCATED AT 900 CHARLES STREET, NORTH PROVIDENCE, RI
02904
DEALERS' LICENSE GRANTED 06/16/1987
CASE # KR-140262
DISCUSSION AND DECISION REGARDING GASOLINE TANKS AND
PUMPS.**

**This hearing has been postponed for two weeks at the request of the
dealership.**

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HEARING BOARD RESULTS

DATE 10-01-14

**7. JONATHAN LLANOS AND DEALERS' LICENSE & REGULATIONS
OFFICE VS LAUREL HILL AUTO SALES (Peter Geneconte, VP) AND
FONSECA AUTO SALES (Mario Jimenez, Owner / John Cicciline, Esq)
CASE # KR-140257
COMPLAINT / SHOW CAUSE HEARING**

Lt. David Doucet has recused himself from this hearing.

Decision: The Board has determined that the Fonseca Auto Sales must buy back the vehicle from the consumer for the amount of \$2200.00 which represents the original purchase as indicated on the bill of sale issued by Rate Motor.

The Board has also determined that Fonseca Auto Sales is in violation of the following Rhode Island General Laws and RI Rules and Regulations and is required to pay the amounts listed below which total \$900.00 to the Rhode Island Dealers' License and Regulations Office within 10 days after receiving the formal decision.

Fine: \$500.00: Violation of RIGL§ 31-5-11 (10) and (11), for having

indulged in any unconscionable practices relating to business as a motor vehicle dealer.

Fine: \$150.00: Violation of RI Rules and Regulations Section VI (L): licensed dealerships must use a company check to purchase vehicles.

Fine: \$250.00: Violation of RI Rules and Regulations Section VI (L): unauthorized employee acting as a agent for the dealership.

The Board has also determined that Laurel Hill Auto Sales is in violation of the following Rhode Island General Laws and RI Rules and Regulations and is required to pay the amounts listed below which total \$200.00 to the Rhode Island Dealers' License and Regulations Office within 10 days after receiving the formal decision.

Fine: \$100.00: Violation of RI Rules and Regulations Section VI (L): licensed dealerships must use a company check to purchase vehicles.

Fine: \$100.00: Violation of RIGL§ 31-5-11 (10), for having indulged in any unconscionable practices relating to business as a motor vehicle dealer.

POSTING AGENDA

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**8. LIDIA CABRAL AND DEALERS' LICENSE & REGULATIONS OFFICE
VS AUTO CHOICE CAR TRUCK SALES (Paul Bowen, Owner)
CASE # AM-140214
COMPLAINT / SHOW CAUSE HEARING**

Decision: The Board has determined that no further action is required.

**9. DEALERS' LICENSE & REGULATIONS OFFICE VS RUDY'S AUTO
SALES (Rudolph Del Santo, Owner)
CASE # AM-140271
SHOW CAUSE HEARING**

Decision: The Board has ordered that the dealership return their business license, 274 and their dealer plates 202A,B and C to the RI Dealers License and Regulations Office based on the fact that they

have indicated they are out of business via a sign displayed on their place of business.